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CONTINUITY AND CHANGE IN AGRARIAN ORGANISATION IN NORTH-WEST ENGLAND: 1100 - 1800

(A thesis in one volume)

NICOLA GREGSON

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Submitted for the Degree of Ph.D., University of Durham, Department of Geography, 1984.



ARSTRACT

This thesis explores two approaches to historical geography in terms of their interpretations of the themes of continuity and change in agrarian organisation on specific estates in North-west England over the period 1100 to 1800. The approaches are identified with two separate philosophical traditions within historical geography: one is an approach which may be loosely associated with the positivist model of explanation, the other can be linked to the marxian-humanist tradition.

These perspectives frame the empirical content of the thesis. In Part One an evaluation of the multiple-estate model of C.R.J. Jones is presented as an illustration of the use of the positivist model of explanation in historical geography. Following a rigorous definition of this model, two case studies are presented: in neither does the model provide us with an adequate description of reality. This, together with (1) the problems associated with positivism and (2) the type of historical geography produced within such a framework, leads to the abandonment of the multiple estate model as an adequate heuristic tool.

The approach adopted in Part Two emerges from the problems discussed in Part One and from a consideration of philosophical debate as conducted in human and historical geography. Research is restructured around the theme of the transition towards agrarian capitalism and reflects Marxist debate over this issue and 'structurationist' concepts. The theoretical framework adopted is outlined in Chapter Three. In Chapters Four to Seven the evidence for the transition in North-west England is examined. The transition is shown to involve (1) changes in the social structure framing landlord - tenant relations and (2) the necessity of situating research within the context provided by the social structures of specific estates.

In Chapter Eight both approaches are contrasted and evaluated in relation to the themes of continuity and change.

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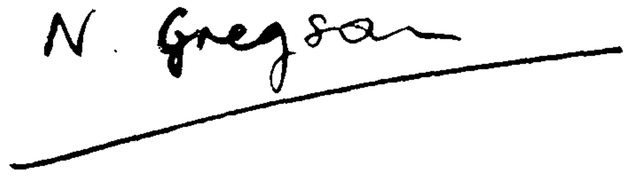


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PART ONE

CHAPTER ONE: INTRODUCTION

1.1: Introduction

This thesis is intended as a contribution to the ongoing debate concerning the role of theory in historical geography and as a substantive demonstration, at the empirical level, of the interpretative potential of a new set of concepts to the understanding of continuity and change in an English rural society in North-west England. Accordingly, at both the theoretical and empirical levels the aim is to explore two distinct approaches to historical geography. These are:-

(1) a 'traditional', loosely positivist approach to enquiry, emphasising pattern, form and the application of scientific principles of analysis, and

(2) a 'marxian-humanist' perspective which, drawing heavily on ideas from both Marxist and structurationist work, stresses mechanisms, processes and social interaction.

It is these contrasting approaches, set in the context of recent philosophical and methodological debate within historical and contemporary human geography, which form the basis of the division of the thesis into two parts. In both parts, the two approaches are considered within the specific historical experience of the Gilsland estate of North-east Cumbria during the period c.1100 to c.1800. In both cases stress is placed on the adequacy, or otherwise, of the alternative theoretical strategies in providing an adequate understanding of the processes of continuity and change within an agrarian society. It will be shown, therefore, how the positivist and marxian-humanist approaches explored below accord radically different interpretations of and approaches to the themes of continuity and change within the context of the Gilsland estate.

Part I is the shorter and in some respects the negative or destructive part of the thesis. Its main aim is to expose by means of an historiographical review, and with reference to one specific example, the limitations and problems associated with an historical geography conducted within a positivist framework. Part I also represents the present researcher's personal intellectual exploration, development and, then, finally, abandonment of a positivist approach to historical geography.[1] Conceived initially with the object of examining critically the concept of the multiple-estate model of G.R.J. Jones (1960a, 1961a, 1961b, 1961c, 1965a, 1971, 1975, 1976a, 1979b), in various areas of Northern England and Southern Scotland, the thesis moved to a rejection of this particular, loosely positivist approach to historical geography on both theoretical and empirical grounds. A discussion of the reasons for this rejection - supported by the empirical data collected as part of the evaluation undertaken for the thesis in its original design - accordingly forms the core of Part I. It has been made to serve as the principal vehicle for an illustration of the poverty of positivism as an approach to historical geography.

Part II represents the present centre of gravity of the arguments in this thesis. In it, the comparative richness of a fully developed marxian-humanist approach to the themes of continuity and change is demonstrated. The central thread here is to essay the course of one particular agricultural society through the transition towards agrarian capitalism. This has become the primary aim of the thesis.

It will be noted from the arrangement of Part I and II, as described above, that there are fundamental difficulties arising from both the rejection of the positivist approach in favour of a marxian-

humanist strategy, and from the gaps in the documentation available for these two approaches within the area selected. The dilemma is thus. On the one hand, the period in which the positivist ideas of G.R.J. Jones are evaluated is early medieval: on the other hand, the period framing the marxian-humanist analysis is early modern. The two do not meet in time, nor are they continuous. In a sense this temporal hiatus is unwelcome. It would have been ideal, and possibly more convincing from the point of contrasting the two approaches to historical geography examined in the thesis, to have been able to compare both over an identical time period. Unfortunately, this was impossible and for the following reason. Documentary evidence relating to agrarian societies in North-west England prior to the 16th century in general is not only scarce but limited in character to scattered, incomplete sets of charters, rentals and surveys pertaining to individual estates.[2] Such material, whilst suitable for an analysis based upon patterns and forms, is insufficient for one in which process, mechanisms and social interaction figure strongly. For the latter a much richer data base comprising a full complement of personal and estate correspondence is essential in order to piece together the interactionary, social dimension behind the static picture conveyed within comprehensive survey material.

Notwithstanding this problem, it is felt that the advantages of being able to explore the two contrasting approaches at a theoretical level probably justify, especially in view of the material advanced in Part II, the lack of a strict adherence to a conventional chronological sequence.

The two parts of the thesis form the framework for the sequence of chapters now set out below.

Part I

Chapter I. In the remainder of this introductory chapter discussion is focussed around the general characteristics of the positivist and marxian-humanist approaches to historical geography and to their interpretations of the themes of continuity and change. In addition, both approaches are situated within the context of current philosophical and methodological debate in historical geography, human geography and social theory, in which abstract evaluations of the positivist and marxian-humanist approaches to be explored both theoretically and empirically within this thesis figure significantly.

Chapter II. In this chapter the multiple-estate model of G.R.J. Jones is evaluated, both on the theoretical and empirical levels. Thus the model is discussed in relation to two points. First, with respect to the degree to which it provides an adequate description of early patterns of inter-settlement organisation and, secondly, in terms of the type of explanation which, given its terms of reference, the model inevitably produces of past societies.

Part II

Chapter III. This takes up the theoretical criticisms to be levelled at the multiple-estate model and uses these to formulate a different approach to historical geography. This alternative, marxian-humanist mode of understanding draws heavily on the arguments of Baker (1972, 1975, 1976, 1977, 1978, 1979, 1982) and Gregory (1976, 1982a, 1982b) within historical geography; the Marxist arguments of Brenner (1976, 1977, 1982) regarding the transition towards agrarian capitalism and the structurationist

work of Giddens (1976, 1977, 1979, 1981, 1982) and Layder (1981).

Chapters IV to VII. In these chapters the concepts developed in Chapter Three are used to chart and attempt to produce an understanding of the course of the transition towards agrarian capitalism within the Gilsland estate of North-east Cumbria over the period c.1570 to c.1800.

Chapter VIII. In this an attempt is made to assess the respective merits of the two approaches to historical geography considered below in detail.

1.2: Recent philosophical and methodological debate within historical geography: an overview

A heightened awareness of the importance of philosophy and methodology within historical geography is a fairly recent phenomenon.[3] It is also one which remains the concern of a small but significant group of practitioners.[4] Two themes permeate this literature: a forceful criticism of the traditional methods and subject matter of historical geography and a somewhat programmatic attempt to recast the subject in a form more in line with contemporary thinking in human geography. These issues are considered below.

The 1970s saw a full-scale attack on historical geography and particularly its subject matter. This came not from without but from within, specifically from a group which Simms (1982, 410) terms the 'avant-garde' of the discipline. Nowhere is the substance of this attack more clearly stated than by Baker (1979, 561), who stresses historical geographers' traditional focus on,

> 'landscapes transformed by men rather than upon man as an agent of landscape change, upon artefacts rather than ideas, upon actions rather than attitudes, upon external forms rather than internal processes (and upon man) as a passive rather than active agent.'

In short, according to Baker, historical geography in practice has produced little more than a static description of the past in which pattern, landscape and form figure prominently but in which human beings themselves figure little.

A similar line of argument is pursued by Gregory (1982b, 1), who sees much historical geography as,

> 'ahistorical, committed to the excavation of patterns rather than processes and the exhumation of places rather than people.'

Such remarks, as they stand, are little more than extreme generalisations concerning the traditional subject matter of historical geography.[5] However, they do reflect a more precise criticism, not simply of the actual content of historical geography but of the modes of enquiry employed within the subject. Indeed, in adopting as a main line of criticism historical geographers' traditional, and apparently exclusive, emphasis on the external, empirically observable world of the past - a world of patterns, events, phenomena and forms - the full force of both Baker's and Gregory's attack on historical geography is directed quite clearly at the empiricist and positivist traditions within the subject. These traditions are outlined briefly here with the use of examples before moving on to consider the criticisms which may be levelled at the positivist approach.

The older and stronger tradition of empiricist work in the subject is not criticised extensively since this approach is not utilised in the thesis, however, its strength within historical geography is considerable. Grounded epistemologically in the belief that all

knowledge is derived from observed experience, empiricism within historical geography is revealed in an approach to research which has as its focus the observation and collection of facts, data and evidence, from which historical geographers have proceeded to construct generalisations (Dunford and Perrons, 1983; Gregory, 1978; Keat and Urry, 1975). Exemplary of work in this genre, to mention but a few illustrations, is research concerning urban and rural settlement morphology (Slater, 1981, 1983; cf. Allerson, 1970; Roberts, 1970, 1972, 1976, 1978, 1982; Sheppard, 1974, 1976; Thorpe, 1949); medieval village desertion (Allison, 1970; Beresford, 1979; Beresford, 1965; Beresford and Hurst, 1971) and landscape history (Rowley, 1978); all subject areas in which Baker's themes of forms, patterns and artefacts dominate.

In closer association with the subject matter of the major part of this thesis stands work by historical geographers on agrarian change. Within the volume of essays on Change in the Countryside (Fox and Butlin, 1979), for example, the empiricist approach again dominates. Hodgson, for instance, charts the progress of enclosure in County Durham over the period 1550 to 1870, produces a chronology of enclosure for this area and relates this to more general trends in population growth and economic changes at the regional scale. Macdonald, taking the case of George Culley from Northumberland, attempts to assess the influence of one individual in the introduction of changes in the agrarian sphere, whilst Walton, although using more sophisticated multivariate statistical techniques to isolate the primary influences upon the adoption of mechanisation in agriculture, is mainly concerned with indicating the progress of adoption of specific types of farm machinery within Oxfordshire. In all cases facts are collected regarding a specific empirical, as opposed to theoretical, problem and wider

generalisations follow. Interestingly, a similar volume, The Making of the Scottish Countryside (Parry and Slater, 1980), presents a parallel image of the Scottish Agricultural Revolution; one which is constructed mainly in terms of the introduction and diffusion of new crops, liming innovations, rotations, enclosures, individual estate owners and their agents (Adams, 1980; cf. Adams and Whyte, 1978; Whittington, 1970, 1975).

Further confirmation of the predominance of the empiricist tradition within historical geography can be found within the Journal of Historical Geography. In the 1979 volume, for instance, the papers by Bromley; Conzen and Conzen; Darby; Glasscock; Sheail and Versey; Gade; Graham and Ormrod, all fall within this framework and discuss such issues as the spatial structure of urban retailing in 19th century Milwaukee; the changing distribution of wealth in England in 1086 - 1334 - 1525; and the evolution of soil management practices in early Jamaican sugar planting. Similarly, in the 1983 volume - when, as a result of Baker's remarks, we might expect to find a different mix of papers - a comparable emphasis on straight empirical work is still to be found. For example, Walton discusses the diffusion of improved sheep breeds in 18th and 19th century Oxfordshire; Nitz considers the influence of the Benedictine Abbey of Lorsch on planned waldhufen colonisation in the Odenwald; Proudfoot looks at the extension of parish churches in medieval Warwickshire and Gwynn analyses the number of Huguenots in England in the late 17th century.

In contrast to the strong connections between historical geography and empiricism, the links between historical geography and the positivist tradition are weakly developed. Certainly, they are nowhere near as well defined as those which have been drawn between human geography constructed as spatial science and positivism (Eliot-Hurst, 1973;

Gregory, 1978; Johnston, 1978, 1983; Lewis and Melville, 1978; Smith, 1979). Indeed, by no stretch of the imagination can the majority of work produced by historical geographers during the 1960s be equated with that characteristic of the human geography of the period, a human geography which stressed the importance of the hypothetico-deductive method, which was nomethetic as well as grounded in empirical verification and which found its ultimate expression in Harvey's 'Explanation in Geography' (1969). Instead, as several overviews make clear, most historical geography of this period was conducted within an empiricist framework, without any intention of relating this knowledge to (non-existant) theories and laws concerning spatial pattern in the past (Baker, 1972; Butlin, 1982; Prince, 1971, 1981).

Such generalisations, however, are not all encompassing. In a few cases the connections between work in historical geography and positivism are fairly clearly demarcated. Jones's work on multiple-estates, for instance, provides us with one illustration of the use of a theoretical model and its empirical verification within historical geography. Other examples include Hudson's (1969) attempt to develop a location theory for rural settlement; Bylund's (1960) work on colonisation in Sweden and, more recently, Langton's (1979) Geographical Change and Industrial Revolution and Cliff, Haggett and Graham's (1983) analysis of the diffusion of measles in Iceland in the early 20th century. In placing considerable emphasis not only upon the external object world but upon the value of the hypothetico-deductive method, the role of theory and models, and the importance of verifying these theories and models empirically - all in relation to the object world - such work clearly does not fall within the empiricist framework. Instead, it is quite obviously associated with the positivist tradition in historical geography.

The type of knowledge produced by the limited amount of historical geography conducted within a positivist framework can be criticised on three counts. All of these criticisms have been discussed in detail in relation to contemporary human geography thus there is little need to consider them exhaustively here. First, there is a line of criticism which focusses on the internal contradictions of positivism itself, specifically the relationship between theory and observation, verification and falsification (Fay, 1975; Gregory, 1978; Keat and Urry, 1975; Lakatos, 1970 cf. Popper, 1934). Secondly, there is a broadly humanistic attack which dismisses as irrelevant a geography which, in focussing on the object world, does not place the world of human beings at the centre of analysis (Buttimer, 1976, 1983; Tuan, 1976). This is obviously the criticism which Gregory (1982b) has in mind when he argues that historical geography has failed to emphasise the human world of the past,

> 'Darby's empty landscapes were 'made' by fistfuls of of the prominent and powerful, while the ordinary men and women who were part of that 'making' - whose unremitting labours cleared the woods and drained the marshes, and the shape of whose lives were punched out by the contours of the new landscapes - slipped by largely unrecorded.'

Thirdly, there are the series of criticisms derived from the arguments of the neo-Marxist Frankfurt School of critical theorists (Horkheimer, 1972; Marcuse, 1972; Habermas, 1971, 1976). These stress the quite definite social and political function of a social science conducted within a positivist framework (Eliot-Hurst, 1973; Ellul, 1967; Fay, 1975; Horkheimer, 1972; Lewis and Melville, 1978; Olsson, 1974; Smith, 1979; Zelinsky, 1975). Although little immediate connection exists between this and <u>historical</u> analysis, historical work structured by this framework will inevitably convey a positivist image of the past;

an image composed primarily of the world of observable phenomena, of objects, forms and patterns, not a world in which the mechanisms of societal transformation and the role of individuals and groups within this are recognised.

The importance of these criticisms as they affect historical geography is not simply that they enable an attack to be made on the positivist mode of explanation within the subject. They have also been instrumental in certain attempts to reconstruct historical geography and it is these proposals which are now considered and evaluated.

There have been two explicit, although somewhat programmatic, attempts to reconstruct historical geography; one based on idealism, the other on marxian-humanism. Both are considered here as they have been presented in debate within historical geography, that is, specifically in relation to their approach to two themes:- the treatment of the individual and the degree to which they can accommodate the notion of societal change and transformation. Obviously, these themes reflect both the humanist and critical theorist lines of criticism which may be levelled against historical geography as conducted within a positivist framework. They are also themes which are stressed in most statements concerning possible future directions within historical geography (Baker, 1976; Lemon, 1976).

The idealist approach within both contemporary human geography and historical geography is associated primarily with the work of Guelke (1974, 1975, 1982). Developed as an explicit alternative to positivism, this approach focusses upon the individual; its goals being, first, to explain the action of individuals in the context of the rational thought processes behind that action and, secondly, to understand the theoretical ideas underlying this action. Thus the

practical task for the historical geographer becomes the re-enactment of the individual's thought processes in the past.

It is not difficult to criticise such an approach to the study of the past, both from a practical angle and from the standpoint of social theory. In the first case there are three major problems. First, idealism, in common with transcendental phenomenology, demands that the researcher approach the subject matter in a state of 'theory-lessness'; the preconceptions generated by the 'external world' have to be 'bracketed -out' (Entrikin, 1976; Watts and Watts, 1978). This, quite clearly, is impossible. As has been argued repeatedly, each researcher is a socialised being who brings his own social world into contact with each research situation (Buttimer, 1976, 1983; Entrikin, 1976). A second difficulty concerns the question of whether it is possible to differentiate between 'rational' and 'other' thought processes. Both Gregory (1976) and Watts and Watts (1978) express serious doubts over this issue, claiming that it is impossible to be sure as to what exactly constitutes 'rational' thought. However, even more to the point in this case is surely the fact that, in adopting the term 'rational' thought from the outset, idealists enter into the research situation with a pre-conceived notion of the type of thought processes which they are looking for. Given their stated denial of the role of preconceptions, this is untenable. Finally, at the empirical level, there is the problem of how we actually capture thought in the past. Oral history, admittedly, does provide us with one way of reaching thought in the immediate past but beyond the life-time of individuals it is hard to see any way to the serious study of thought <u>per se</u> (cf. Ginzburg, 1976). On a practical level then, it is hard to see idealism as presenting a useful and viable approach to historical geography.

From the standpoint of the type of social theory which it produces, idealism can also be seen as an undesirable perspective. In common with other humanistic approaches it can be criticised as presenting a voluntaristic picture of the relationship between individual and society in which the individual is seen as having complete autonomy over his existence (Giddens, 1976, 1979, 1981, 1982; Gregory, 1978, 1981; Layder, 1981). Indeed, idealism represents this view in one of its most extreme forms for, by reducing the explanation of action to just the level of the individual thought processes behind action, it effectively denies any consideration of how and why these thought processes may have been influenced by the constraints provided by specific social factors. This, in terms of contemporary arguments within social theory, is inadequate. To gloss over matters extremely simply, a central issue for social theory today has become precisely this question of how to combine what has been presented traditionally as the polarity between individual and society as a meaningful duality (Abrams, 1982; Giddens, 1976, 1977, 1979, 1981, 1982; Layder, 1981; Pred, 1981b, 1982; Thrift, 1983). In this respect an idealist perspective clearly is deficient.

Idealism can thus be rejected as both a useful and viable framework for the reconstruction of historical geography. It is not only extremely problematical in terms of practical implementation but is also unsatisfactory in relation to current arguments within social theory. Furthermore, these difficulties would limit any historical work conducted in this vein.

In contrast to idealism, marxian-humanist approaches to contemporary human geography and historical geography have been developed with specific regard to the problem of individual and society within social theory. Indeed, the question of what is commonly referred to as 'social

structure' and 'human agency' has diffused into most recent philosophical and methodological discussions in the geographical literature (Gregory, 1981, 1982a, 1982b; Hagerstrand, 1979, 1982; Ley, 1981; Pred, 1981b, 1982; Sayer, 1982; Thrift, 1983). One means by which the concepts of structure and agency may be linked is contained within the structurationist writing of Anthony Giddens (1976, 1977, 1979, 1981, 1982) and it is this approach which has been advocated by Gregory (1982a, 1982b) in particular within historical geography.

The reasons for this are fairly straightforward, relating both to the goal of the structurationist project and to the compatability of this with Gregory's vision of a new direction to historical geography. This is a vision of historical geography which not only encompasses the study of long term transformations, the role of individual action and the class struggle, but which also situates these issues within arenas, or contexts, of social and spatial interaction of varying scales (Gregory, 1982b). For Gregory then, Gidden's concept of structuration - which can be summarised as connecting an account of the action of individuals with an analysis of both the conditions which brought about this action and the unintentional consequences of that action (Giddens, 1982) - is obviously central. Furthermore, what structuration represents in terms of social theory is a specific attempt to restate the human agency - social structure relationship not as a dualism but as a duality (Giddens, 1976, 1979; Layder, 1981). In this approach neither agency nor structure assume a deterministic primacy in terms of the degree of importance attached to them in analysis (Sayer, 1983).

In terms of social theory then, the superiority of this particular approach over the idealist alternative is considerable and it is for this reason that the marxian-humanist rather than the idealist approach is explored in Part II of the thesis. However, to consider this

perspective further at this juncture would be premature, particularly since the next chapter is concerned with evaluating one instance of the positivist mode of explanation within historical geography. Instead, the theoretical arguments regarding both Marxist work on the transition towards agrarian capitalism and the finer details of structuration are developed fully in Part II of the thesis.

Continuity and change

Having considered both the general features of the philosophical debate current within historical geography and outlined the links which this has with discussion in human geography, it remains to point to how the positivist and marxian-humanist approaches differ in their treatment of the themes of continuity and change at the empirical level. Although both approaches use the terms in an adjectival, as opposed to explanatory, sense the objectives of their description differ markedly.

In the case of a historical geography conducted within a positivist framework, it is, inevitably, the object world, the world of phenomena and events, which comprises the sole focus of study and which provides the subject area for empirical analysis. As will be shown in the next chapter the themes of continuity and change therefore relate specifically to this world of phenomena and not to that of human activity. In contrast, the marxian-humanist approach is concerned precisely with focussing on human activity. Continuity and change therefore may be envisaged as operating on three levels within this approach:- (i) at the level of the object world, (ii) in terms of human activity and, (iii) in relation to the contexts and constraints situating and framing this activity. Thus, the transition towards agrarian capitalism on the Gilsland estate in North-east Cumbria will be written at all three levels. It will be shown to illustrate

aspects of continuity and change in, for example, the spatial organisation of agricultural production and the institutional rules constraining this activity, as well as in the patterns and forms associated with agricultural practice.

Further amplification of these points is unnecessary at this stage. It only remains finally in this chapter to stress that our conceptualisation of the levels to which continuity and change apply relates quite clearly to the overall philosophical perspective adopted towards historical geography. Within a positivist, or empiricist, format these themes can only relate to descriptions of observable, or inferrable, phenomena. Within a marxian-humanist framework they do ultimately enable us to come closer to an understanding of how societal transformations and transitions have been achieved. The reason for this is quite simple: the level to which the issues of continuity and change are applied is that which relates to the specific contexts of human activity and the wider structural constraints upon that activity. Continuity and change therefore are not only being considered within specific (empirically observable) spatial and temporal settings but they are being extended to embrace the mechanisms of society and to consider particularly the structuring processes involved within social change and transformation.

CHAPTER TWO: THE MULTIPLE-ESTATE MODEL: A CRITICAL EVALUATION

2.1: Introduction

Three themes permeate this chapter. First, following on from the previous chapter, the intention is to demonstrate clearly and comprehensively the connections between Jones's multiple-estate model (1961b, 1961c, 1965a, 1971, 1976a, 1978, 1979b) and what Baker (1979) terms 'traditional' historical geography; that is a historical geography which has as its focus the study of patterns and forms in the past. Secondly, the links between Jones's model and the positivist tradition within historical geography are explored. Thirdly, the aim is to assess the applicability - both potential and actual - of the model in specific areas. The evaluation is thus two-edged: on the one hand, it contains a criticism which should, to a certain extent, be seen as 'external' in that it questions not the model per se but the value of adopting the type of approach, of which the model is representative, to historical geography; on the other hand, a criticism is levelled which focusses entirely on the problems of the model itself when applied in particular research contexts.

These themes structure the broad sectional divisions within the chapter. In Section 2.2 a brief introduction to the literature concerning early inter-settlement organisation is provided. Following this, in Section 2.3, the connections between the multiple-estate model and 'traditional' historical geography are made explicit. More specifically, the links which the model has with the narrower positivist tradition within the subject are pointed to. In Section 2.4 the problems of applying the model in specific research situations are considered, whilst Section 2.5 provides two case studies of a re-defined multiple-estate model, covering the Gilsland and Annandale areas of

North-west England and South-west Scotland respectively. These are then compared with some of Jones's published examples of 'multiple-estates'. Finally, in Section 2.6, attention is given to the limitations of this approach to the problem of inter-settlement organisation and to how the themes of continuity and change are interpreted within the framework provided by the model.

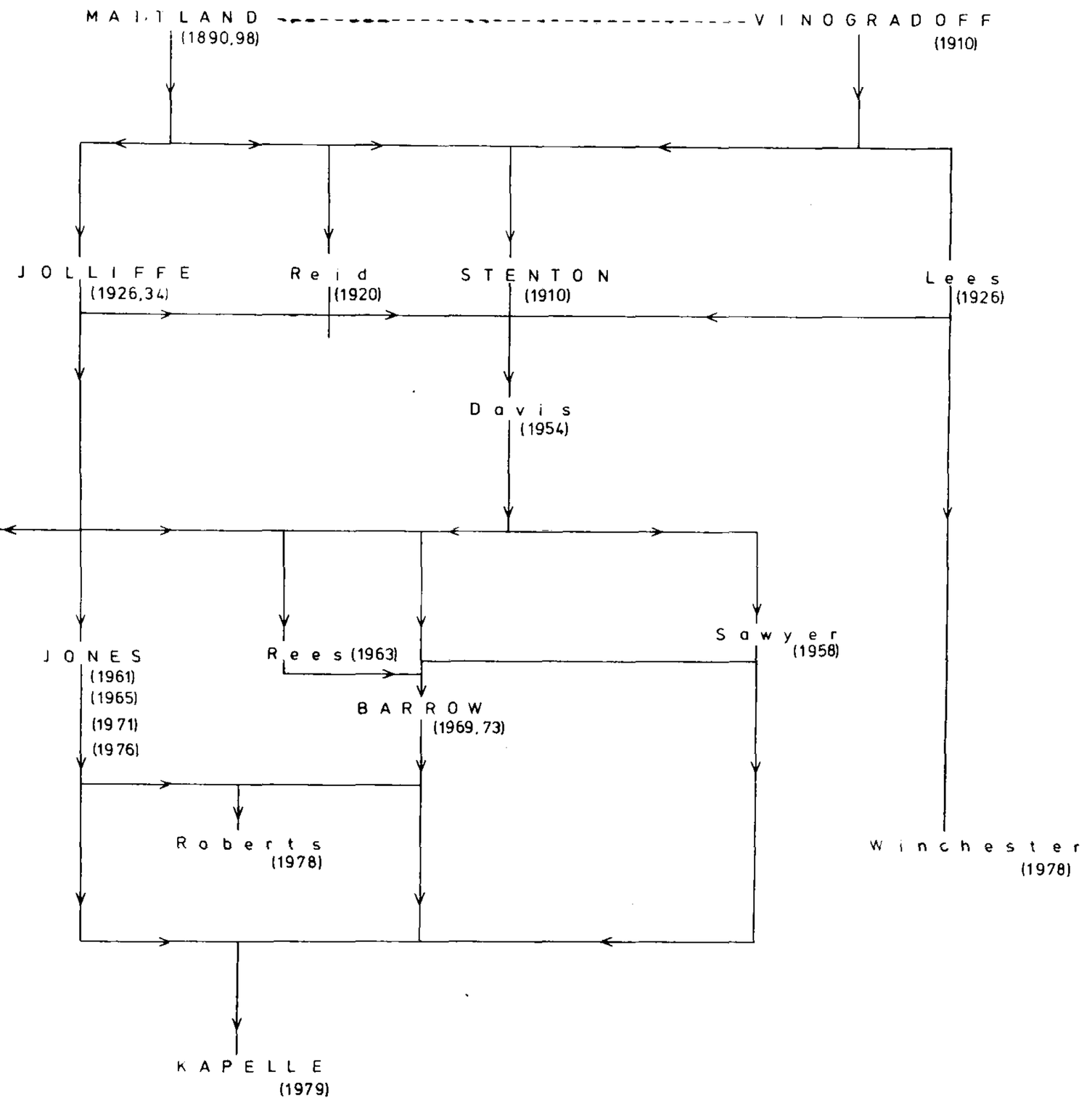
2.2 Early inter-settlement organisation: an overview

The idea of a framework of settlement organisation over and above the level of the individual village, hamlet or single farmstead is not new and is an idea which has concerned historians and historical geographers alike. In this section the intention is to provide a brief introduction to, and an overview of, this literature as a necessary prelude to a detailed examination and evaluation of the multiple-estate model itself.

Two issues have been selected for discussion. First, a somewhat simplified chronological history of the development of these ideas is presented. This serves a dual purpose for, not only does it introduce the concept of a meso-scale spatial unit of settlement organisation in more substantive detail, but it also illustrates a second theme, namely the distinctive nature of historical scholarship. This comprises our second area of interest in this section; primarily because it provides a contrast with Jones's own contribution to the study of frameworks of inter-settlement organisation, a contribution which - it is argued - is reflective of the type of geography being produced in the 1960s.

Figure 2.1 summarises the progressive development of the concept of meso-scale units of inter-settlement organisation, highlighting key

FIGURE 2.1: FRAMEWORKS OF TERRITORIAL ORGANISATION . THE ORIGINS OF THE CONCEPT



workers in the field and directions of thought from the 19th century to the 1980s. In effect, it provides the scaffolding for what follows. The ensuing discussion serves mainly to 'fill-in' the main themes of the debate, as represented by the lines on the diagram.

The debate amongst historians has revolved almost exclusively around the units known as 'soke' and 'shire'. Maitland (1890, 1898) and Stenton (1910) were the first to draw attention to the inclusion of distinct settlement units within a wider unit known as the 'soke'. This they conceptualised as an estate consisting of,

> 'a main village with dependent pieces of property called berewicks and sokelands, covering wide stretches of countryside, in which the berewicks and sokelands might be either complete villages or parts of a village.' (Kapelle, 1979, 62)

Stenton saw this as essentially a jurisdictional unit of Scandinavian creation, covering an area from mid-Northamptonshire to Northern Yorkshire, in which

> 'scattered groups of peasants owed suit of court, rent and often labour service at a manorial centre' (Stenton, 1928, 16).

The parallels between this type of organisation and the Northumbrian shire, first described by Joliffe (1926) as a means by which pre-Conquest settlement units were unified for the purposes of administration, justice and the allocation of pasture reserves, are obvious enough. Nevertheless, Stenton's arguments for a distinct ethnic origin for the 'soke' precluded the immediate equation of 'soke' with 'shire'. By 1934, however, Joliffe had declared the two to be analogous, but not identical, institutions arising from the pre-feudal stage of Anglo-Saxon society, a period which he termed 'the era of the folk'.[1]

More recent work has clarified a number of issues and led to the

closer equation of 'soke' with 'shire'. Davis (1954), in his work on the sokes of East Anglia, indicated the error in assigning the creation of the 'soke' to the Scandinavians by demonstrating the pre-Danish origin of 'sokeland'.[2] In contrast to Stenton, he saw the soke, like Joliffe, as,

> 'the relic of a period when the land was divided into districts covering several villages, which were administered from a common centre and provided the king with feorm or food rents' (Davis, 1954, xlvii).

Although mentioning the similarities between this institution and the Northumbrian shire, Davis did not equate the two, probably, as Kapelle (1979, 65) suggests because, 'he still faced the concept of the Danish invasion as a folk migration'. Sawyer (1958), in showing that invasion to be the work of a small army, removed this problem. Indeed, further confirmation that the Danes did not significantly alter the institutional structure of Danelaw has come from the work of Barrow (1973), who has shown the Yorkshire and East Anglian sokes to be only local examples of a system once prevalent throughout Eastern England and Scotland.[3]

The final identification of 'soke' with 'shire' has been made possible by Kapelle (1979), who, following on from the work of Jones (1975a) in Yorkshire, destroyed the concept of the 'Yorkshire moat',[4] showing that the forinsec services owed by the Yorkshire villein and Northumbrian bordar were virtually identical and that the ministerial group of thanes and drengs apparent in Northumbria was also present in Yorkshire. This, in combination with an additional suggestion - that cornage[5] (payable in Northumbria but not in Yorkshire) was abolished in Yorkshire following the imposition of the geld - virtually completes the equation of 'soke' with 'shire'.

As implied in Figure 2.1, Jones's contribution to the strictly historical character of this debate[7] concerning meso-scale frameworks of inter-settlement organisation has been somewhat peripheral. Indeed, they can be summarised as the provision of a detailed description of the Welsh 'maenor'; which he presents as a wider grouping of settlements comprising a central place with a court and a number of appendant hamlets (1961b, 1961c, 177), and in which forinsec services and ministerial groups similar to those characteristic of 'soke' and 'shire' organisation were to be found.

Whilst such parallels cannot be denied it would be as well to advocate caution in the equation of 'maenor' with 'soke' and 'shire'. Jones himself, however, sees the similarities as, 'too great a set of co-incidences to be explained away by parallel growth' (1971, 253) and goes so far as to suggest a common origin for 'maenor' and 'shire' organisation.[8] Nevertheless, in view of the detailed research required to identify 'soke' with 'shire', it appears unrealistic to see the 'maenor' as anything other than an analogous institution - at least until a commensurate historical effort has been devoted to considering the suggested common origins of Northumbrian and Welsh units of inter-settlement organisation.

This, however, is the point at which Jones and the historians differ in their approach to this subject. As stated in the introduction to this section, the 'soke' - 'shire' debate, as conducted by Maitland, Stenton, Davis, Barrow and Kapelle, exemplifies the characteristic features of historical scholarship.[9] Their approaches at all times are inductive; the aim is never sweeping generalisation but detailed description of a specific documented phenomenon, in this case 'soke' and 'shire'. Indeed, it is only recently that a certain degree of generalisation - in the equation of 'soke' and 'shire' - has been

achieved; again grounded in inductive reasoning and empiricism (Kapelle, 1979).

As the following section shows, this is in marked contrast to the work of Jones and it is to his multiple-estate model that attention is now turned.

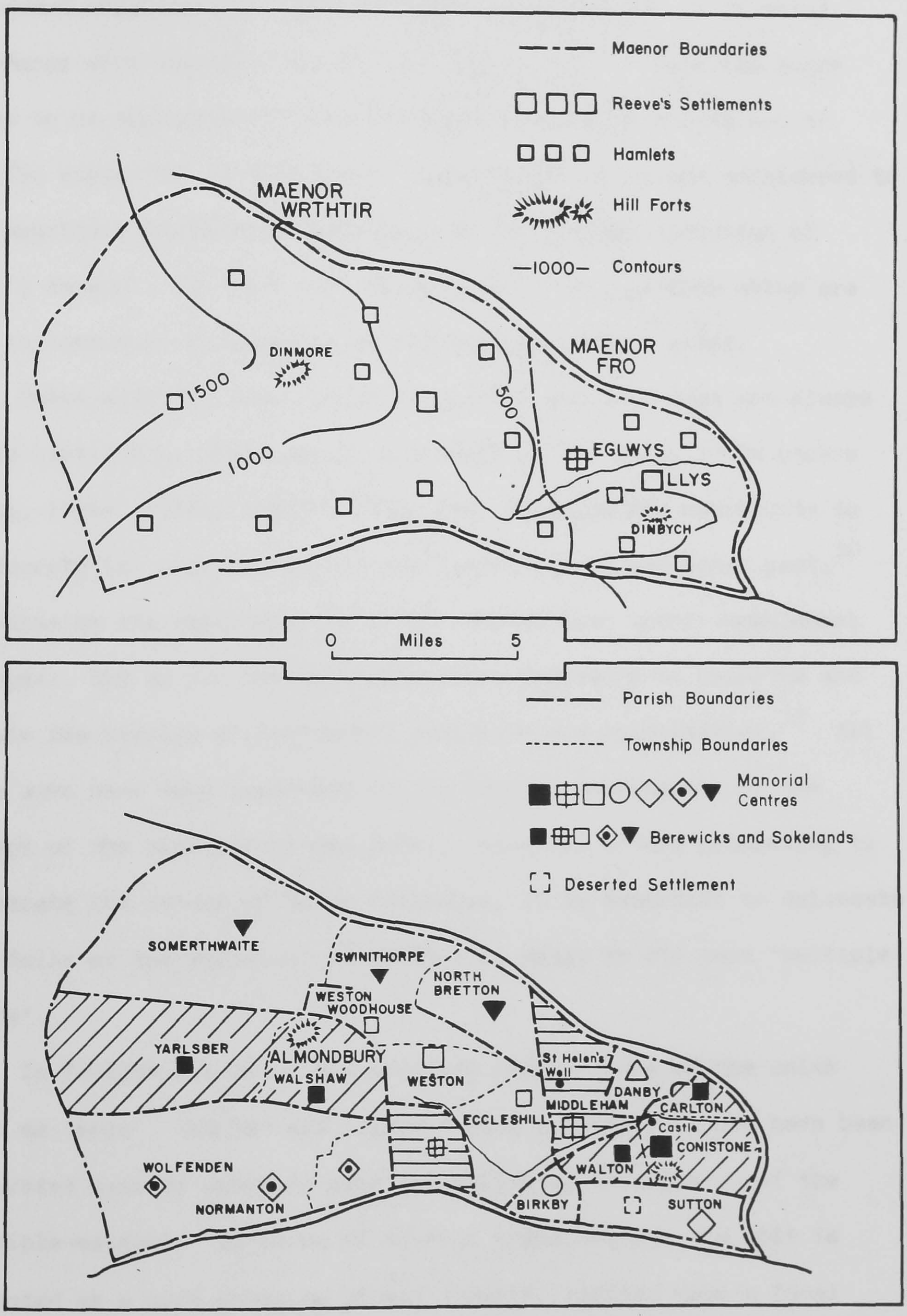
2.3: The multiple-estate model: Jones's approach to the pattern of early inter-settlement organisation

In contrast to the approach of the historians outlined above, this section concentrates exclusively on the work of Jones. His development of the multiple-estate model over the past twenty years (Jones, 1959b, 1960a, 1961b, 1961c, 1961d, 1962a, 1965a, 1971, 1973b, 1975, 1976a, 1978, 1979b) and the distinctive approach which he has brought to the study of early inter-settlement organisation will be reviewed. Discussion divides into two parts. First, in Section 2.3.1, Jones's ideas and their development are considered in more substantive detail than hitherto. Secondly, in Section 2.3.2, the connections between Jones's work and Baker's view of 'traditional' historical geography are established and the similarities which the model has with the positivist tradition in the subject made explicit.

2.3.1: The multiple-estate model: the development of the concept

The origins of the multiple-estate model lie in the remote, often obscure, and undoubtedly complex past of Wales. However, post rationalisation of Jones's papers in their entirety can serve to simplify what would otherwise be an immense task, namely the synthesis of Jones's many and varied ideas on this subject. To provide such an overview is the intention here. This is designed to emphasise the multiple-estate

FIGURE 2.2: THE MULTIPLE-ESTATE MODEL



After Jones (1971, 253)

model primarily as exemplifying a particular approach to historical geography and only secondly as a description of patterns of inter-settlement organisation. This, it may be emphasised, is in total accordance with the main aim of this thesis (1.1). Thus the major issues to be emphasised in the following discussion relate not to specific historical detail but to those points which are considered to have exerted a fundamental influence on the overall direction of Jones's thought. To this end, it is Jones's initial aims which are used to introduce the subject of the multiple-estate model.

These aims are essentially threefold, and, although not always stated explicitly, are clearly detectable in the early 1960s papers (1960a, 1961b, 1961c, 1961d). They are, to argue for continuity in the territorial organisation of settlement from a pre-Roman past;[10] to emphasise the importance of inter- rather than intra- settlement linkages; and to use the multiple-estate framework to describe and explain the process of settlement evolution and colonisation.[11] All three aims have been important to the overall development of the concept of the multiple-estate model; however, before proceeding to illustrate the nature of their influence, it is essential to delineate more fully at the empirical level what is meant by the term 'multiple-estate'.

In Section 2.1 brief but accurate descriptions of the units known as 'soke', 'shire' and 'maenor' were provided. These have been elaborated upon by Jones to give the following description of the 'multiple-estate'. In terms of spatial organisation, the unit is presented as a wide grouping of settlements, centred upon a focal settlement, which often housed the territorial lord (Fig. 2.2). Within this,

> 'All tenants, including those of the most remote dwellings were subject to the jurisdiction of the territorial lord and, in return for their lands, paid rents in cash or kind, and performed various services on his behalf. A network of obligations linked even the most distant settlements on each estate to the lord's court (llys)... To a limited degree freemen were responsible for the upkeep of the court but the main burdens were borne by bondmen. Under the supervision of a reeve they cultivated the Lord's demesne lands. They erected the court buildings which included a hall, a kitchen, a chamber, a chapel and latrines. In addition they constructed distant encampments and provided transport for, among other items, food supplies in time of hunting and war' (1971, 251).

The bare bones of this, of course, differ little from the previous descriptions of 'soke', 'shire' and 'maenor': in essence, a network of service obligations, supervised by a ministerial group linked a spatially divergent group of settlements. What does distinguish this from the approach of the historians, however, is its non-empirical dimension. Within Jones's initial statements there can be detected a series of vaguely theoretical ideas on the further development of the concept of the 'multiple-estate'. It is to a consideration of these that we now turn.

The most straightforward of these theoretical ideas is, without doubt, the intention to use the multiple-estate framework to describe and explain the process of settlement evolution and colonisation. Two points can be made here. First, the 'multiple-estate' has been used by Jones in a normative sense to frame his descriptions of actual early settlement patterns. We can see this throughout his papers but the well known example of Aberffraw, North Wales, provides a useful illustration of what is meant. Here Jones discusses the hundred of

Aberffraw, emphasising in his description certain key 'multiple-estate' features, notably the caput of Aberffraw and the service obligations owed by the tenantry of outlying dependencies. Thus, we find, for example, the four bond lineages holding hereditary land in Tre Feibion Meurig 'making the walls around the lord's manor of Aberffraw' and 'cleaning and making the lord's privy' (1976, 21). Similarly, the freemen of Trefwastrodion and others of Malltraeth made part of the lord prince's chamber, whilst the bondmen of Trefwastrodion owed circuit of the king's warhorse. In addition, the manor of Aberffraw itself is discussed as a 'multiple-estate', containing a chief settlement located at Aberffraw, a reeve's settlement and royal officials and bound together by varying service obligations. Other examples abound (Jones, 1961b, 1961c, 1965a, 1976a) but this serves to make the point: Jones's description of the multiple-estate has been used to frame his interpretation of early patterns of inter-settlement organisation, more seriously perhaps, his interpretations are often considered solely in terms of this type of organisation.

That this is so can be seen from a second point. When combined with another aim, namely, the intention to argue for continuity in the territorial organisation of settlement through time, it can be shown that this same multiple-estate framework has been used to describe settlement patterns before, during and after periods of radical social and political upheaval. Jones (1979b) discussion of Archenfield (Herefordshire) illustrates this quite well. After reconstructing the Domesday pattern of settlement, Jones proceeds to compare this with the 'multiple-estates' detectable from a 12th century book of early land sales, grants and transfers dating from the 6th century. Indeed, he goes so far as to attempt to correlate the size and value of estates in this Liber Landavensis with those of Domesday Book and, on

the basis of one possible correlation (Llanwarne, p. 217), suggests the tax assessments of the hide and commote described in Domesday to reflect the shareland unit characteristic of the 'multiple-estate'. Leaving aside the question of whether this is a justifiable inference,[12] this example demonstrates quite clearly the manner in which estates - whether Norman or 6th century date - become not only subsumed within the framework of the multiple-estate but, equally importantly, discussed entirely in such terms.

The full implications of these remarks will be taken up in Section 2.3.2. For the moment, however, we can turn to examine briefly the influence of the third and final aim upon the development of the concept of the 'multiple-estate'; the emphasis upon inter- as opposed to intra- settlement linkages. This, in fact, is probably the most distinctly geographical component in Jones's writing; it brings to this argument a clear spatial dimension. Settlements, whether adjacent or distant from one another, are considered primarily in terms of associations across space, not as discrete entities. This much is obvious from the above illustrations. Similarly, this spatial dimension is manifested in discussions of the service obligations owed within these settlement groupings; these being considered not just as service obligatins per se but as obligations within a spatial framework. Thus, for instance, in the case of Aberffraw, we find not only a description of the various construction services and food renders owed by the dependencies of this multiple-estate, but a consideration of the points at which these specific services, obligations or renders either took place or were delivered.[13]

All this differs markedly from discussions of 'multiple-estate' type phenomena by historians; discussions in which the spatial component, by comparison, is very much under played, and in which it is

the documented unit - be this 'shire', 'soke', 'lathe' or 'manerium cum appendiciis' - which determines the nature of its presentation.[14] In contrast, as has been shown here, the three vaguely theoretical aims isolated from Jones's early papers have clearly been influential in the course of the overall development of the 'multiple-estate' as a conceptual framework for the description of early patterns of inter-settlement organisation. Indeed, this can now be summarised as a conceptual framework which operates as a model for the analysis of such patterns through time. Such themes are, in fact, quite intimately associated with both Baker's view of 'traditional' historical geography and a narrower positivist approach to the subject. It is to a consideration of these connections that we turn now.

2.3.2: The multiple-estate model as 'traditional' historical geography

The characteristic features of what Baker (1979) refers to as 'traditional' historical geography were discussed in Chapter One (1.2). Furthermore, it was suggested there that some of these features were associated with a positivist approach to the study of the past. In this section these remarks are considered specifically in relation to the multiple-estate model.

That the multiple-estate model was characteristic of the intellectual ethos of historical geography at the time it was conceived is not perhaps surprising, neither is the fact that it exhibits the features diagnosed with hindsight by Baker to be indicative of this type of historical geography. These - to re-iterate - were, an emphasis on landscapes transformed by man rather than upon man as an agent of landscape change; upon artefacts rather than ideas; upon actions as opposed to attitudes and upon external forms rather than internal processes (Baker, 1979). Of these it is the form-process issue which

most concerns us here.

From what has been said thus far it should be apparent that one of Jones's primary concerns in developing the multiple-estate model has been to provide a framework for studying the pattern of early inter-settlement organisation. This, however, largely boils down to a description of those settlement units - or forms - which, when considered as an agglomeration of forms, comprise the pattern of the 'multiple-estate'. In going on to compare these 'multiple-estates' with the patterns of settlement organisation represented in the Welsh law texts, however, Jones has largely disregarded one of his other intentions, namely, to use his model to explain the process of settlement evolution and colonisation. In so far as this has been attempted, we find, as in the example of Archenfield above (Jones, 1979b), an explanation which relates solely to the empirical level, that is an explanation which is construed purely in terms of forms and patterns. Thus we find patterns of inter-settlement organisation both before, during and after periods of what were often radical social and political upheaval, being described in 'multiple-estate' terms; the result being that settlement evolution is discussed as either the continuity or fission of the constituent forms and patterns of the particular 'multiple-estate' under consideration.

One particularly good illustration of this is provided by Jones's interpretation of the evolution of one specific settlement area within Archenfield (1979b, 126),

> 'The Mainure recorded in Domesday Book was literally a multiple-estate (maenor) which comprised the two settlements of Much and Little Birch. This estate was probably a late surviving vestige of a once wider maenor fissioned by alienation of those components which fringed the upland of Northern Archenfield.

> This wider maenor had probably once been co-extensive with Westwood, the multiple-estate whose caput was at Much Dewchurch. The very name Westwood implies that there was also an eastern multiple-estate in Archenfield.'

Here we find the suggested 'multiple-estate' of Westwood being projected forwards onto the later Domesday settlement pattern which, inevitably, is discussed in terms of the fission of the Westwood estate. The process of settlement evolution in this area, consequently, collapses into little more than the disintegration of the constituent elements of the Westwood 'multiple-estate'. Clearly, in this type of approach settlement forms and patterns not only characterise the 'multiple-estate' per se but provide the 'explanation' for the 'process' of settlement evolution itself. In this context at least, Baker's remarks appear thoroughly vindicated.

The connections between the multiple-estate model and a positivist approach to historical geography are, if anything, even more obvious than those between the model and Baker's characterisation of 'traditional' historical geography. For the sake of clarity and brevity these can be divided into two aspects: a commitment, on the one hand, to the external, object world of positivism and, on the other, to the methods of positivist social science.

In relation to the first aspect, emphasis on settlement forms and patterns within Jones's work has already been stressed. Clearly, this corresponds to an analysis situated only at the level of empirically observable phenomena, rather than one which extends to the level of mechanisms and structures, wherein such phenomena are viewed in conjunction with and as reflections of the social relations between the people who created them. As such, the model undoubtedly exhibits spatial fetishism: it treats space as an abstract, given entity in

which the relations between people, between places and people and, eventually, between spatial pattern and social relations, are treated in an extremely limited fashion. The problem of settlement evolution and colonisation as discussed within the framework of the multiple-estate model illustrates this point well. For Jones, this resolves itself not in terms of the type of society associated with the spatial pattern of dependent settlements (although he does refer to a simple social stratification of lords, freemen and bondmen), nor in terms of the changes brought about in this society during periods of social and political upheaval, but simply in relation to changes in the spatial pattern referred to as the 'multiple-estate'.

Attention can be turned secondly to Jones's use of the methods of positivist social science in his development of the multiple-estate model.

That the conceptual framework of the 'multiple-estate' should be seen as a normative model cannot be questioned. What has emerged from a careful consideration of Jones's writing, and specifically his many examples, is an image of the 'multiple-estate' as an ideal framework within which early patterns of inter-settlement organisation are to be discussed and their descriptions structured. This, in itself, is not unusual; indeed, it is remarkably similar to the use of models in general throughout geography, particularly during the 1960s (Chorley and Haggett, 1967; Haggett, 1965; Harvey, 1969). Furthermore, in common with many of these, the multiple-estate model suffers from two fundamental problems (Harvey, 1969). First, as the above illustrations demonstrate all too clearly, the multiple-estate model has definitely assumed a reality of its own. Examples, irrespective of time and place, are discussed in terms of the model and become, almost automatically, 'multiple-estates'. Secondly, and again evident in the preceding

discussion, there is a tendency towards addiction to the multiple-estate model in Jones's work. This, perhaps, is most apparent in his interpretations of 'settlement evolution' wherein all periods from the 6th to 11th centuries are considered in terms of the multiple-estate framework.

The use of models, of course, is but one part of the methods of social science in general and also of geography conducted within the positivist framework. Of greater importance is the use of the hypothetico-deductive method. Although not complying with this totally, particularly in the sense that the model obviously lacks a theory of settlement,[15] Jones has certainly adopted aspects of such an approach in his development of the multiple-estate concept. His latest papers, for example, all stress the connections between the 'multiple-estate' and the patterns of settlement organisation described in the theoretical Welsh law texts of the medieval period[18] (Jones, 1971, 1976a, 1979b). Moreover, Jones views the latter as 'ideals' against which to 'test' the reality of the past documentary and archaeological record (1976, 40; 1979, 127).

This, quite explicitly, represents a commitment to the explicit hypothesis-testing characteristic of positivist social science and - inevitably - much of the human geography of the spatial science era (Chorley and Haggett, 1967; Haggett, 1965; Harvey, 1969). It is, however, a commitment which is in this context by no means unproblematical. If we return for a moment to the fundamental problems associated with the model, and particularly to the question of the 'multiple-estate' as a reality, we can see the difficulty quite starkly. Given that the multiple-estate model is to be used as a framework to structure the description of early patterns of inter-settlement organisation and that each area discussed in these terms becomes a

'multiple-estate', it is, indeed difficult to see how the model itself can ever be questioned as a useful conceptual framework. The entire set up is self-confirming, a classic example of a circular argument. Hypotheses are set-up such that the model is to be used to describe the settlement patterns within an area; the area itself is designated a 'multiple-estate'; little attention is paid to any possible discrepancies between the model and reality (at this point one and the same thing) and, not surprisingly, the validity of the model as a research tool remains ultimately uncontested (2.3.1).

This, of course, is inadequate; both from the point of view of any further development of the multiple-estate model and in relation to the Popper-Lakatos debate regarding falsification and verification respectively in science.[17] Indeed, in the context of what amounts to a classic, circular argument, the multiple-estate model - as presently applied - is neither being verified or falsified. We would be justified, therefore, in viewing Jones's enterprise - at least on this count - as a travesty of good positivist social science.

Leaving aside this considerable problem for one moment, it can be concluded that there are strong associations between Jones's multiple-estate model and both Baker's description of 'traditional' historical geography and, more specifically, a positivist approach to the subject. In this case, both a focus on the external, empirically observable world of pattern and form and a partial acceptance of the methods of positivist social science are evident: both together serve to locate Jones's work firmly within the positivist tradition in historical geography. In the following section the problem of the self-confirming nature of the multiple-estate model is tackled directly.

2.4: Towards a re-definition of the multiple-estate model

The problem of the self-confirming nature of the multiple-estate model arises from the existence of the 'multiple-estate' both as model and reality, and the lack of rigour in the testing of the model itself. Both issues are considered in this section before moving towards an attempt to re-define the model in more precise terms.

The use of the term 'multiple-estate' to convey a dual meaning - that of model and reality - is not only confusing but also, undeniably, problematical (2.3.2). However, it is possible to avoid this ambiguity in terminology if we confine the term strictly to its use as a normative model, rather than to the actual pattern inferred from the empirical evidence for early inter-settlement organisation.[18] This, in fact, is in accordance with Jones's earlier aims, particularly that which states his intention of providing a framework for the description of these settlement patterns (Jones, 1961c). In addition, it enables us to proceed fairly rapidly towards a precise definition of the model itself.

The importance of precise definition is considerable, particularly where rigorous testing is to be involved. In effect, if we fail to define anything precisely - be this phenomena, events, arrangements or ideas - we can never be sure to have identified it. In the context of a model, if it is insufficiently well defined, testing is bound to be woolly. This, as we shall now see, is just the situation with the multiple-estate model at present.

Take the question of definition first. What is it that makes the multiple-estate model so distinct? In answering this question Jones has been consistently less than clear. Indeed, apart from a few points of detail, there is little to distinguish between the following descriptional definitions, one dated 1960, the other 1971,

'Within each commote there were a number of bond hamlets, but by far the most important was the hamlet where the mayor resided and which was known therefore as the mayor's settlement ('maerdref'). Within a short distance of each mayor's settlement was the court ('llys') of the lord of the commote; accordingly the lands of each mayor's settlement embraced fairly large areas of demesne land or board land ('tir bwrdd') used for the sustenance of the court. Such land, normally the most suitable for cultivation within the commote, was worked on behalf of the lord by the bondmen of the 'maerdref' and the outlying hamlets of the commote working under the direction of the land mayor' (1960a, 70).

'(Within this 'multiple-estate') All tenants, including those of the most remote dwellings, were subject to the jurisdiction of the territorial lord and, in return for their lands, paid rents in cash or kind, and performed various services on his behalf. A network of obligations linked even the most distant settlements of each estate to the lords court ('llys') ... To a limited degree freemen were responsible for the upkeep of the court but the main burdens were borne by bondmen. Under the supervision of a reeve they cultivated the lord's demesne lands. They erected the court buildings which included a hall, a kitchen, a chamber and latrines. In addition they constructed distant encampments and provided transport for, among other items, food supplies in time of hunting and war' (1971, 251).

Furthermore, if we exclude the specific Welsh terminology, the first of these definitions could apply equally well to large medieval and early modern estates. In 17th century Scotland, for example, the tenantry paid rents in cash and kind, laboured on the mains farm, ploughed, harrowed and performed various carriage services - all

services found within the multiple-estate model.[19] Given this, the term 'estate' is seemingly just as applicable to this type of organisation as that of 'multiple-estate'.

The logical consequences of this situation are two-fold. First, given the broad nature of Jones's definitions it is possible that any and every meso-scale spatial unit of inter-settlement organisation can be described in terms of the multiple-estate framework. Secondly, and following on from this, testing the validity of Jones's model - certainly in any rigorous sense - is precluded. Given that the present definition of the multiple-estate model is synonymous with the empirical reality of an estate we are never going to reach a situation in which the model itself is being tested.

Such a situation can, however, be remedied. What is needed urgently is an exact operational definition of the multiple-estate model structured as a check list of specific criteria, which enable the presence/absence of certain 'multiple-estate' features to be identified and recorded as they appear within certain areas. The following check list represents just such an attempt to re-define the model in more precise terms. Developed almost exclusively from the work of Jones, it incorporates spatial,[20] social and economic attributes:-

1. A group(s) of townships containing vills, hamlets and other settlement groupings occurring within the bounds of a medieval estate, rural deanery, hundred or ward. Not necessarily temporally contingent with this unit we would expect to find one or more of the following important places within this township grouping - a royal vill, an important estate centre, the focus of a rural deanery, the centre of a great monastic manor, the centre of a hundred or a medieval market. In addition, this group(s) of townships should display continuity of association

as far back certainly as the immediate pre-Norman period.

Contained within this group(s), a social hierarchy comprising,

2. A lord; if not mentioned by name then a morphological surrogate, such as a palace - hall - court complex should be discernible as a functioning entity in the documentary record.

Below the lord, a three tier grouping comprising,

3. A ministerial group - often termed thanes and drengs - whose responsibilities included the administration, supervision and overall organisation of the lord's service demands.
4. Freemen, that is, those rendering light cash payments and owing minimal service and
5. Bondmen, upon whom the most onerous proportion of service demands fell due.
6. A highly developed service network linking the entire group of townships under consideration which included construction work, hospitality, food renders, carriage, service in the hunt, service in wartime and agricultural labour service, all of which may be reflected in commuted money payments.

These should preferably be supported by material indicative of general settlement antiquity, specifically,

7. Early place name material, particularly Celtic or early Saxon elements (-ham; -ingaham; -ingas) along with,
8. The presence of relevant archaeological evidence pointing to major settlements in the remote past, such as Iron Age hill forts, Romano-British settlements or a concentration of pre-historic routeways.

Of these it is Criteria 1 to 6 inclusive which provide a full description of the multiple-estate model. These should be present in any area which the model is considered to describe.[21] In the following

section two case studies are presented in order to assess the value of the re-defined model as a description of patterns of early inter-settlement organisation. The two areas to be discussed are the Gilsland estate of North-east Cumbria and Annandale, South-west Scotland (Fig. 2.3). These case studies are further supplemented by an application of these criteria to some of Jones's published papers.

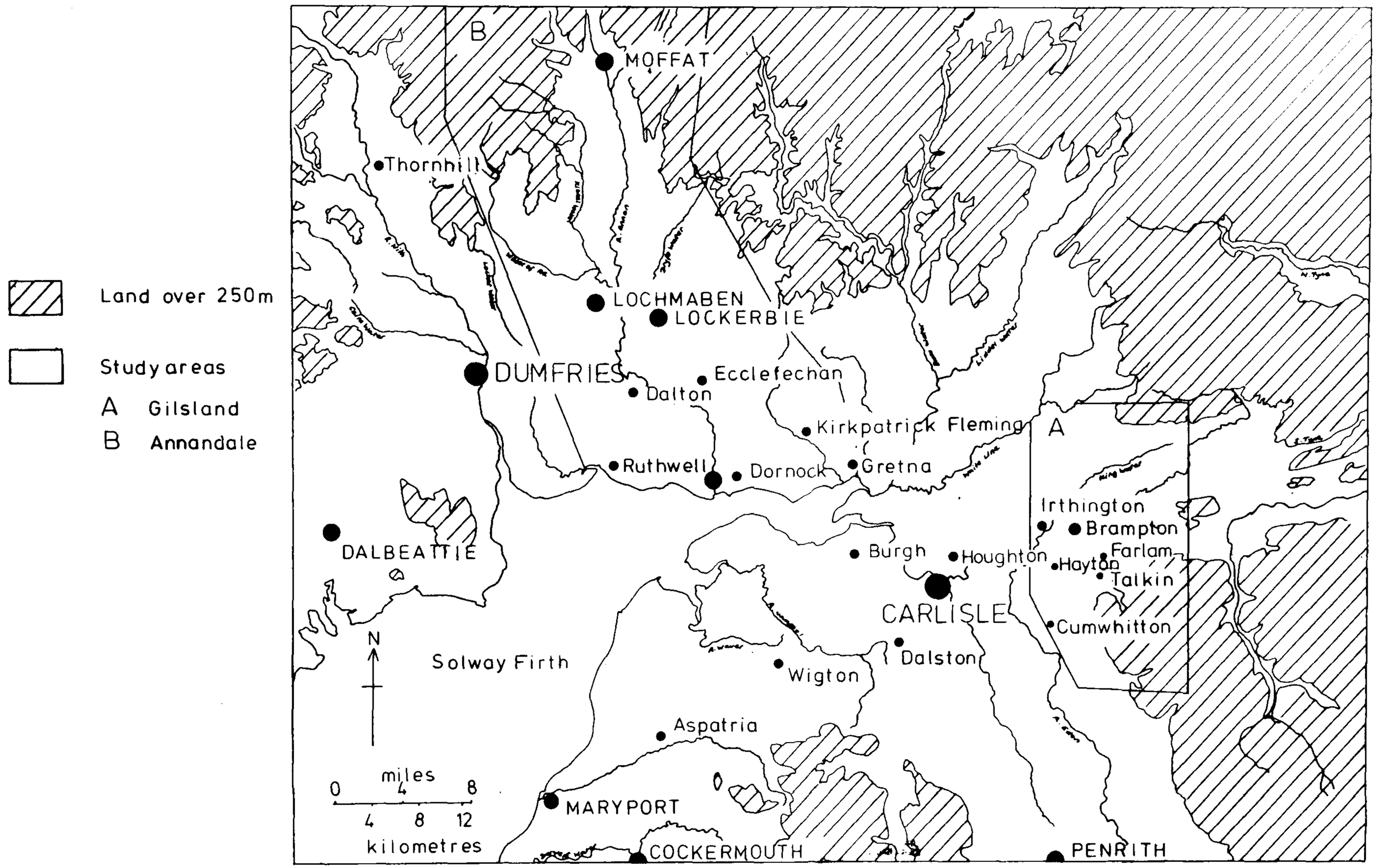
2.5: The Gilsland estate, North-east Cumbria and Annandale, South-west Scotland: two applications of the re-formulated multiple-estate model

2.5.1: Choice of areas

Before applying these criteria directly to the documentary record of these areas, it is important to stress that both Gilsland and Annandale are suitable areas within which to assess the usefulness of the multiple-estate model as a descriptive device. Indeed, their choice is justifiable both in terms of the existing literature and at the empirical level.

In the first case, Jones himself has argued repeatedly that the multiple-estate model is as applicable in Northern England as it is in Wales (see, for instance, 1961b, 1965a, 1971, 251-2; cf. Barrow, 1973; Roberts, 1978). However, it must be noted that the majority of 'multiple estates' suggested thus far as detectable in the documentary record of Northern England are concentrated in the eastern counties of Yorkshire and Northumberland.[22] This raises an important question, namely whether an entirely different pattern of organisation prevailed in the western counties of Cumbria and Lancashire. Interestingly, when we cross the border into Scotland, we find an identical east-west division (Barrow, 1973).[23] In focussing upon the North-west border region of England and Scotland, the case studies presented here represented

FIGURE 2.3: LOCATION OF STUDY AREAS



in the original design of the thesis an explicit attempt to extend this work in the strictly geographical sense.

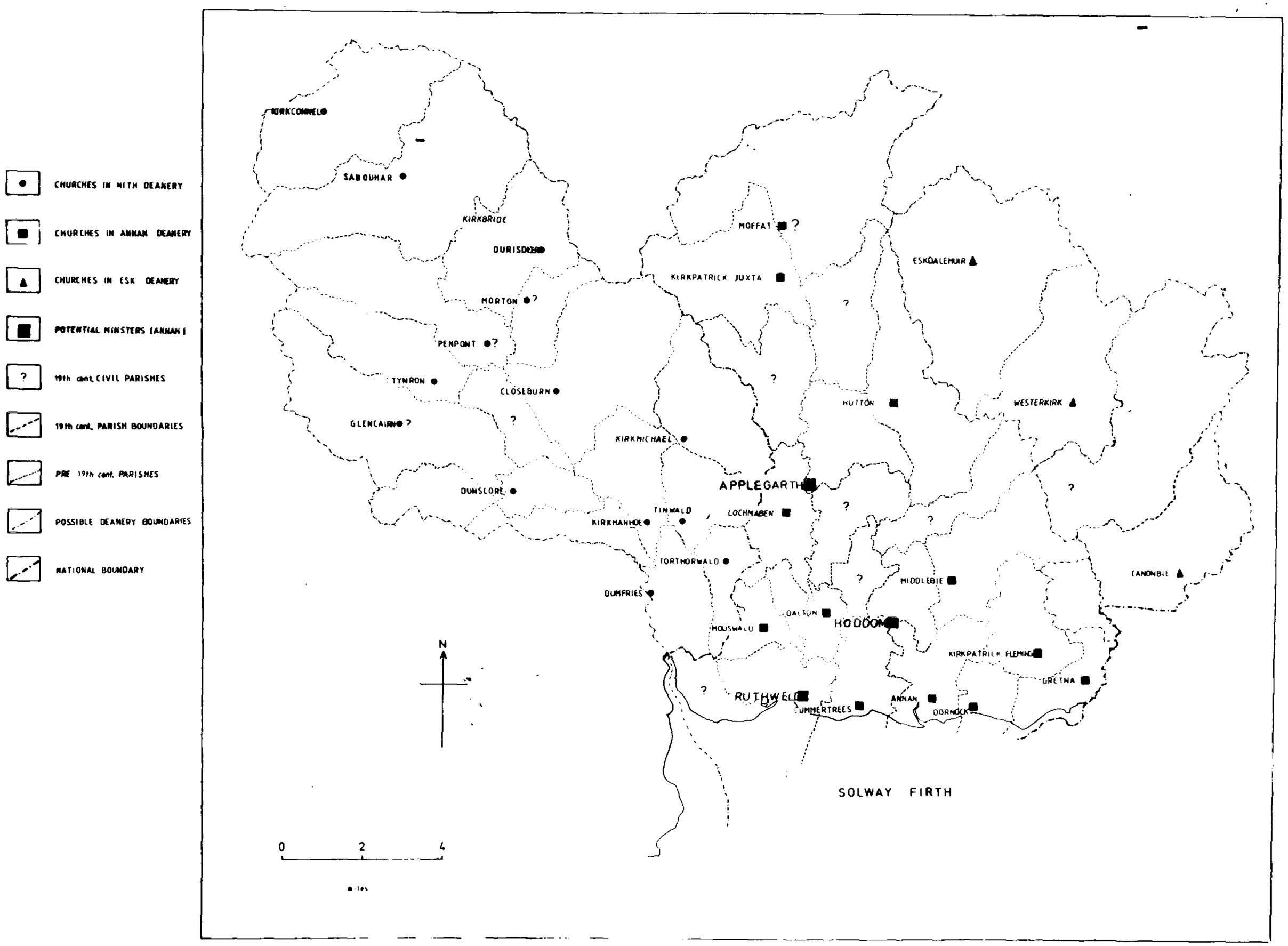
At the empirical level, the choice of the Gilsland and Annandale areas is closely connected with their peculiar territorial histories. Although covering vast areas,[24] both were undoubtedly compact and consolidated units of land holding which, almost certainly retained their territorial distinctiveness throughout the 11th and 12th centuries.

Annandale, for example, is defined distinctively in the 12th century Bruce charters,

> 'David Dei gratia Rex Scottorum... dedisse et concessisse in foresto vallum de Anant ex utraque parte aquae de Anant sicut divisae sunt a foresto de Selechirche quantum terra sua protenditur versus Stradnit et versus Clud' (1147 X 53).[25]

and it seems likely that this secular distinctiveness was mirrored in the ecclesiastical divisions of South-west Scotland. Bagimond's Roll of 1274, the earliest complete ecclesiastical survey of South-west Scotland, refers to the deaneries of 'Anandie', 'Nyche', 'Eshe' and 'Dessenes' within the archdeaconry of Teviotdale, a subdivision of the diocese of Glasgow (Figure 2.4). These deaneries are the oldest known ecclesiastical divisions thus, unless radical restructuring occurred at some stage prior to the 11th century,[26] we may safely assume that the areas covered by these deaneries represent fundamental and ancient units of ecclesiastical organisation.[27] What we cannot do of course is to confirm beyond question any degree of coincidence between these secular and ecclesiastical units. It does not, however, seem beyond the realms of possibility that David I's initial c.1124 grant of Annandale to Robert Bruce[28] reflected the older ecclesiastical division of Anandie and that the medieval secular unit consequently was a unit of considerable antiquity.

FIGURE 2.4 ECCLESIASTICAL ORGANISATION SOUTH-WEST SCOTLAND c 1274



Whether Gilsland is a unit of land holding of comparable antiquity is more open to question. Like Annandale, it preserved its secular distinctiveness into the high medieval period (Appendix 2.1). In addition, it is extremely likely that the Gilsland granted to Hubert de Vaux c.1158 by Henry II was that held by the pre-Norman lord, Gille, and his father before him,

> '...Henricus Rex Angleae... concessisse dedisse et confirmasse Huberto de Vallibus ... totam terram quam Gilbertus filius Boet tenuit die quo fuit vivus et mortuus'.[29]

What we cannot do is to determine conclusively if this area was a distinct unit of land holding prior to c.1120.[30] Ecclesiastical organisation is of little help here. As Figure 2.5 shows, there is no correspondence between Carlisle Rural Deanery and the estates of Gilsland, Liddel, Levington and Burgh; a situation which implies not only that secular organisation bore little relation to ecclesiastical divisions in this areabut also that the above estates may not pre-date the 11th century. Equally, at a time when we would expect documentary confirmation of estate creation, no evidence survives to suggest that these estates were created at this time. Indeed, it is possible that, in referring to this area as the land of Gille, Henry II was merely describing an area of land in one of the two ways open to him, that is by delimiting it according to its previous tenant-in-chief rather than in terms of its physical boundaries.[31]

Further confirmation of the antiquity of settlement in these two areas is given by place-name evidence. A total of 27 Celtic place-name elements survive for the Gilsland area, superimposed upon which are a series of names indicative of Anglo Saxon colonisation and Scandinavian settlement (Fig. 2.6). Whilst some of the -tun elements may be of a late date, others - notably Irthington and Brampton, the main centres

FIGURE 2.5: NORTH-EAST CUMBRIA: RURAL DEANERIES, ADMINISTRATIVE WARDS AND THE GILSLAND ESTATE

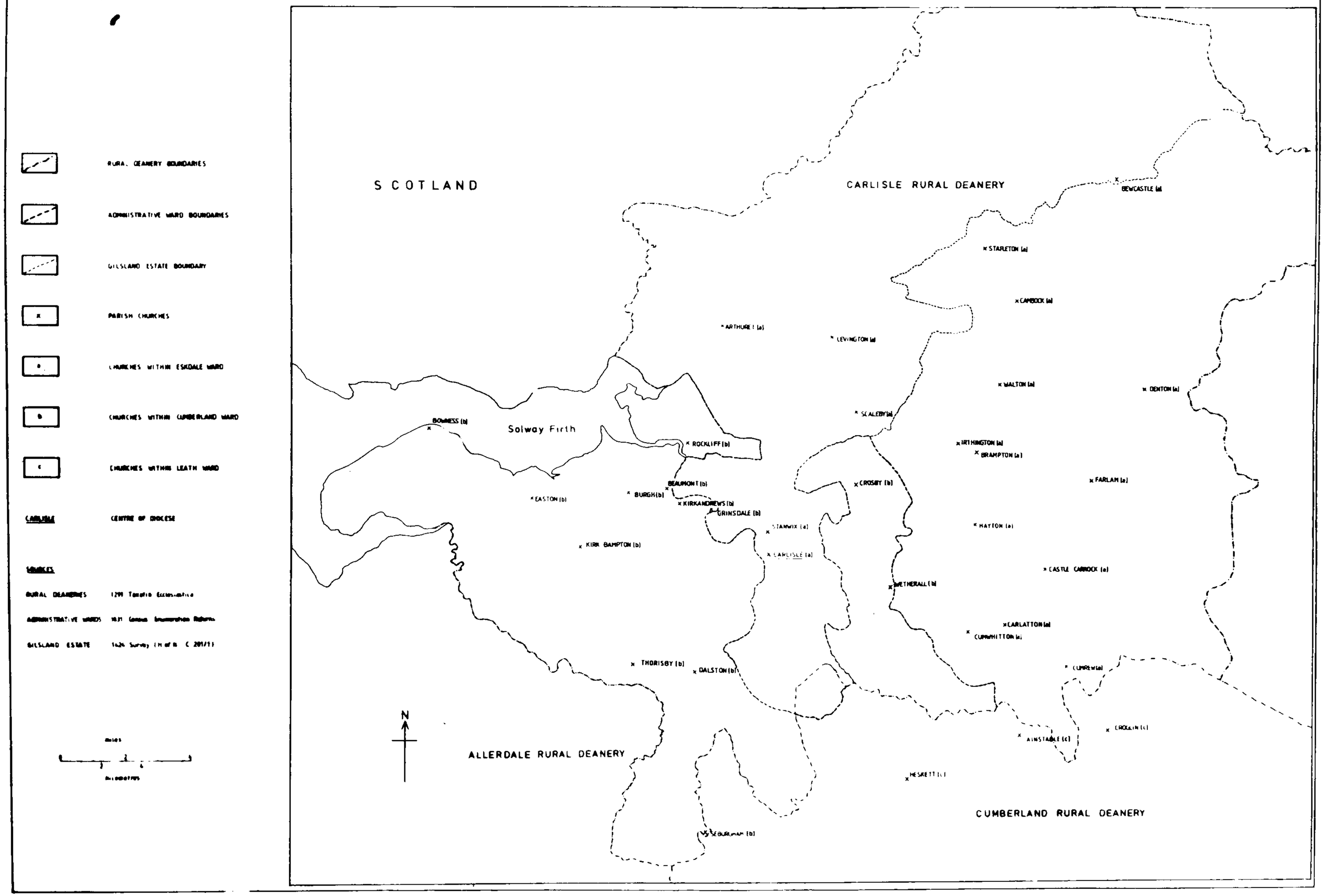
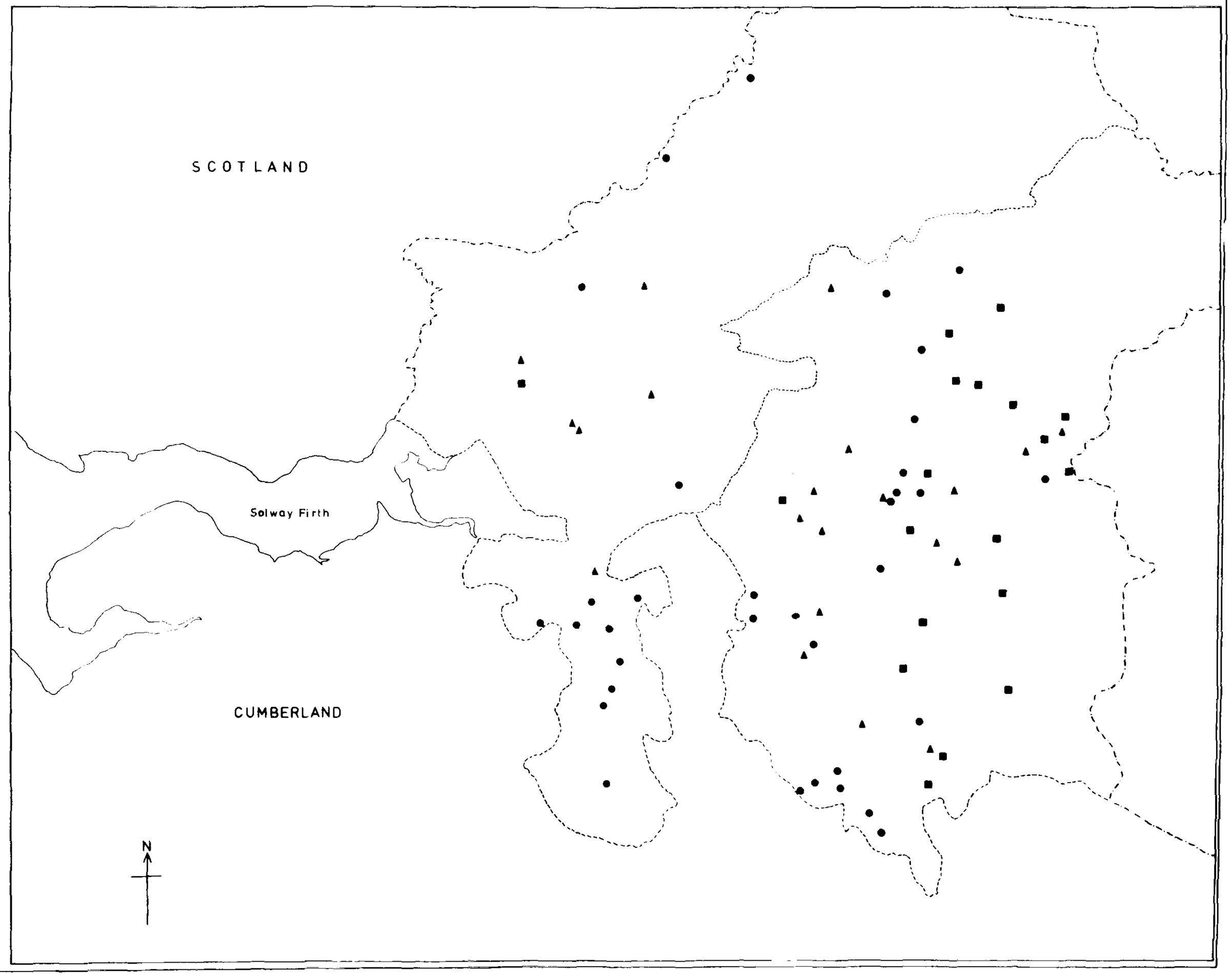


FIGURE 2.6: ESKDALE WARD: CELTIC, ANGLO-SAXON AND SCANDINAVIAN PLACE NAME DISTRIBUTION



CELTIC PLACE NAMES

ANGLO SAXON PLACE NAMES

SCANDINAVIAN PLACE NAMES

ESKDALE WARD BOUNDARY

COUNTY BOUNDARY

GILSLAND ESTATE BOUNDARY

SOURCES

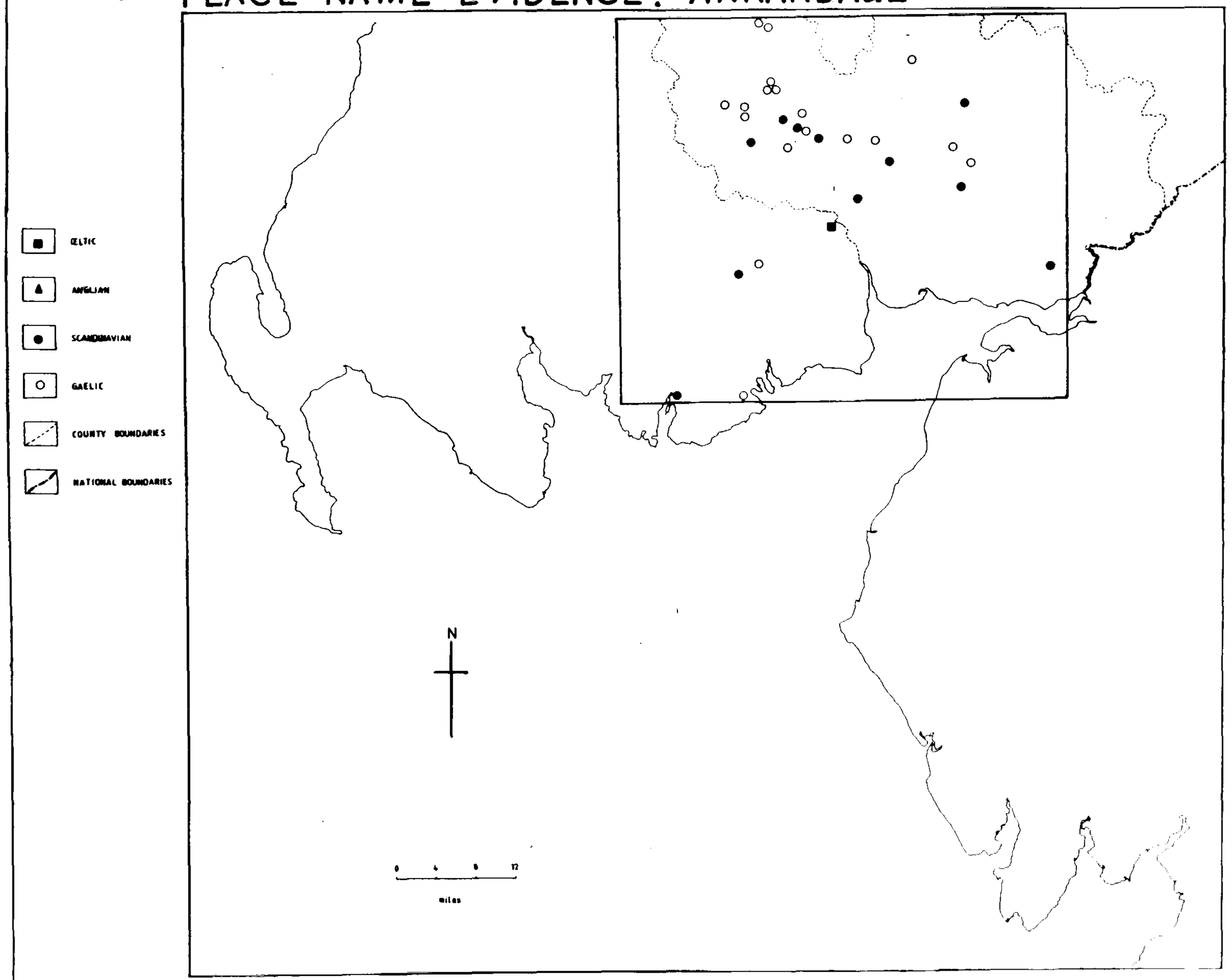
PLACE NAMES: ENGLISH PLACE NAME SOCIETY (CUMBERLAND)

WARDS: 1831 CENSUS ENUMERATION RETURNS

ESTATE: 1624 SURVEY (H of M C 201/1)

Miles
0 2 4
2 4 6
Kilometres

FIGURE 2.7: PLACE NAME EVIDENCE: ANNANDALE



within the medieval estate - probably date from the incorporation of the Kingdom of Rheged within the Kingdom of Northumbria.[32]

In South-west Scotland, immediately north of the Solway, a virtually identical pattern exists with Cumbrian (Celtic), Anglian, Scandinavian and Gaelic elements being identified by Nicolaisen (1964, 1970, 1975, 1976) as the four distinct phases of settlement (Fig. 2.7).

This evidence confirms that Gilsland and Annandale are suitable areas within which to test the usefulness of the multiple-estate model. Both areas were settled early: both areas exhibited apparent continuity as units of land holding between the immediate pre-Norman and post-Norman periods although whether this continuity extended further back than the 11th century it is impossible to say. Some element of 'continuity', however, undoubtedly did survive in the territorial cohesiveness of these areas during the course of their 'Normanisation'. This being the case, medieval documentation covering these areas will be examined for vestiges of 'multiple-estate' type of organisation using the set of criteria outlined in Section 2.4. For the purposes of simplicity the areas are discussed separately.

2.5.2: The Gilsland Estate

The 1603 survey of the Gilsland estate,[33] made on the purchase of the estate by the Howard family from the crown, records the total acreage of the estate as 106,000 acres (42,930 ha), an area which ranged from Askerton in the north, on the edge of the Pennine block, to Cumwhitton and Cumrew on the Eden floodplain in the south (Fig. 2.3). Comparison of this detailed survey with the places mentioned in a 12th century charter of Ranulph de Vaux to his son Robert (c.1195 X 8)[34] (Appendix 3.1), suggests that the Gilsland estate covered a similar area in the 12th century and probably earlier. Not surprisingly, this

vast area included an immense variety of landscape and settlement types; features which can be summarised here as dividing the estate broadly north-east/south-west. In the south and west, an area of rolling riverine lowlands is characterised by small, nucleated villages and relatively productive agricultural land. To the north lies a wild, windswept landscape - much of it above 250 to 300 m - dominated by pastoral farming. Here isolated hill farms and hamlets comprise the main elements in the settlement pattern.[35]

Application of Criteria

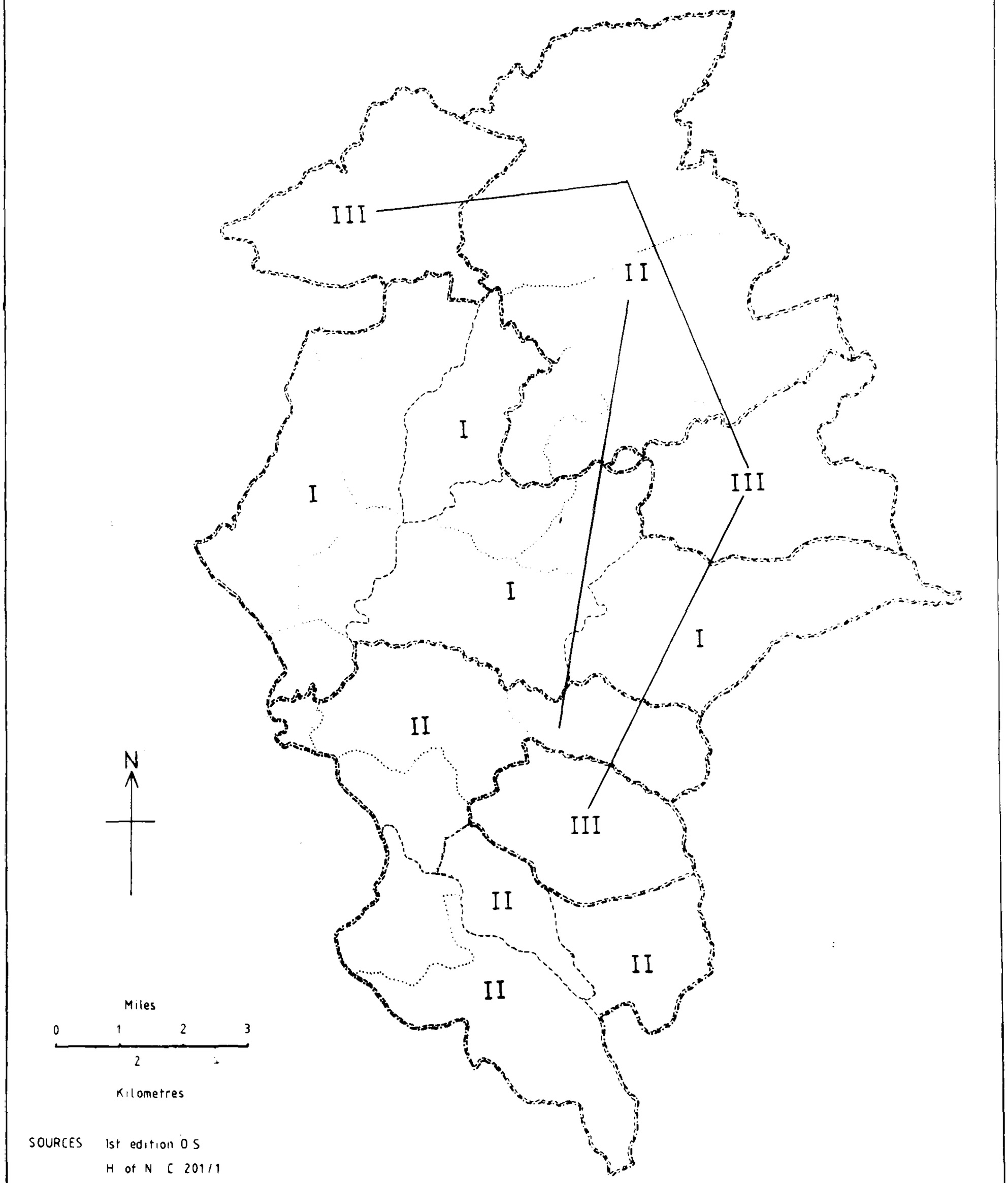
In this section all evidence relating to criteria 1 to 6 of the re-defined multiple-estate model is discussed.

1. Spatial groupings of townships

Table 2.1 presents a grouping of parish-townships within the Gilsland estate. Figure 2.8 maps this grouping, together with the boundaries, of the units. Both are based on a feudal survey of 1424[36] in which a three-fold geographical division of parish-townships is implied in the internal structure of the document, which lists these units as three distinctive groups. It must be stressed that this is the only documentary evidence to reveal a three-fold division of the estate, nevertheless, the existence of Group I is apparently confirmed by the c.1169 foundation charter of the Priory of Lanercost. In this Robert de Vaux grants the churches, and, by implication, the parishes of Walton (together with Triermain), Irthington, Brampton, Farlam, and Carlatton to the Priory.[37] Of these churches all bar Carlatton are included within Group I.[38]

These geographical groupings of townships suggest three potential areas of which the multiple-estate model may provide an accurate description. These areas will now be examined for evidence concerning

FIGURE 2.8: PARISH - TOWNSHIP DIVISIONS GILSLAND circa 1424



SOURCES 1st edition O S
H of N C 201/1

Table 2.1: Parish-Townships Divisions in Gilsland (1424)

Groups	Parish-Townships	Additional townships within parishes
I	Irthington Brampton Walton Farlam	Laversdale, Newby, Newtown Easby, Naworth.
II	Hayton Cumwhitton Lanercost Carlatton Cumrew	Talkin, Little Corby, Fenton & Faugh, Moorthwaite & Northsceugh Banks, Burtholme, Kingwater, Waterhead.
III	Stapleton Kirkcambok Denton Castle Carrock	Belbank, Trough, Solpert.

Sources: for parish-townships: D. P/D.H of N C 201/1;
Townships: 1831 Census Enumeration Returns.
Obviously late townships have been excluded from this list:- Walton High and Walton Low; East and West Farlam; Cumrew Inside and Outside and Castle Carrock Town Quarter and Outside Quarter. Not only do the names of these divisions suggest a relatively late origin; their boundaries on 6" 1st edition maps are often man-made, cutting across, instead of following, natural features which may be considered to be primary boundaries.

important places. Group I contains two important places - Irthington (the medieval estate centre) and Brampton (the medieval market centre); whilst Group II reveals one such place - Lanercost (the focus of a monastic manor). Group III apparently has no such centre. This prompts many questions as to the validity of the three-fold geographical division suggested by the 1424 survey as well as to the organisation of the original Gilsland unit. Lanercost Abbey, for example, was not established until 1169 - a relatively late date - thus two of the three groups have no important places of pre-Norman date within them, whilst Group I has two.

Of these, Irthington, in Group I, was obviously the medieval

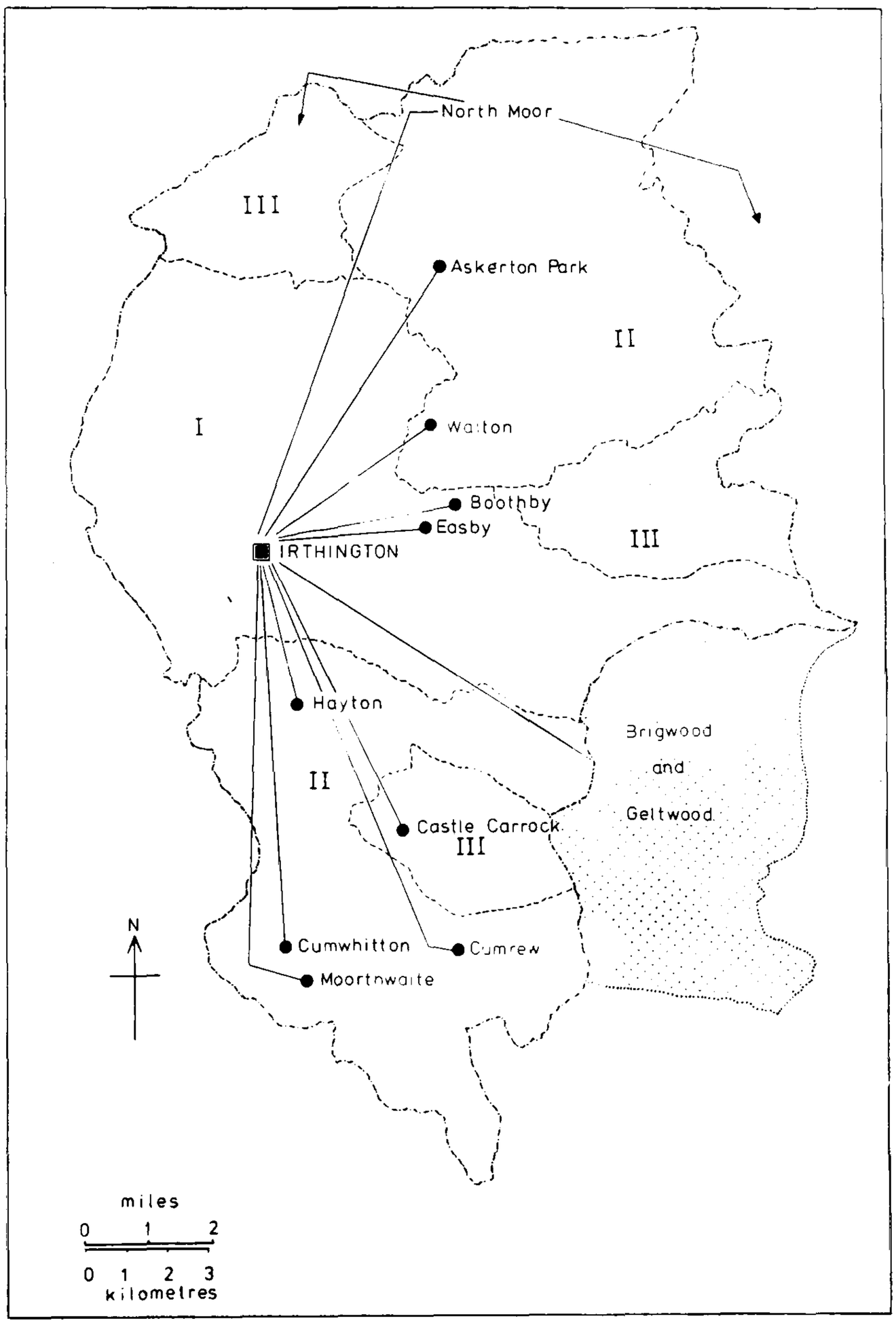
estate centre. Medieval documentary evidence consistently refers to Irthington as the head place (caput maneria) of the estate, whilst a 12th century charter (1195 X 98) of Ranulph de Vaux grants the manor of Irthington 'cum pertinenciis franciis et libertatibus suis...'[39] These dependencies are stated to be the free chace of Northmoor and Foulwood, Brigwood and Geltwood, Brampton Park, Askerton and messuages in Walton, Easby, Boothby, Hayton, Cumwhitton and Moorthwaite, Cumrew and Castle Carrock (Figure 2.9). Thus, the 'dependencies' of Irthington clearly extended into the areas covered by Groups II and III in Figure 2.8. Given this, Irthington must have been the focus for the entire Gilsland estate and not just the central area. It would, therefore, be stretching the limits of inference to suggest a more complex spatial arrangement of township groupings than one focussed on Irthington, yet which extended to cover the entire estate. It is, therefore, within the context of the complete estate, rather than one of the three subdivisions, that the remaining criteria have been applied.

2, 3, 4, 5. Social categories

The Gilsland estate undoubtedly was a discrete unit of lordship. This is stated clearly in the initial foundation charter of the estate which transferred 'totam terram quam Gilbertus filius Boet tenuit' to Hubert de Vaux.[40] What remains uncertain is the location of the pre-Conquest centre of lordship, represented in the model criteria by morphological features, specifically a palace-hall-court complex.

In view of its status in the early medieval period, Irthington is obviously a possibility; Bewcastle too, to the north of the area contained within the medieval estate, would appear to be another possible site, on the basis of the apparent phonetical similarity

FIGURE 2.9: IRTHINGTON AND DEPENDENCIES : 1195 x 1198



Free chace

Estate boundary

Parish-Township boundaries

Dependent settlements

I Parish-Township groups
II
III [Figure 2.8]

Source CH. MS. A1

between Boet and Bew. Such a connection has, however, been dismissed by place-name scholars (Armstrong et al, 1950). Without detailed archaeological work it is impossible to develop any firm conclusions. However, should no early lordship centres be identified within the estate, it could be suggested that Gilsland was an area of migratory lordship in which central places as such are an invalid concept; the focus of lordship being merely where the lord happened to be at a particular point in time and space.

Analysis of all available medieval documentation has failed to reveal the presence of a ministerial group within Gilsland. Possible drengs, however, have been located within the manors of Lydell, Wetheral and Dalston; areas which are in reasonable spatial proximity to Gilsland.[41]

In contrast, both free and bond tenants are detectable within 15th century documents relating to the Gilsland estate. The names of free tenants holding by knight service, suit at court and minimal cash rents correspond clearly with many personal names mentioned in the 1332 Lay Subsidy Returns,[42] thus it is possible that the original families of these 15th century free tenants may date from the earlier medieval period, rather than from later centuries. However, whether these families pre-date the early medieval period it is impossible to say.

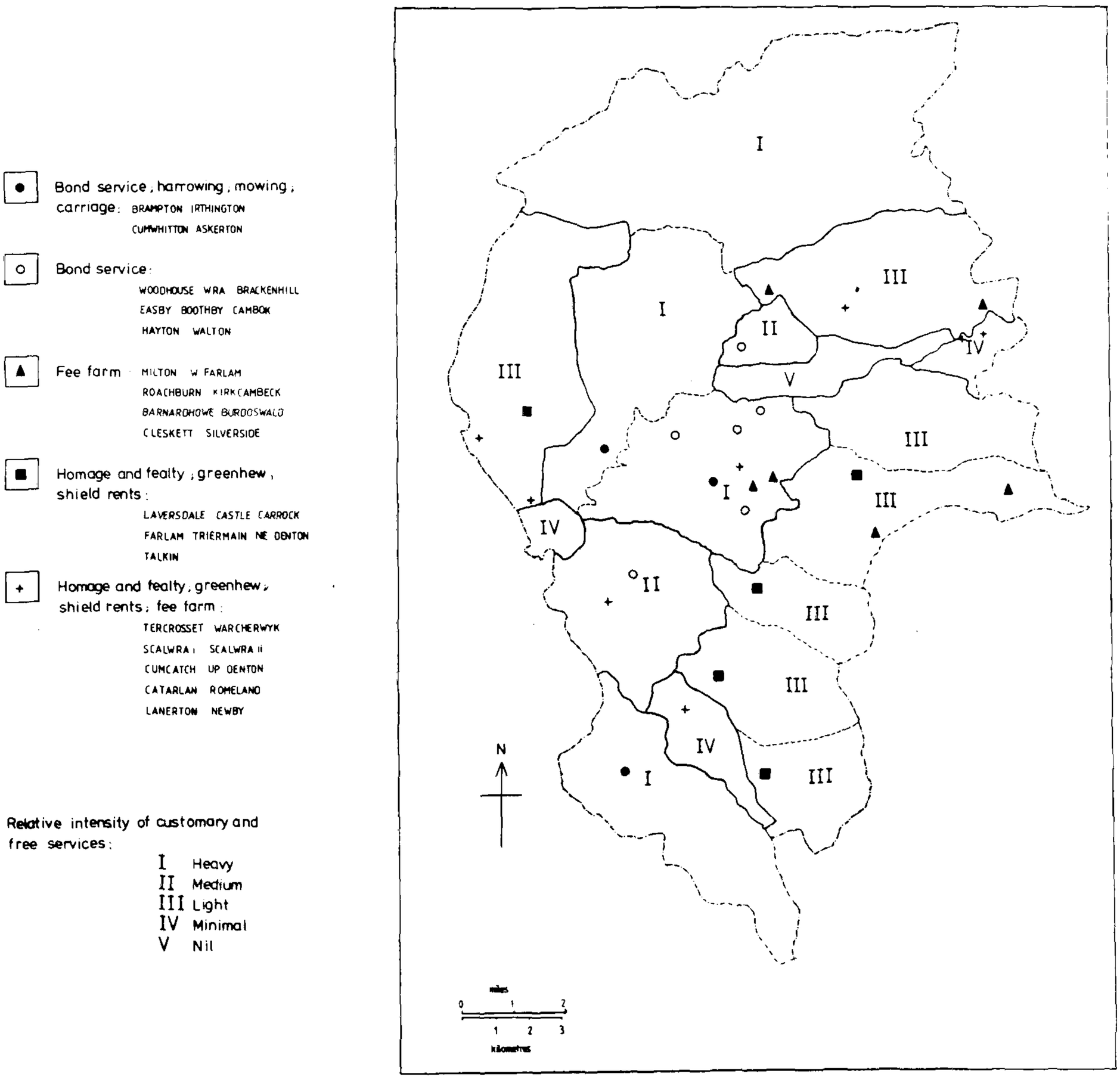
A broad distinction is evident between bond tenants occupying messuages of two bovates of land (approximately 30 acres, 12.15 ha)[43] and cottagers holding smaller parcels of land (of the order of 4 acres, 1.62 ha). However, in view of the nature of the service obligations within the estate, it is doubtful whether these may be viewed in terms of the traditional image of the bond peasantry.[44]

6. Service Network

Turning to the service network, it is entirely possible that no type of ancient royal due was in fact levied in Gilsland. The c.1158 foundation charter (Appendix 2.1) specifically mentions that the area was free from noutgeld[45] in view of the fact that it was to be held for knight service. However, if Kapelle (1979, 74-50) is right in his suggestion that cornage was a royal tax imposed by the English crown in the 10th century - and not a Dark Age survival - it is difficult to see the population of Gilsland ever being burdened with it. There is, quite simply, no evidence to suggest that the area was incorporated into the English state until c.1158. In fact, the only evidence which we have, referring to Gille son of Bueth, records his presence on the jury called by David I (c.1122) to investigate the endowments of the see of Glasgow.[45] This suggests that, at that date, and presumably before, the lords of Gilsland were most likely to have shown allegiance to the Scottish crown. Given this, it is possible that noutgeld was never levied in Gilsland, hence its firm exclusion from the foundation charter. Having said this, however, there is no evidence to suggest the payment of the King of Scotland's cain and conveth.[47] Apparently we are faced with an area remote from the jurisdiction of both English and Scottish crowns, owing allegiance to the Kings of Cumbria, to whom both English and Scottish kings were trying to succeed.

At the level of the constituent elements of the estate, the service burdens within Gilsland show little correspondence with those considered diagnostic of the multiple-estate model. In general these demands are light. The tenants of Brampton, for example, provided a set number of hens and eggs at Christmas and Easter,

FIGURE 2.10: MEDIEVAL SERVICE CLASSIFICATION: GILSLAND: 1424



● Bond service, harrowing, mowing, carriage: BRAMPTON IRTHINGTON CUMWHITTON ASKERTON

○ Bond service: WOODHOUSE WRA BRACKENHILL EASBY BOOTHBY CAMBOK HAYTON WALTON

▲ Fee farm: MILTON W FARLAM ROACHBURN KIRKCAMBECK BARNARDHOWE BURDOSWALD CLESKETT SILVERSIDE

■ Homage and fealty, greenhew, shield rents: LAVERSDALE CASTLE CARROCK FARLAM TRIERMAIN NE DENTON TALKIN

+ Homage and fealty, greenhew, shield rents; fee farm: TERCROSSET WARCHERWYK SCALWRA i SCALWRA ii CUMCATCH UP DENTON CATARLAN ROMELAND LANERTON NEWBY

Relative intensity of customary and free services:

I Heavy
II Medium
III Light
IV Minimal
V Nil

FIGURES 2.10a/b : MEDIEVAL SERVICE GROUPINGS : GILSLAND : 1424

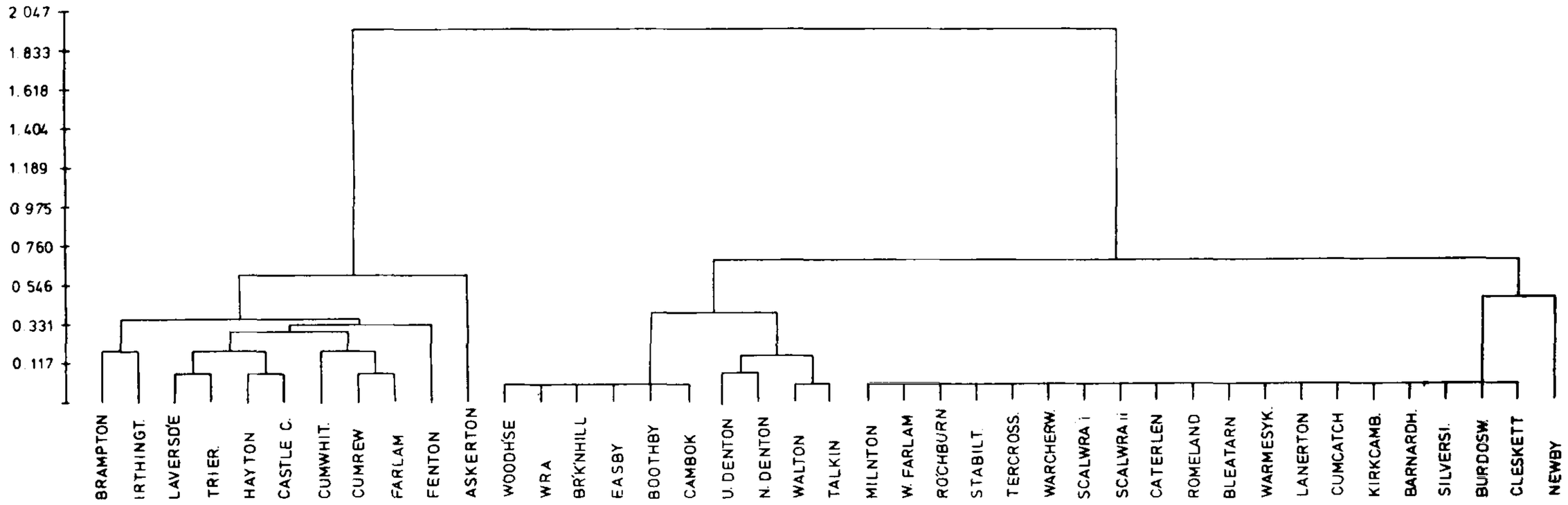


Fig. 2.10a : Customary service groupings : Gilsland : 1424.

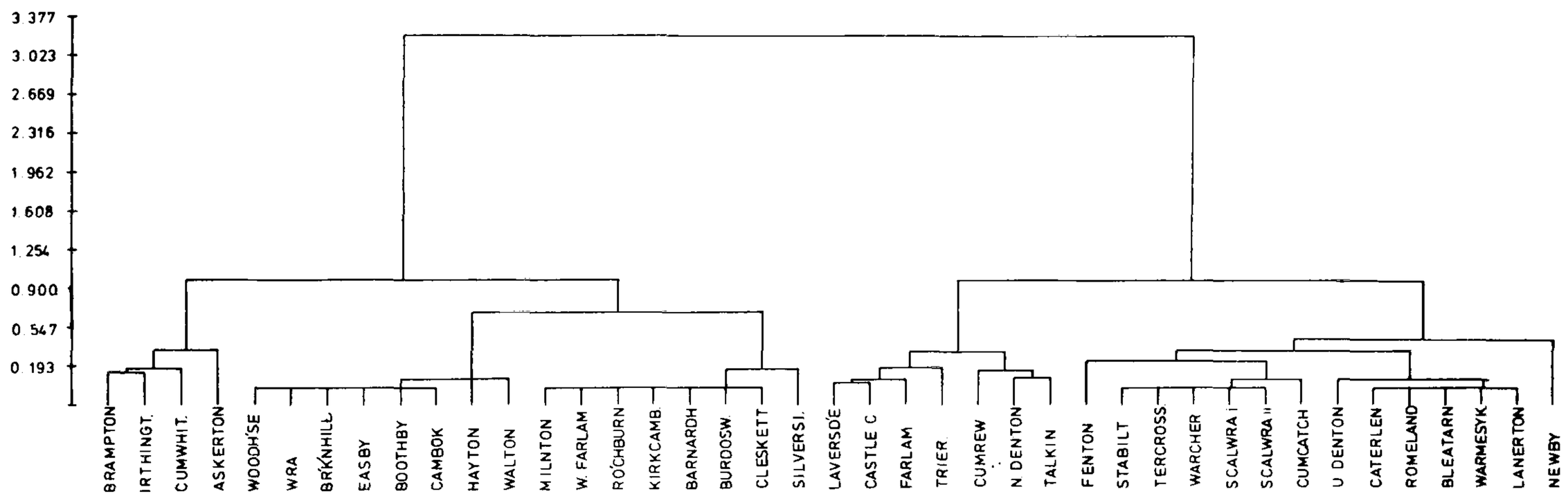


Fig. 2.10b : Customary and free service groupings : Gilsland : 1424

'... servitiu vocatis lactis vit; per quolibet vase lactis continet viii galiones, xxxii gallinas, xvi^{xx} ova que solebant valere per annum...viii^{s},[48]

In addition, along with the tenants of Irthington, Brampton, Farlam, Walton, Hayton, Cumwhitton, Cumrew, Castle Carrock and Askerton, they performed agricultural bond services of an unspecified, but presumably unburdensome nature, probably on the demesne land of Irthington, Brampton, Farlam and Carlatton.[49]

The performance of carriage service was confined to the tenants of Askerton on the estate periphery,

'Idem dominicus solebant habere ibidem qoulibet anno semet xxxii equis per cariage victuali usque casqu que valere per estimacione...iiii^{li}xii^{s} viii^{d},[50].

No documentary evidence has been found for the medieval period concerning construction work, hospitality, waiting and service in the hunt. This may, however, be a reflection of the relatively late date of the main documents, most of which are 15th century, although it should be stressed that cash rents in general are also low.[51] Figure 2.10 provides a summary picture of the overall pattern of medieval service performance within the entire estate (Appendix 2.2).

In summary then, we can say that the criteria considered to be diagnostic of the multiple-estate model are not to be found in toto within the medieval documentary record of the Gilsland estate. More specifically, whilst a spatial pattern consisting of a central parish-township and its 'dependencies' is found, together with lord, free and bond tenants and evidence for food renders, carriage service and light agricultural labour service, other important elements in the model are missing. Thus, in Gilsland there is neither surviving evidence for a ministerial group of thanes and drengs nor any evidence to suggest that

bond tenants owed construction work, hospitality, waiting or service in the hunt.

2.5.3: Annandale

Covering an area of approximately 250,000 acres (101,250 ha), Annandale is, along with Eskdale and Liddesdale, one of the major river valleys in South-west Scotland. Drained roughly north-south by the rivers Annan, Nith, Esk and Liddel, these dales form definite physical units in which a broad distinction may be made between the upper valleys, characterised by large fell areas and dissected by narrow tributary valleys and the gently rolling topography of the lower valleys (Fig. 2.3). To the north, the narrow valleys of Evandale, Annandale and Moffatdale are separated by vast tracts of fell rising steeply to between 480 and 320 m in the west and 800 m in the east in the vicinity of Hart Fell. This contrasts markedly with the land to the south beyond the confluence of Dryfe Water with the Annan at Lochmaben, where the floodplain rises to maximum altitudes of 80 m in the west and 20 m in the east. The implications of this topography for settlement distribution are displayed clearly in Figure 2.3, with nucleated settlements being confined to the river valleys and the upper fell land being characterised by a pattern of isolated farmsteads.

Application of Criteria

1. Spatial pattern

In the absence of any medieval surveys for this area we are forced to rely upon the identification of important places as a means towards suggesting possible divisions of settlement organisation within Annandale. Five such places can be identified:-

(1) Annan- a focus of lordship

(2) Lochmaben- another lordship centre

(3) Hoddom)
)
(4) Applegarth) - all early ministers (Cowan, 1961, 43).[52]
)
(5) Ruthwell) (Figure 2.3)

The paucity of documentary evidence relating to Annandale during the medieval period effectively minimises the degree to which it is possible to consider these places as focal points with 'dependencies'. Indeed, in view of this, it is considered that Reid's (1953) simple division of the area into Lower and Upper Annandale is the only arrangement that can realistically be suggested.

In terms of ecclesiastical organisation the areas of Lower and Upper Annandale would have been administered from Hoddom and Applegarth respectively;[53] in terms of secular organisation the central places would have been Annan and Lochmaben. Upper and Lower Annandale are, therefore, examined separately in terms of the multiple-estate model.

2, 3, 4, 5 Social categories

Although no pre-Norman lord is referred to in relation to Annandale, what documentary evidence there is does point to the functioning of a palace-hall-court complex in both Upper and Lower Annandale at least as early as the 12th century.

The presence of a 'castellum' in the dale is included in the original c.1124 grant of David I to Robert Bruce.[54] Reid (1953, 159) has equated this morphologically with the Mote Hill of Annan and, similarly, a second mote at Lochmaben has been suggested by the same author (p. 166) as the site of the principal lordly residence in Upper Annandale.

In addition, the Lanercost Cartulary, in its account of the visit

of St. Malachy to Annandale, makes abundantly clear the functioning of a lordship centre at Annan,

> '... the bishop (Malachy) reached Annan the capital of the dale, where he sought refreshment from the lord of the dale'[55].

Reid (1953) goes on to suggest that the incident which followed - known as the Curse of St. Malachy - was responsible for the transfer of the main centre of lordship in Annandale from Annan to Lochmaben at a date between 1173 and 1218.[56] Undoubtedly, Annan ceased to function as a lord's settlement at a relatively early date,[57] but whether Lochmaben was of secondary importance to Annan prior to the mid 12th century is open to question. What is indisputable, however, is that during the mid to late 12th century, two centres of lordship existed in Annandale.

In the absence of medieval surveys we are forced to fall back on charter evidence to reveal material concerning the social categories of administrators, free and bond tenants. Not surprisingly, this type of evidence fails to reveal the presence of a ministerial group of thanes and drengs within Annandale. Neither is there any reference to groups of free and bond tenants beyond the legal phrase,

'cum bondis, bondagis, nativis et eorum sequelis'

Presumably these did exist, but what their exact tenurial status was it is impossible to say.

6. Service Network

The payment of the ancient food render cain in parts of South-west Scotland, notably Renfrewshire, Cunningham, Kyle and Carrick is shown by the early 12th century grant of this tribute by David I to the Bishop of Glasgow.[58] Further south, parts of Nithsdale - Dessenes

and Le Cro - were also apparently subject to this payment.[59] Neither Annandale nor Eskdale are referred to in this context. However, it is unlikely that cain tribute did not figure in these major dales of South-west Scotland, at least prior to the date at which they became knights fees.

The more usual food renders of the medieval and early modern period were ubiquitous throughout Lower and Upper Annandale.[60] 16th and 17th century documents record rents being paid in cash and kind, whilst, as late as the 18th century, estate documents refer to the 'kain foull' of Stableton in Dornock parish, where Woodhead, Nenhead, Haltoune, Netoune and Dornockwood rendered a total of 97 hens between them annually.[61]

Carriage and agricultural labour service are mentioned in one late 14th century document, in which, included amongst the wages contained in the account of William Henrision, senior chamberlain of Lochmaben castle, for 1374/5 is the following,

> 'nothing for the carriage of 300 bords (wood) as the men of Gretenhou and Reynpatric performed it by agreement, mowing and carriage of 28 wagon loads of thak and rede from the field of Usby to the castle'[62].

The wording of this is slightly ambiguous. Are we to infer that the men of Gretna and Rainpatrick usually performed this service, or is this purely a temporary agreement? If the former is correct then we would have legitimate grounds to suggest the existence of a group of bondmen in Lower Annandale. Alternatively, if temporary, these men could be free tenants. The one fact of which we may be certain is that mowing and carriage were performed by a certain section of the population during the 14th century. Further carriage service, although commuted, is still recognised in the early 18th century, where the

short and long carriages of both Newbie and Cummertrees are referred to in the parish of Kirkpatrick Fleming.[63] These two places lie outside Kirkpatrick Fleming thus it would appear possible that an intricate system of tenant-dependent haulage operated throughout the valley during the medieval centuries.

As with Gilsland, no evidence has been found to suggest that construction work was connected with the two known sites of lordly residence, Annan and Lochmaben. Neither do hospitality nor service in the hunt feature in the medieval or early modern documentary record.

To summarise, what limited documentary evidence we have for Annandale does suggest that the dale was divided into two distinct geographical and territorial units as early as the 12th century, but whether these functioned in terms of a central place and its 'dependencies' is an undocumented point. Morphological and documentary evidence for lordly residences within both areas is available, however, without survey material it is impossible to explain either the detailed nature of free and bond tenure within these areas or to detect any group of thanes and drengs. As with the Gilsland estate, the correspondence between the services found in Annandale and the model criteria is only partial.

2.5.4: Summary Remarks

To what degree does the multiple-estate model provide an accurate description of the empirical reality of both Gilsland and Annandale as inferred from medieval documentation?

Both the spatial pattern of inter-settlement relationships within Gilsland and Annandale are described to varying degrees by the model. Indeed, the situation within the Gilsland estate, where a central parish-township together with its 'dependencies' can be reconstructed

from early and late medieval documents, exemplifies the spatial dimension contained within the re-defined model. The degree of coincidence between the model and the spatial pattern of inter-settlement linkages in Annandale is, however, something which is ultimately untestable given the lack of medieval survey material. However, the 12th century division of the dale into two distinct geographical units, each with their own centre of lordship at least implies a situation similar to that which existed in Gilsland at a comparable period.

Considerable discrepancies emerge between the remaining diagnostic criteria of the model and the empirical reality of both Gilsland and Annandale. In both cases a ministerial group of thanes and drengs is lacking; although, admittedly, in Annandale the documentary record is too fragmentary to expect such people to emerge. Similarly, the service obligations of both areas bear scant resemblance to those within the model. In neither case is there any evidence for three of the seven services considered to be essential features of any multiple-estate type organisation. These are construction work, hospitality and waiting, and service in the hunt. In addition, it must be emphasised that the intensity of agricultural labour service demanded, certainly in Gilsland, was extremely light, even in the context of Northern England (Kapelle, 1979, 53-4).

On this basis then, the model is evidently not describing the situation within 11th and 12th century Gilsland. Our evidence base for Annandale being extremely fragmentary, the only valid conclusion that we can make for this second case study is that its findings are inconclusive.

Table 2.2 tabulates both the results of the Gilsland and Annandale case studies and some of the areas which Jones himself has labelled

'multiple-estates' in some of his published work.[64] What emerges from this is that the findings of the two specific case studies presented in this thesis are by no means atypical. Of the multiple-estates discussed by Jones, only one - Aberffraw - satisfies all the criteria contained within the re-defined model. Two others - Malling and Dinorben - reveal most criteria (with the exception of certain services and a group of administrators) but most of these examples, certainly on the evidence which was published by Jones, are adjudged tc be 'multiple-estates' solely on the basis of archaeological and place-name evidence.

The implications of the material contained in Table 2.2 are, to say the least, disturbing. If this is all the evidence which Jones has at his disposal concerning the areas he considers to be 'multiple-estates', then it is apparent that in most cases the rigidly defined model is not describing empirical reality. Indeed, it is only in the Welsh context that we are able to say that the model is to any degree applicable. Further research undoubtedly calls for a full reworking of all Jones's primary evidence relating to the 'multiple-estates' which he has identified and discussed.

2.6: The multiple-estate model: a final assessment

The criticism of the multiple-estate model presented thus far has been largely internal. Attention has been focussed upon the problems of the model as developed to date by Jones, and the difficulties associated with testing what was a very loosely defined concept in specific research contexts. This has left unquestioned two important points, namely, the value of using such a model-based approach and the basic assumptions underlying the multiple-estate model in particular.

Table 2.2: Tabulated Results of Multiple-Estate Model Applications

	Spatial Grouping of townships occurring within Medieval Estate, Rural Deanery or hundred	Social Categories: Lord	Free	Bond	Ministerial Group	Service Network: Construction	Hospitality	Food Renders	Carriage	Agricultural Labour	Hunt	War	Place-Name Evidence: C	A/S	Archaeological Evidence
	Gilsland	1	1	1	-	-	-	1	1	1	-	-*	1	1	-
	Annandale	1	(1)	(1)	-	-	-	(1)	1	1	-	-	1	1	-
1960a	Dinorben	1	1	1	-	1	-	-	-	-	-	-	1	1	1
	Oswestry	-	1	1	-	-	-	-	-	1	-	-	-	-	1
	Alberbury	-	-	-	-	-	-	-	-	-	-	-	-	-	1
	Wrockwardine	-	-	-	-	-	-	-	-	-	-	-	-	-	-
1961b	Wakefield	-	-	-	-	-	-	-	-	-	-	-	1	1	1
	Hallam	-	-	-	-	-	-	-	-	-	-	-	-	-	1
	Aldborough	-	-	-	-	-	-	-	-	-	-	-	-	-	1
	Driffield	-	-	-	-	-	-	-	-	-	-	-	-	-	1
	Hunmanby	-	-	-	-	-	-	-	-	-	-	-	-	-	1
	Falsgrave	-	-	-	-	-	-	-	-	-	-	-	-	-	1
1961c	Hovingham	-	-	-	-	-	-	-	-	-	-	-	-	1	1
	Findon	-	-	-	-	-	-	-	-	-	-	-	-	-	1
	Amesbury	-	-	-	-	-	-	-	-	-	-	-	-	-	1
	Eccleshall	-	-	-	-	-	-	-	-	-	-	-	1	-	-
	Brockenborough	-	-	-	-	-	-	-	-	-	-	-	1	1	1

Table 2.2 (continued)

1975	Bangor	1	–	–	–	–	–	–	–	–	–	–	–	–	–
	Sherburn-in-Elmet	–	–	–	–	–	–	–	–	–	–	–	–	–	–
	Kippax	–	–	–	–	–	–	–	–	–	–	–	–	–	–
	Barkston Ash	–	–	–	–	–	–	–	–	–	–	–	–	–	–
	Conisbrough	1	–	–	–	–	–	–	–	–	–	–	–	–	–
1976a	Aberffraw	1	1	1	1	1	1	1	1	1	–	–	1	–	1
	Aucklandshire	–	–	–	–	1	–	1	–	–	–	–	–	–	–
	Malling	1	1	1	–	1	1	1	1	1	1	–	–	–	–
1979b	Archenfield	–	1	1	–	–	–	1	–	–	–	–	1	–	1

*Free and bond tenants within the Gilsland estate owed what is known as 'border service' i.e. service in wartime for the English crown against the Scots, (op. cit. Ref. 36) during the medieval period but whether this had earlier antecedents it is impossible to say.

That there is this further side to this critical evaluation should, however, be obvious, particularly given the connections drawn already between the multiple-estate model and both Baker's view of 'traditional' historical geography and the positivist approach to the subject.

Since these connections were made in Section 2.3.2 there is little need to elaborate upon them again here, other than to make the point that in both the case studies presented above (2.5.2; 2.5.3), and in many of Jones's examples, we are presented with a classic illustration of a model which fails to describe the inferred empirical reality to which it is being applied. Neither Gilsland, nor Annandale, nor, indeed, most of Jones's published examples, correspond to the organisational framework described by the multiple-estate model. Thus, either the model itself is incorrectly specified for these examples, or external factors, particularly the social contexts of these areas are exerting an influence.

One approach to this problem is to modify the model; to add or subtract variables as necessary in order to attain a more accurate description of reality. This could be tried, for instance, in the case of Gilsland, where subtracting the ministerial group variable would improve the 'goodness of fit' of the model. However, such a course is, in the context of the future development of the model, by no means a realistic proposition and for the following two reasons.

First, the addition or subtraction of variables does not alter the fact that the multiple-estate model has been defined to date exclusively in terms of empirically observable phenomena. This has led, inevitably, to a focus upon the spatial pattern and forms within the 'multiple-estate', rather than upon the social organisation responsible for this peculiar type of phenomenon. However, and assuming

for one moment that the model does provide an accurate description of reality, if the multiple-estate model is ever to be more than just a description of spatial arrangements between settlements, its parameters have to be extended towards the social level. Here a type of society in which a non-producing aristocracy, dependent for its survival upon the coercion of both agricultural goods and labour from the peasantry through the efforts of a group of administrators, was clearly central. Simply adding or subtracting variables relating to forms and patterns is not going to further our understanding of this type of society; nor, indeed, will the addition or subtraction of variables denoting characteristic features of such a society further our understanding. Indeed, it can be argued that in order to understand fully why the pattern of inter-settlement linkage known to date as the 'multiple-estate' existed, it is essential to focus upon the mechanisms of control and power within that society, and specifically to examine how the institutions and rules which both implemented and manifested these power structures operated to produce such spatial arrangements. Such an understanding is not produced within a rigid model framework comprising key diagnostic criteria which, by definition, are then looked for, but only within the broader framework of what is known loosely as total history.

A second reason why the addition or subtraction of variables to the multiple-estate model is fundamentally a futile exercise reflects the internal contradictions of positivism itself, specifically the use of the deductive-nomological form of explanation[65] and the assumed constant relationship between categories of observation and theory (Gregory, 1978a). Given this, it is impossible for us to differentiate between the failure of a hypothesis and the failure of all those conditions external to the test to remain constant. Thus, in the case

of the multiple-estate model, if - as is, indeed, the situation here - this fails to correspond to and describe the reality of early patterns of inter-settlement organisation, there is no way that we can determine why this has come about. It may be that the model itself is wrongly formulated. Alternatively, it may be that factors external to the model - in this case, social mechanisms and processes - are extremely influential.

Taken together, these two points suggest that the value of the multiple-estate model, as currently formulated, is limited to that of extremely generalised and uncertain description sited at the level of empirically observable phenomena.

The implications of this statement for the study of continuity and change are, obviously, considerable. As has been demonstrated, within this framework both themes relate only to empirically observable features - in this case phenomena, events, patterns and forms (2.3; 2.4; 2.5). Such an approach is, of course, far removed from the view-point of continuity and change preferred by those who wish to steer historical geography towards an understanding of the past, in which individuals and their changing social contexts occupy a central position. In contrast to this aim, Jones's approach to historical geography is one in which the individual - or groups - figures little: they are considered only insofar as they appear as 'administrators', 'lords', 'freemen' or 'bondmen' and not as people conscious of their own situation. To be fair though, it is virtually impossible to view the individual in this manner in the remote past: the documentary evidence to enable us to do this just does not exist. Therefore, to criticise the multiple-estate model on this score alone is completely unrealistic. One point, however, should be stressed here. Individual activity is,

of course, visible at the empirical level but consciousness, quite definitely is not. Given that the multiple-estate model is couched in terms of empirically observable phenomena only, it is extremely unlikely that the thoughts of individuals or groups would be acknowledged, even if they were accessible to us.

In view of the above remarks, the multiple-estate model as applied to its particular problem, does not provide us with an understanding of the past in which both the mechanisms of social change and the impact which this had on the lives of individuals figure significantly. Indeed, it cannot for, as the preceding discussion has emphasised, this is an approach to historical geography which is located within the positivist tradition. This is a tradition in which it is the external object world of patterns, forms and phenomena which comprises the only legitimate area of study and in which the methods of positivist social science provide the framework for analysis: the world of social mechanisms, structures and individual agency lies totally beyond.

To conclude then: the critical evaluation of the multiple-estate model presented within this chapter has two dimensions associated with it, one internal, the other external. On the one hand, the problems of definition and circular argument contained within Jones's own work have been tackled directly (2.3.2; 2.4) through the means of a rigid checklist of 'multiple-estate' criteria which are then tested empirically. Results of such testing, however, show the model to be an inadequate description of reality. Further research of a similar vein is essential before firm conclusions can be drawn as to the general applicability of the model as a descriptive device.

The external criticisms of the model are two-fold. One points

to the limitations of a positivist approach to the problem of inter-settlement organisation; the other focusses upon the specific associations which the multiple-estate model has with the positivist tradition within historical geography. When combined both criticisms suggest that the value of a multiple-estate model approach to the study of early settlement organisation will be confined strictly to the production of a very general, as well as varyingly applicable, description of the spatial associations between settlement. It is these external criticisms which, in the context of this thesis, lead to the ultimate rejection of the multiple-estate model as a fruitful line for further enquiry. In Part II of the thesis we move to consider an entirely different approach to historical geography to that exemplified by the multiple-estate model. In this approach social mechanisms, processes and interaction comprise the focus of study.

PART TWO

CHAPTER THREE: A STRUCTURATIONIST PERSPECTIVE ON THE TRANSITION TOWARDS AGRARIAN CAPITALISM: NORTH-EAST CUMBRIA, 1570 - 1800

3.1: Introduction

In Part I of this thesis the multiple-estate model of G.R.J. Jones was used both as an illustration of what Baker sees as 'traditional' historical geography and as an example of the use of the positivist approach within the subject. Furthermore, it was argued that, in remaining within the framework provided by the positivist approach, we cannot hope to create a historical geography which attempts to produce an understanding of past societies constructed in terms of both the social processes and the individuals which comprised them, and as societies and individuals involved in the course of transition and transformation in space and through time (Baker, 1979; Gregory, 1976, 1982a, 1982b). However, for a different type of historical geography - for that type of historical geography which both Baker and Gregory have been arguing for over the course of the last ten years - these ideas are absolutely central. They also constitute a goal which would integrate historical geography not only within current debates in human geography but within a debate which covers the entire spectrum of social science (1.2; and see Abrams, 1980, 1982; Baker, 1982; Giddens, 1979, 1981; Gregory, 1978, 1982a; Pred, 1981b, 1981c; Thrift, 1981, 1983). This much is not problematical. What is problematical is how we actually achieve this end.[1] Within Part II of this thesis the central pivots of the structurationist arguments of Giddens (1976, 1979, 1981, 1982) and Layder (1981) are used, together with Marxist theory, to demonstrate one means by which this goal may be attained, in relation specifically to the transition towards agrarian capitalism in North-east Cumbria.

The use of a combination of Marxist and structurationist thought

here is deliberate and can be justified on two counts. First, and as argued in Section 1.2, structuration itself is an approach which is compatible with both Baker's and Gregory's vision of a new direction to historical geography. Such an approach - in which the action of individuals is linked to an analysis of both the conditions and unintended consequences of that action - is, quite clearly, essential to an historical geography which encompasses the study of long term transformations, the role of the individual, the class struggle and which situates these issues within specific contexts of social and spatial interaction. By itself, however, structuration is insufficient. The study of long term historical transformations necessitates a strong structural input to analysis, something which structuration alone does not have. This deficiency constitutes a second justification for the approach explored below, and relates specifically to the use of Marxist theory in this thesis.

To be more precise, on the theoretical level - notwithstanding the stress which structuration places on the duality between individual and society - there is a tendency within this type of work to deny the existence of structure outside of the context provided by social interaction. Clearly this is inadequate for, in so-doing, structuration runs a severe risk of allocating an over-deterministic role to the individual (1.2). Both Layder (1981) and Thrift (1983) make this point and go on to emphasise the need to introduce the notion of structural - particularly economic - determination to structurationist arguments. Ultimately this requires the interpenetration of structuration with Marxist theory, because Marxism, through its insistence upon the importance of the forces and relations of production, instills a strong notion of such determination. Stated in the abstract this all sounds extremely straightforward. Nevertheless, to achieve this is -

in practice - an infinitely complex task, necessitating the extension of Marxist theory down to the level of the individual whilst, at the same time, maintaining clear lines of connection to the structural categories of traditional Marxist analysis. To do this is not only controversial but extremely difficult, although Layder's scheme of objective (formal), substantive and interaction structures offers one means of approaching the problem. It is this particular proposal which is used in this thesis.

The details of how this is to be achieved are prefaced by a consideration of existing Marxist theories of the transition towards agrarian capitalism (3.2); these are assessed particularly insofar as they can satisfy the requirements of the approach to historical geography advocated by Baker and Gregory (1.2). Following this, a brief outline of the main tenets of the structurationist argument is given (3.3); while in Section 3.4 the central structurationist concept of contextuality is elaborated upon, this being used to determine the institutional focus within which the transition towards agrarian capitalism in North-east Cumbria is to be discussed.

3.2: Marxist theories of the transition from feudalism to capitalism

This section provides a brief introduction to the three major interpretations of the transition from feudalism to capitalism current within Marxist writing: those emphasising changes in exchange relations (3.2.1); those stressing changes in property relations (3.2.2); and those which see the transition from one mode of production to another as the outcome of the sum of all previous modes of production (3.2.3). Little of this is new, indeed, what follows owes much to Holton's (1981) categorisations.

Criticisms are levelled at all three approaches, particularly in terms of the degree to which they can satisfy the requirements of an historical geography committed to the analysis of both individuals and society, for, what we are faced with here is a series of arguments which are very much of the macro scale. All three accounts operate at the general level of long term historical change. The problem to overcome then is simply this: how do we extend these theories down to the level of small scale analysis which is the concern of this thesis?

3.2.1: Changes in exchange relations

Central to the arguments considering the transition from feudalism to capitalism to be activated by changes in exchange relations is a definition of capitalism as a 'system' of production for profit through exchange. Such exchange relations are atypical in pre-capitalist societies, thus, any account of the transition itself is seen to require an emphasis upon the penetration of these societies by exchange, that is, by a process in which money becomes fixed in commodities which, through circulation, leads to the accumulation of capital. Sweezy (1950) - in his initial contribution to the debate - illustrates the point well. Here feudalism is defined as,

> 'an economic system in which serfdom is the predominant relation of production and in which production is organised in and around the manorial estate of the lord' (1976, 34-5).

The market as such is seen to play no determining role; production is organised around the 'needs' of the system and no pressure exists to improve this. Clearly, the 'prime-mover' of the transition in this type of account has to be located outside the feudal mode of production. According to Sweezy, this trigger is provided by the growth or resurgence of trade in the 10th century. Urban centres suddenly become the

generators of commodity production; towns had to be supplied from the countryside and offered commodities which the rural population could purchase with the proceeds of their sales in the town markets. Furthermore,

> 'the inefficiency of the manorial organisation of production... was now clearly revealed by contrast with a more rational system of specialisation and division of labour. Manufactured goods could be bought more cheaply than they could be made and this pressure to buy generated a pressure to sell. Taken together, these pressures operated powerfully to bring the feudal estates within the orbit of the exchange economy' (1976, 42).

Such a view is undeniably suspect, both in terms of its reliance on the now largely discredited Pirenne thesis (Hilton, 1976, 11), and in Marxist terms. On the latter count two points can be made. First, although Sweezy does recognise the internal conflicts between urban and rural areas and between lords and serfs, he does not see these as possessing sufficient momentum by themselves to undermine feudalism as a system of production. Instead, and in contra-distinction to normal Marxist practice, he locates the 'prime-mover' of the transition as being outside the feudal mode of production.

A second criticism of Sweezy's argument is very much one that is levelled by those who emphasise the importance of the social relations of production. Brenner expresses this most forcefully, stating that, he

> 'fails to take into account either the way in which class structures, once established, will in fact determine the course of economic development... over an entire epoch, or the way in which these class structures themselves emerge: as the outcome of class struggles whose results are incomprehensible in terms merely of market forces' (1977, 27; cf, 1976, 31).

This inversion of the social relations-market relations link comprises

one of Sweezy's fundamental errors: he assumes the norms of capitalist rationality to apply in a situation where capitalist social relations of production did not exist. The second error is,

> 'to locate a systems potential for development in terms of the capacities of its individual component units rather than the system as a whole and particularly in the overall system of class relations of production which condition the nature of the inter-relationships between the individual units and their operation and development' (Brenner, 1977, 48).[2]

Brenner's criticisms of Sweezy are very similar to those that he makes of a more recent exponent of the exchange relations perspective, Wallerstein (1974), whose definition of capitalism as a trade-based division of labour, a 'world-system' and a 'world economy' leads him, like Sweezy, to assume the norms of capitalist rationality to apply throughout the course of the development of the division of labour (Brenner, 1977, 54). Furthermore, at the bottom of Wallerstein's impressive construct, Brenner detects,

> 'a universe of individual profit maximisers competing on the market outside of any system of social relations of exploitation' (1977, 59).

Thus, over Wallerstein, as with Sweezy, a fundamental question-mark is raised which inevitably reflects Brenner's own contention that

> 'a historical transformation of class structure, which the market itself cannot induce, is at the centre of the feudalism - capitalism transition' (1977, 55).

It is to this interpretation of the transition that we turn now.

3.2.2: Changes in property relations

The central premise of this viewpoint is, of course, the orthodox Marxist belief that changes in social relations must precede changes in the productive relations. Thus, in order for primitive accumulation -

and hence capitalism - to emerge, both labour and land have to exist as commodities. This can only be achieved through two processes: a change from communal to individual proprietorship of land; and the separation of the labourer from his own land and soil, initially through slavery or serfdom, then as free-wage labour. Brenner (1976, 1977, 1982), Dobb (1946), Hilton (1950, 1976) and Saville (1969) all favour this classical Marxist interpretation of the transition, although it is Brenner who has presented the fullest and most recent survey of these arguments. The following discussion concentrates exclusively on his work.

Developed as explicit criticisms of both non-Marxist[3] accounts of long term historical change and Marxist theories which stress the importance of exchange relations, Brenner's arguments focus around two points. The first of these is a definition of capitalism as a class system of production based upon free-wage labour; the second, a corresponding interpretation of the transition from feudalism to capitalism as predicated upon changes in the social relations of production. In his view,

> 'it is only with the emergence of free-wage labour, labour power as a commodity, that there is a separation of the producers from the means of subsistence and production; that production must be marketed to make possible reproduction, that there is, in a sense, production for exchange' (1977, 50).

In contrast, in pre-capitalist societies, labour does not function as a commodity; the direct producer has access to his means of subsistence and all that is traded is surplus to requirements. Furthermore, access to the means of subsistence is seen as preventing the operation of capitalist pressures for surplus maximisation and competition on the market. For Brenner then, the transition is reducible to two processes -

the dissolution of serfdom and the short circuiting of peasant proprietorship - the success of which spelled the emergence of full-blown agrarian capitalism; failure, a condemnation to rural backwardness (Brenner, 1976).

As Bois (1978, 63) remarks,

> 'this is an imposing superstructure, impressive at first sight by virtue of its very scale, even acceptable in certain of its general characteristics ... but extremely fragile as soon as one begins to excavate what should be its foundations'.

And the reason for this fragility is precisely Brenner's use of the class struggle as the explanation for economic change. At its most general level, this is reflected in the differentiation drawn between Western and Eastern Europe. In the former case, successful serf resistance to feudal lords is considered to have brought about the end of serfdom; in the latter, unsuccessful resistance is seen to have condemned the peasantry to a life of continued serfdom and agricultural backwardness. Similarly, in his comparative analysis of England and France, it is the balance of class forces to which the determining role is assigned. Thus, in England, dynamic agrarian capitalism emerged from the failure of the peasantry to achieve peasant proprietorship, from the subsequent development of wage labour and through state support for the landowning class against the peasantry (Brenner, 1976). Contrastingly, in France, the success of the peasantry in establishing hereditary freehold control over land, together with state protection of the peasantry as a source of taxable revenue, is considered to have engendered a nation of small-scale peasant proprietors. Brenner's entire argument then rests upon his use of comparative analysis, and it is here that his case begins to crack.

Postan and Hatcher (1978), Croot and Parker (1978) and Bois (1978)

all point to the difficulties associated with this reliance upon comparative analysis. On the one hand there can be little doubt that Brenner's interpretation of the Eastern European case is highly questionable (Postan and Hatcher, 1978, 27), whilst on another level, Croot and Parker (1978) draw attention to two further issues: the immense degree of over-generalisation involved in the interpretation of the English case and Brenner's misunderstanding of the position of the peasantry in France. However, since we are only concerned with a specific region in the English situation in this thesis, it is realistic to confine comment to the English aspect of Brenner's argument.

Here, following Croot and Parker (1978), four points can be made. First, much of the argument for the appearance of capitalist agricultural practice[4] reduces to the appearance of large farms (without defining what constitutes a large farm) together with the technological improvements which could be made on these, the implication being that important technological changes did not take place on smaller farms (p38).[5] Secondly, the peasantry seem to participate in all of this only by their disappearance (p38); whilst little is said, thirdly and fourthly, of two further, and related, questions - the customary tenant as landlord[6] and the legal position of the customary tenant.[7]

The point that Croot and Parker are driving at is, of course, Brenner's underestimation of the role of what they term the small-scale capitalist farmer during the 16th and the 17th century period (1978, 46) and, indeed, many of their points are taken up at the empirical level in the chapters which follow. For the moment, however, it is necessary to register three further and more deep-seated criticisms of the property relations perspective in general.

First, and most importantly, such an approach assumes the primacy of the relations of production throughout history, in pre-capitalist

as well as capitalist societies. This is emphasised by Tribe (1981, 29), who states, when discussing Brenner,

> 'since transformative power in his model is ascribed only to 'class struggle' arising on the basis of given economic relations, there is a tendency to deal with all change as reducible to economic forces alone'. (cf. Anderson, 1974; Giddens, 1981).

This, as we shall see in Section 3.2, is a considerable problem and one which reflects the legacy of Capital itself. Conceived as an analysis of the capitalist mode of production, preceding modes of production are considered by Marx only insofar as they shed light on aspects of the origin and development of capitalism itself (Tribe, 1981, 4). History, consequently, becomes nothing more than the genealogy of capitalism and a genealogy of economic forms, and any deviation from this is a deviation from Marxism.

A second, and related, problem is the question of whether an explanation of the transition which is constructed purely in terms of the social relations of production does in fact constitute an explanation. As Holton (1981, 852) says, these are certain necessary conditions but, in order for them to become sufficient and fully explanatory, it may be essential to re-integrate forces such as market expansion and trade into the argument, on the more pluralistic lines of Marx himself (cf. Marx I, chs 26-32; Dobb, 1976, 159; Hilton, 1975, 235).

Following on from this we can make a third and final point. Brenner's account of the transition clearly accords to 'the class struggle' a central explanatory role. It is this - the political level - which is inserted between the decline of feudalism and the rise of capitalism as the explanation beind the failure of capitalist relations to emerge with the onset of the feudal crisis (Tribe, 1981). However,

there is one simple problem with this: 'the class struggle' itself is no more than an expression of class relations which are defined strictly in economic terms. Thus, the 'political' level explanation for the gap between feudalism and capitalism reduces to little more than one based upon the changing relations of production - the very thing that Brenner is trying to account for.

All of these problems, but particularly the first, are considered by Anderson (1974a, 1974b) in his alternative account of the transition discussed below.

3.2.3: Antiquity and Feudalism to Capitalism: Anderson's thesis

In contrast to those who favour either the exchange relations or the property relations account of the transition from feudalism to capitalism, Anderson shows no signs of remaining squarely within the framework of orthodox historical materialism. Indeed, he draws on a variety of views - Marxist, non-Marixst and Weberian - in his writing. Thus, taking up some of the points raised above, we find, first, an argument which discards the orthodox, evolutionary trajectory of Marxist history, that is, the straightforward progression from primitive to feudal to capitalist and, eventually, socialist societies; and, secondly, a refusal to accord any primacy to the relations of production in pre-capitalist societies.

To expand upon these points slightly; in the first case Anderson considers it impossible to understand the advent of the capitalist mode of production in Western Europe within a strictly linear notion of historical time. In his words,

> 'rather than presenting the form of a cumulative chronology, in which one phase succeeds and supercedes the next, to produce the successor that will surpass it in turn, the course towards capitalism reveals a remnence of the legacy of one mode of production within

an epoch dominated by another, and a reactivation of its spell in the passage to a third... The concatenation of the ancient and feudal modes of production was necessary to yield the capitalist mode of production in Europe... The classical past awoke again within the feudal present to assist the arrival of the capitalist future, both unimaginably more distant and strangely nearer to it' (Lineages, 421-2).

Thus, in more substantive terms, the parcellisation of sovereignty (see below) characteristic of feudalism is seen to permit the growth of cities, not as parasitic centres of consumption and administration - as in Antiquity - but as autonomous urban enclaves which functioned as centres of production (Lineages, 422). Similarly, in the countryside, we find the importance of the fief system as a type of rural property emphasised alongside a stress on the legacy of Roman Law; a legacy which enabled the vital transition from conditional to absolute private property in land to occur (Lineages, 424).

A second major feature of Anderson's work is his refusal to allocate an over-deterministic role to the relations of production in pre-capitalist societies.

> 'Capitalism is the first mode of production in history in which the means whereby the surplus is pumped out of the direct producer is purely economic in form - the wage contract. All other previous modes of exploitation operate through extra-economic sanctions - kin, customary, religious, legal or political. It is therefore on principle always impossible to read them off from economic relations as such. The superstructures of kinship, religion, law or the state necessarily enter into the constitutive structure of the mode of production in pre-capitalist social formations... In consequence, pre-capitalist modes of production cannot be defined except via their political, legal and ideological superstructures' (Lineages, 403-4).

For Anderson then, feudalism becomes not only a mode of production dominated by the land, a natural economy and serfdom, but a mode of production characterised by the parcellisation of sovereignty (Passages, 147-8), by which phrase is meant the integration of political and economic relations at each level within the feudal hierarchy of dependent tenures. And it is precisely this parcellisation of sovereignty which Anderson considers to have provided feudalism with its dynamic. A lack of centralised political and economic integration is seen as having engendered a potentially unstable situation in which the peasant inhabited a social world of competing claims wherein communal and conditional property existed side by side; where lord's demesne and peasant's virgates had a partly separate existence; and over which a myriad of juridical rights - manorial and seigneurial - existed. It was a world, too, in which the medieval town was permitted autonomous development. But, finally, it was also a world whose weakest link lay at the apex of the tenurial triangle - in the monarch, who, with no direct political access to the population as a whole, existed as a supreme sovereign set above his subjects but only as a feudal suzerain of his direct vassals (Passages, 182-96).

Feudalism then is defined by Anderson in political, legal and economic terms and not simply in relation to serfdom (cf. Brenner, 1976; Dobb, 1946; Hilton, 1976); the transition from feudalism to capitalism becomes the fusion of elements of antiquity and feudalism, and neither solely the separation of the producer from his means of subsistence nor the penetration of the feudal economy by external trade.

In the following section these three Marxist perspectives are evaluated with respect to the degree to which they can be usefully incorporated into a historical geography which focusses upon the transition at the micro scale.

3.2.4: Evaluation

Effectively, if we compare the arguments contained in Sections 3.2.1, 3.2.2 and 3.2.3, it is quite clear that the central bone of contention between these materialist interpretations of historical change is no more than one of the central problems besetting historical materialism today, namely, the validity of adopting the concept of the deterministic primacy of material life on the transhistorical level, and, within this, the relative importance of the social relations of production and the productive forces. What sets Anderson's arguments apart from those of the others is, as has already been mentioned, his refusal to consider pre-capitalist societies purely in terms of their characteristic economic relations. What is at stake here then is nothing more than the value of a strictly materialist conception of history; and, furthermore, whether it is possible not just to break with this pivotal Marxist argument but to re-instate it within a historical totality which recognises the crucial importance of the political, legal, ideological and economic spheres.

Two points can be made in relation to this question. First, following Thrift (1983), we can say that, whilst much Marxism - and therefore historical materialism - remains shorn of every determination bar the economic, there is nothing in Marx himself which implies that this situation should continue unaltered (Marx, 1963, 1973). There is nothing sacred about the tradition of historical materialism and, indeed, it is the more dogmatic aspects of this which Anderson (1974) and, more recently, Giddens (1981), Layder (1981) and Thrift (1983) are trying to break out of. Their justification for this comprises a second point - one that has been mentioned already - and that is the legacy of Capital itself. This is the tendency for Marxist historians to see history as the genealogy of capitalism pure and simple (Tribe, 1981) and for

history in turn to be viewed from a capitalist perspective. The corollary of this is quite straightforward: pre-capitalist modes of production are depicted as just that, solely in terms of the characteristics which are to figure prominently in capitalism. We need look no further than to the arguments of Brenner (3.2.2) and Sweezy (3.2.1) to see that this is the case.

What Anderson offers us is an interpretation of history which both breaks with the materialist tradition and retains certain aspects of it. The question is, can his ideas be transferred to a historical geography whose focus of study is, in comparison, transition on a micro scale. Both Passages and Lineages are very much of the macro level; they are the stuff of world history and of nation states; they are grandiose in their overall conception and to trace such an analysis down to the level of individual estates would be exceptionally difficult, if not impossible.[8] In comparison, the arguments of Brenner are easily transferrable: the separation of the direct producer from his means of production and the short-circuiting of peasant ownership are both processes which, at least theoretically, occurred at the micro level.[9]

However, having said as much, this does not imply that the arguments of Brenner should be accepted uncritically. Certainly, they provide us with a link between macro-scale Marxist theory and micro-scale analysis but there is nothing in this to prevent us from using the ideas of Anderson, where possible, to expand upon and criticise Brenner's account.

The foregoing discussion has elaborated upon existing Marxist theories of the transition from feudalism to capitalism. These have been evaluated and, for reasons which reflect the small-scale of this particular analysis, it is the arguments of Brenner, leavened with other concepts as appropriate, which have been selected for critical

examination in the empirical situation.

Such arguments clearly provide us with a strong notion of structural determination and, as such, are evidently compatible with one aspect of Baker's and Gregory's vision of a new direction for historical geography, that of the study of long term historical transformation. They do not, however, provide us with a means of tackling the second strand of a marxian-humanist approach to historical geography, namely, the equally important issues of human agency, action, the 'lived' experience and individual or group consciousness. These concepts are as vital to any marxian-humanist approach as determination, the implication being that, for historical geography to be reconstructed along the lines of current debate within human geography and social theory requires that we find some means of integrating individual and society, structure and agency, in a holistic manner. The transition towards agrarian capitalism in North-west England was not simply the result of the playing out of certain economic determinations; it involved the lives of customary tenants and cottagers, all of whom had a part to play in its course. This much would not be revealed whilst remaining within an orthodox Marxist framework. Instead, we need to extend this framework and thereby transcend it. The arguments of the structurationists offer a means towards this goal: they provide us with an abstract framework in which both people and structures appear. How they do so, and how they can be used to extend Brenner's arguments, comprises the subject matter of the following sections.

3.3: Social structure, human agency and the theory of structuration

The concept of structuration was originally suggested by Berger and Luckman (1966, 79), who described it as involving three aspects:

society as human product; society as objective reality and man as social product. This has subsequently been modified into the transformational model by Bhaskar (1979) and the conceptually sophisticated theories of Giddens (1976, 1977, 1979, 1981, 1982) and Bourdieu (1977). Although the various structurationist approaches differ considerably in their respective emphases,[10] all share a degree of common ground. This section considers some of the general points which characterise such approaches and elaborates upon those which structure the remainder of this analysis. These are the arguments of Giddens and Layder (3.3.1 and 3.3.2), whose ideas are used to rework and extend the Marxist approach favoured above (3.3.3).

3.3.1: Outline of central concepts

The four major strands of the structurationist argument are as follows:

- to provide social theory with a non-functionalist explanation;[11]
- to link structural-deterministic analysis with humanistic-voluntaristic accounts in one overall synthesis through the means of a mediating concept;
- to develop a theory of human action which accounts for human intentionality and motivation; and
- to recognise that human action (agency) is always contextual, that it consists of a continuous flow of conduct in time and space (Thrift, 1983).

Of these, it is the second and fourth aims which most concern us here and it is these which are now considered in some detail.

Section 1.2 has already drawn attention to the importance of the determinism-voluntarism debate in social theory, and this is central to the work of both Giddens and Bourdieu. As Layder (1981, 75) remarks,

> 'there is a lot in common between Gidden's and Bourdieu's accounts of the individual-society dialectic (and) both, in fact, wish to retain much that is of value in phenomenological and structuralist approaches to this question...'

The problem, of course, is how to achieve this link between structure and agency, compositional analysis and contextual analysis, macro and micro scale. The proposed solution is a form of mediating concept; something which Bourdieu terms the habitus, Giddens, the duality of structure.

The duality of structure - the basic feature of Giddens's 'theory' of structuration[12] - is a difficult concept to grapple with. By it Giddens means to capture the 'recursivity' of social life in which,

> 'the structural properties of social systems become both the medium and outcome of the practices that constitute those systems' (1979, 69).

However, in order to understand the full implications of this remark, we need to penetrate beneath the jungle of jargon which Giddens seemingly presents us with.

'Social system' is defined by him in terms of the relations of inter-dependence between individuals and groups. Inter-dependence between individuals is a relatively straightforward concept; for groups the issue is more complicated for, at this level, these usually reflect the role of institutions such as work, school or home. It is in these institutions that the rules and resources[13] which comprise the structuring properties behind social interaction are grounded. Using the concept of the duality of structure, we can, therefore, say that the rules and resources (the structural properties) which bind together group (or individual) level interaction act not only as the reasons which bring about this interaction but are, in turn, reproduced

by this interaction.

The concept of contextuality is simpler. By it is meant nothing more than the fact that action takes place as a constant flow of activity in time and space. However, the spatial and temporal location of activity is, in turn, the result of institutional structuring: activity is focussed around the institutional nodes of home, work, school and the like. Thus, using the duality of structure once more, we can say that contextual human activity is - at one and the same time - both the product of, and producing, institutions and, therefore, their associated structural properties.

3.3.2: The integration of Marxist and structurationist arguments

The two concepts of duality of structure and contextuality comprise the core to the structurationist argument. The problem is to integrate them within the preferred Marxist theory of the transition towards agrarian capitalism, thereby transcending the latter to give a richer account of this phenomenon.

This is no straightforward task. Certainly, the concepts of duality of structure and contextuality cannot simply be laid alongside existing Marxist theory as they stand, neither can Marxist theory incorporate them in its present form for structuration is concerned essentially with contextual analysis[14] and, indeed, has been formulated out of a critique of the structural determinism found within much Marxist writing. In this section, however, one means of bringing structurationist and Marxist accounts into closer juxtaposition is outlined abstractly.

Marxist and structurationist perspectives are not entirely removed from one another: they both share an approach to the structure-agency dualism which is potentially extremely similar. For example,

the well-worn phrase 'men make history but not in conditions of their own choosing' obviously does little to violate the principles of structuration. Where the differences occur is more in that historical materialism has emphasised the 'conditions' of history - often pre-determined from a reading of Capital (3.2.2; 3.2.4) - largely to the exclusion of men making history. Conversely, structuration itself has been criticised for lacking a strong notion of structural determination; the 'conditions' are, at least to a certain degree, becoming of man's own choosing (Layder, 1981; Thrift, 1983).

The latter is an argument which leads Layder to suggest that the entire structurationist programme, as outlined by both Giddens and Bordieu, ultimately reduces to voluntarism. However, in a sense this criticism is somewhat misplaced. Certainly, Giddens's apparent denial of objective structure[15] is problematical, but this does not strip his account of any determining influences. Rather, what Giddens does is to present a complex notion of determination in which structures of domination, legitimation and signification[16] all play a substantial role (1979, 1981). Thus, in place of the one-dimensional economic determinism of orthodox Marxism, we find a multitudinous array of structuring possibilities.

The problem then is much more one of clarifying the complexities of this situation on the one hand, and, on the other, of not only integrating Marxism's strong notions of economic determination within this overall grand design but also of extending certain areas where Marxist theory is less strong or deficient (for example, in its analysis of class conflict, the individual, ideology and power (Thrift, 1983). Brenner's account of the transition from feudalism to capitalism presents us with an ideal opportunity to attempt just this type of extension. Faced with the problem of a 200 year gap between

the dominance of feudalism and that of capitalism, we find Brenner inserting 'the class struggle' as the explanatory force behind this: politics then is being used to account for the contradictory course of economic development. However, the problem with all this is, as has already been mentioned, that 'the class struggle' itself is no more than an expression of class relations, themselves defined in economic terms. The political dimension therefore has been reduced to the economic level entirely and the transition explained completely in terms of itself. It could be said that in Brenner the changing relations of production between feudalism and capitalism are being accounted for by nothing more than the relations of production (3.2.2).

This circularity highlights the problems associated with Marxist analyses of class conflict. To escape from it requires that we make a clean break with the notion of the primacy of economic relations - at least in the pre-capitalist period - and integrate these within an all embracing concept of determination in which political, legal, social and economic levels are recognised. Structuration offers a means by which this can be achieved; nevertheless, a considerable degree of clarification, not least in the area of structural determination as seen from within this perspective, is essential before this potential can begin to be realised.

Giddens's own arguments in this direction are confusing on three counts. First, his entire treatment of structuration - and particularly his discussion of the structural side of things - is programmatic, at least thus far (Gregory, 1981, 8). Secondly, there is the question of his denial of the existence of objective structure; this being created for him only in the moment of social interaction (Giddens, 1979, 64). Thirdly, the issue of scale has to be raised. To what level of analysis are such arguments to be applied?

Certainly, the first two of these arguments are problematical enough but what most concerns us here is the scale question. The 'theory of structuration' covers all levels. It extends from that of individual interaction to long term, macro scale historical change such as the transition from feudalism to capitalism. Inevitably, in this situation, what constitutes 'structure' at one level of analysis is not going to be 'structure' at another: structure in compositional analysis is going to be a very different thing to structure at the contextual level. For example, it is not difficult to see that structure in terms of the overall transition from feudalism to capitalism involves such categories as modes of production and, within this, relations of production. At the contextual level, where analysis is confined to periods and places, structure means something very different; specifically, it involves a study of the rules and resources bringing about social interaction in particular periods and places.

This is an issue which Giddens himself has yet to approach. Layer's (1981) related 'theory of interaction',[17] however, offers one means of tackling this central question and this section concludes by giving a brief outline of this, the framework within which the compositional-contextual link is made in this study, and the framework within which Giddens's concepts of the duality of structure and contextuality are to be applied.

Layder's arguments hinge around objective structure at one level and interaction structure at another. Within objective structure there exist two further levels: formal structure and substantive structure. Formal structure refers to a highly generalised plane and includes such categories as language and modes of production. As such it is obviously the level with which most orthodox Marxist analysis can be readily identified. Substantive structure, in contrast, refers to

'the concrete sites of interaction' (or 'locales'), that is, not simply the physical locations of interaction, but the rules, resources and power structures within which interaction takes place. On another level altogether is interaction structure - the structure within which social interaction and action take place.

Two further points need stressing. First, interaction structure is only produced by individual action and, in many cases, such as the one-to-one example, may only be concerned with the reproduction of that specific interaction structure. As such this activity cannot be considered as transformatory of social structure. Secondly, and a related point, there are no necessary links between formal, substantive and interation structure: instead, the links depend entirely on circumstance. Thus, human action is not seen as a direct result of objective structure but, at the same time, the possibility is left open that this may sometimes be the case: structurationist and Marxist accounts have been connected, at least in the abstract sense.

In the following section Brenner's arguments regarding the transition from feudalism to capitalism are inserted into this framework.

3.3.3: Brenner's arguments: a re-interpretation

As emphasised in Section 3.2.2, Brenner's account of the transition from feudalism to capitalism is one which stresses the importance of changes in the social relations of production. Inevitably, such an account emphasises a change in social structure, from a situation characterised primarily by lords and peasant producers to one composed of landlord - tenant farmer - free-wage labour. This, quite simply, is an analysis which has, as its focus of attention, formal structure; that is to say, changes in the social relations of production as these relate to the feudal and capitalist modes of production.

However, contained within this are elements of Layder's substantive structure. For example, Brenner's treatment of the state in his comparative analysis of England and France is not confined to theoretical remarks, but instead is situated at the level of actual state involvement within 16th and 17th century landlord - tenant relations in these two countries. Similarly, his stress upon the importance of the twin processes of the separation of the producer from his means of subsistence and the short-circuiting of 'peasant proprietorship' in the emergence of capitalist relations in the countryside is indicative of an appreciation of the contextual situations within which the transition towards agrarian capitalism was played out. Nevertheless, having done this, Brenner does not proceed to extend his work down to the empirical level where such processes can be studied alongside and within a contextual framework. Instead, he remains firmly within the framework of orthodox historical materialism, compositional analysis and formal structure, explaining changes in the social relations of production, not in terms of the actual situations within which these occurred, but in terms of themselves. Instead of moving from formal structure to substantive structure to interaction structure, and then vice versa in a continuous flow of activity, Brenner shows signs of moving from the formal to the substantive level but shifts back to explaining change at the formal level simply in terms of formal structure.

The problems with this have already been referred to (3.2.2, 3.3.2). However, by inserting Brenner's existing arguments within Layder's theory of interaction, it is possible to extend the argument down to the contextual level, thereby avoiding the related difficulties of circular explanation and economic determinism.

The reasons which enable this to be done are fairly straightforward.

First, since compositional (formal) and contextual (interaction) levels have been linked, the explanation for the transition from feudalism to capitalism - itself a compositional level phenomenon as identified in the marxist literature - does not, however, have to be situated entirely within the compositional level. It is therefore towards the contextual level - the level of landlord-tenant interaction - that we need to move if we are to come any closer to realising our goal of actually tracing and understanding the course of the transition as it occurred in specific situations. Furthermore, in focussing upon this level, we are forced to retreat from a purely relations of production viewpoint: political and legal forces, custom and religion, kin and tenure all play a part in influencing actual landlord-tenant interaction; such contextual level analysis cannot be simply reduced to the sphere of economic relations alone.

This circumvents the problem of straightforward economic determination. It also partly avoids the problem of the circularity in Brenner's argument, in that this is rooted in the mainly compositional level of his analysis. In contrast, Layder's framework offers us the possibility of movement and interaction between compositional and contextual levels, consequently, the danger of a completely circular argument, in which everything is explained in terms of itself, is averted.

The remaining chapters of this thesis begin to explore and fill-in some of the connections between substantive, interaction and formal structure. However, before so-doing it is necessary to ascertain part of the substantive structure - the setting for interaction - which occupies the heart of the following discussion. To do this we revert to one of the key structurationist concepts - <u>contextuality</u> - and particularly, to the institutional nodes which structured activity in

the North-west of England c.1570.

3.4: North-west England c.1570: The determination of key institutions in the transition towards Agrarian Capitalism

In Section 3.3.1 it was indicated that the concept of contextuality relates specifically to the location of human activity in time and space. In particular, it was emphasised there that a great part of this activity, especially at the group level, is the result of institutional structuring. Thus, it was pointed out that, whilst context may be seen purely in terms of the physical setting, or stage, for interaction, within a structurationist approach this concept is extended to include networks of various, often over-lapping and competing institutions which structure action within particular places. For instance, under modern capitalism, home, work and school are all examples of institutions which determine individual action, and which, inevitably, overlap in terms of the demands which they place on any one individual's time resources (cf. Carlstein, 1978; Hagerstrand, 1970; Lenntorp, 1976; Martensson, 1977, 1979; Pred, 1977, 1981a). In this sense then, they can be seen as illustrative of the idea of competing institutions.

Our task in this section is simply this: to determine those institutions which dominated rural society in North-west England during the 16th century, and particularly those within which the transition twoards agrarian capitalism was subsequently worked out, or which had the potential to influence its course. At this stage, discussion is concerned purely with what Billinge (1982, 26) refers to as the 'physical attributes of established institutions'. Thus the institutions of estate, township (or vill) and manor are considered at the empirical level, that is to say, as they are to be found within Eskdale Ward, North-east Cumbria (Figures 3.1-2) over the course of the study period.[18]

FIGURE 3.1: ADMINISTRATIVE WARDS, CUMBERLAND, 1830

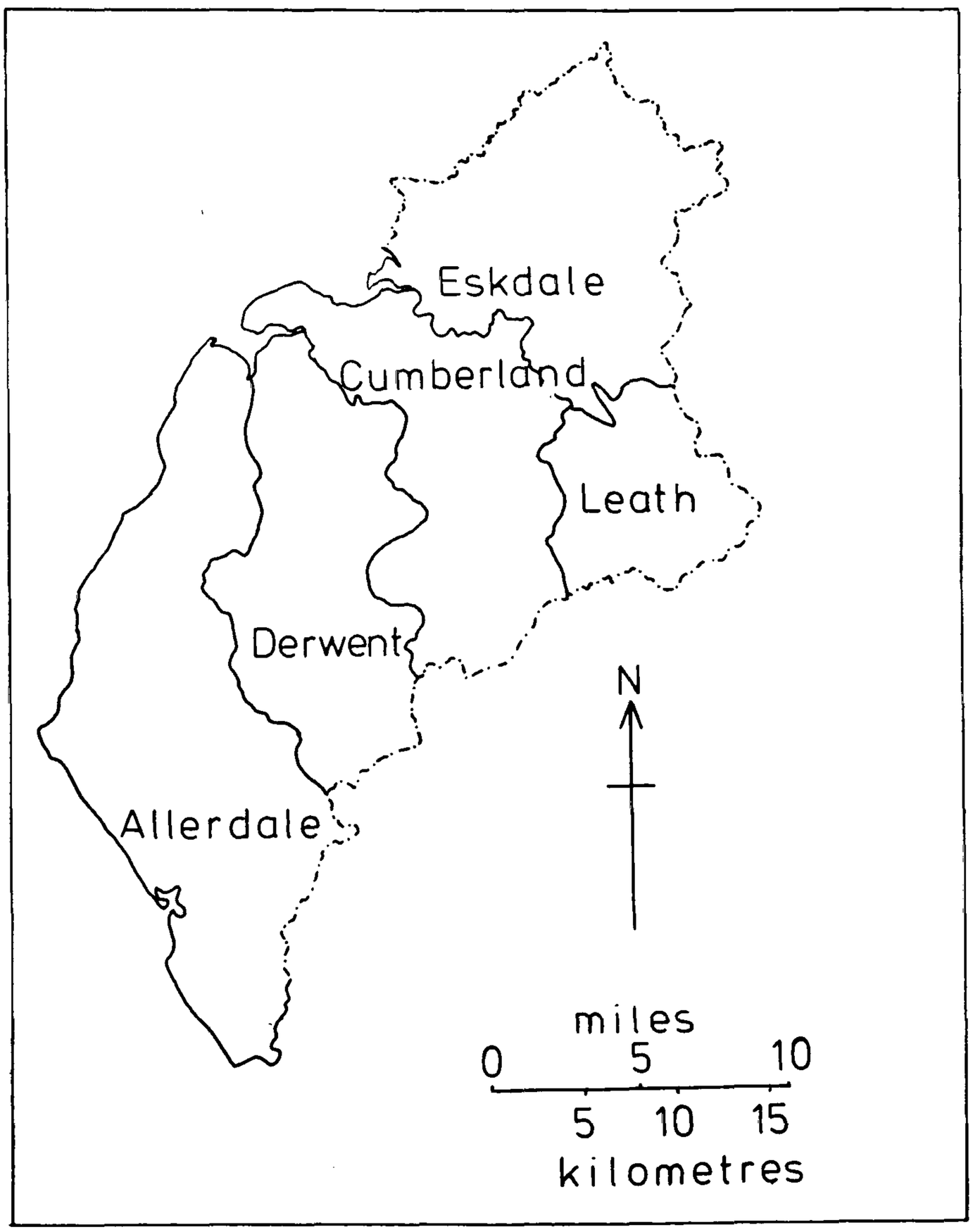
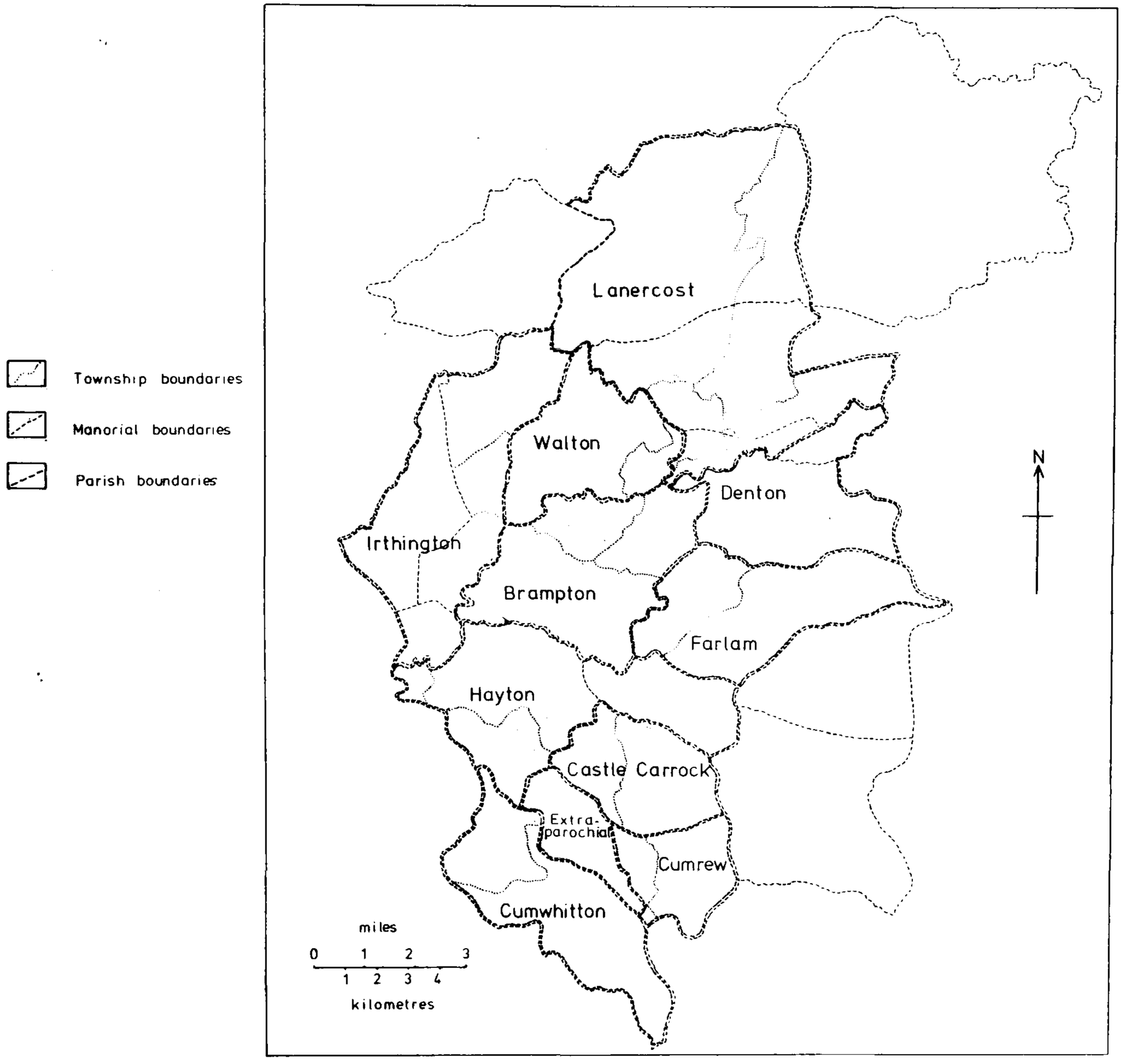


FIGURE 3.2: TOWNSHIP, MANOR AND PARISH DIVISIONS: GILSLAND 1424



As a result of this analysis it is suggested that the estate and an agglomeration of township and manor - which can be interpreted as community - comprised the dominant institutions within this particular area at this time.

3.4.1: Township and Vill in North-west England

The medieval vill - normally considered to be the antecedent of the post-medieval township (Pollock and Maitland, 1898; Cam, 1950; cf. Winchester, 1978, 32-42, 89-115) - has been defined by Vinogradoff in the following terms,

> '(as) called upon to perform various administrative duties - to deliver evidence at inquests, to catch and watch thieves, to mend roads, to contribute in keeping up bridges and walls, to assess and levy taxes etc' (1905, 475).

In addition to this purely administrative role, it can generally be conceived of in its traditional form, as a nucleated village together with its attendant territory - the area which is referred to as being within the jurisdiction of the vill. Previous work, however, has drawn attention to several discrepancies between this, the classical interpretation of the vill, and the situation in Northern England, where a nucleated pattern of settlement was far from typical, where vills appear to have been linked together for administrative purposes and where the post-medieval township does not appear to have been the direct successor to the pattern of local scale medieval administrative organisation (Fraser, 1966; Lees, 1926; Winchester, 1978).

In order to attempt to clarify the role of the vill or township as an institution within North-east Cumbria, two questions are considered in this section. These relate very closely to the issues raised immediately above and are, 'Was the unit of local administration,

known as the post-medieval township, the direct successor to the medieval unit of local administration, the vill?' and 'Was the post-medieval township a basic unit of administration in this area?'.

Table 3.1 (Appendix 3.1) presents a comparison between medieval vills (as recorded in the Lay Subsidies of 1332 and 1334), townships and parishes (taken from the 1831 Census Enumeration Returns) and manors, for the Eskdale Ward of North-east Cumbria. Twenty-eight 'medieval vills' are recorded in the 14th century documents as opposed to 59 townships in the 19th century census.[19] Similarly, within the Gilsland estate, a comparable pattern occurs; 16 'medieval vills' corresponding with 26 post-medieval townships. The implication here is obvious - the post-medieval township does not correspond directly with the medieval unit of local administration; medieval vills therefore, must include more than one later township.

That this lack of correspondence is the case can be seen from a more detailed examination of Table 3.1. Within Eskdale Ward itself, eight medieval vills fail to re-appear as distinctive townships. Six of these - Denton, Walton Wood, Northmoor, Triermain, Tercrosset and Foulwood - fall within the bounds of the Gilsland estate. In addition, the three linked vills of Cumrew and Castle Carrock, Walton and Lanercost and Stapleton and Cambok do not correspond to one township and, moreover, of the 28 'vills' of Eskdale, only eight (28.6 per cent) can be equated with only one post-medieval township.[20] Two inferences may be drawn from this. First, far from the classical picture of the compact, nucleated vill being appropriate here, it would appear that, as in South-west Cumbria, the 'vill' not only covered a substantial tract of land but incorporated a number of settlements (Winchester, 1978). Lees's (1926) term 'villae integrae' would, indeed, seem applicable. Secondly, the post-medieval township does not appear to be

the direct successor to the medieval vill as the unit of local administration in this area. Instead, these townships look to be super-imposed sub-divisions of the earlier medieval unit of local administration. One possible explanation for this discordance may lie with the process of township creation in the North generally. The establishment of townships as units of poor law administration (c.1662) followed a period in which pressure had been brought to bear on parliament to permit the subdivision of large ecclesiastical parishes, for whose overseers the task of poor law supervision was impossible (Winchester, 1978, 33). These post-medieval townships, therefore, may simply reflect a 17th century re-organisation and subdivision of earlier, and spatially more extensive units of medieval administration.

Confirmation of the validity of the spatially extensive nature of the medieval vill in this area of North-east Cumbria may be provided by some of the additional information contained within the 1332 Lay Subsidy Returns. Taking the examples of the 'vills' of Brampton, Irthington and Cumwhitton we find that some of the individuals holding land in these vills held land not just in the vill itself but in areas which either appear later as distinct post-medieval townships or which fell within the wider parochial/manorial unit associated with particular vills. Thus, within Irthington vill, for example, John Bercarius de Cambok, Simon de Broomhill, Thomas de Blaterne and Adam Molle de Newby are all referred to. Cambok, Broomhill, Blaterne and Newby, however, are all hamlet settlements distinct from the village of Irthington; although they fall within the bounds of the manor and parish of Irthington.[21] Similarly, under Cumwhitton Vill, Walter de Ormesby is listed; Ormesby in this case probably refers to Hornsby situated within the area covered by the post-medieval township of Moorthwaite and Northsceugh. In Brampton Vill too the same type of situation occurs.

Radulf de Brerethvait (Bruthwaite), Robert de Wodsid (Woodside) and William de Bruncanhill (Brackenhill) all own land which, although falling within the parochial and manorial boundary of Brampton, lay outside the village itself. In these cases at least, the medieval vill appears to be describing an extensive unit which included several distinct settlements.

The lack of correspondence between township and vill in this area of North-east Cumbria raises a number of questions, notably whether the township itself represented a basic unit of local administration in the sense suggested by Pollock and Maitland, Vinogradoff and Winchester. In point of fact this is exceedingly doubtful, not least because the assumption that the township will represent a basic unit of local administration in the early modern period rests heavily on its equation with the medieval administrative vill. Furthermore, when we come to examine the available evidence concerning local level administration in the Gilsland area of North-east Cumbria during the early modern period, we find that this suggestion is apparently correct: no evidence survives to indicate the functioning of townships as administrative units in the sense of the control and organization of local practices. Instead, within the Gilsland estate, this directing role - whether relating to agricultural activity or infrastructural repairs - is performed by manorial administration, specifically the two court leets of Above and Below Gelt.[22] It can be suggested, therefore, that the institution of the post-medieval township may in fact represent little more that the unit of poor law administration in this particular area.

This much is, almost certainly, true of those areas within Northern Gilsland, specifically the townships of Banks, Burtholme, Kingswater and Waterhead, where the basic settlement pattern is one of

dispersed, isolated farmsteads and where agrarian practice was organised on an individual basis (4.3.3). Further south, however, certain post-medieval townships, notably Irthington, Laversdale, Newby, Brampton, Easby, Cumwhitton, Hayton and Talkin, corresponded with the hamlets and small nucleated villages of the 17th century.[23] In these - the common field areas of Gilsland - it is possible that, what may very loosely be termed, a concept of community existed, based on agrarian practices (cf. Sections 4.3.3, 4.5.1). It is this, rather than the narrower administrative role, which is taken to be the chief characteristic of the township as an institution in North-East Cumbria during the study period, although it is recognised from the outset that a degree of spatial variation in the importance of this institution is likely within the primary study area of the Gilsland estate.

3.4.2: The Manor in North-east Cumbria

Determining the nature of the manor in North-east Cumbria is equally difficult. Indeed, as with the medieval vill and township, the issues are wide ranging and complex. Attention can, however, be usefully focussed initially on emphasising the differences between the 'classical' manor - such as found in some areas of the Midlands and the south of England - and the manor as found in the Gilsland area of North-east Cumbria. Following this, discussion moves to a consideration of the institutional role of the manor within this specific area in the 16th century.

Kosminsky (1956, 68) describes the 'classical' manor of the 13th century thus,

> 'The manor is divided into two basic parts, the demesne, which usually comprises a half to one-third of the territory of the manor, and which is cultivated by the obligatory labour of the peasants, and the land

of the peasant serfs: to these must be added the free holdings, which make up a 'narrow fringe' on the territory of the manor. Each manor represents a separate unit from the point of view of economic administration, which in each case is entrusted to a reeve and a steward; each manor has a court; and each manor keeps annual accounts' (cf. Bloch, 1942, 241-2).

However, his later seven-fold typology testifies to the immense variety of manors to be found within the records of 13th century England. Of those, only two types - those with demesne, villein and free land, and those comprising only demesne and villein land - correspond to the 'classical' manor. The remainder include 'manors' composed of entirely free land, those without villein land and those with solely villein or demesne land.

Within the area covered by the Gilsland estate we find both examples of 'manors' lacking demesnes (Castle Carrock, Cumrew, Cumwhitton, Hayton and Laversdale) and one illustration of a manor composed entirely of demesne land (Carlatton), as well as those manors with both demesne and customary land (Askerton, Denton, Brampton, Irthington, Farlam, Triermain and Walton Wood).[24] In this respect then, the 'manors' of this area may be seen simply as variants of the concept of the 'classical' manor. Joliffe, however, has argued differently, stressing that the agricultural labour service owed by the peasantry in Northern England was insufficient for the purposes of full-scale demesne cultivation and that Northern society was organised on a shire, as opposed to manorial, basis (1926), (cf. Kapelle, 1979, 53-4; Section 2.2). Leaving aside the second part of his argument, we can in fact see just how light these labour services on the Gilsland estate were. In Table 3.2, percentage values reflecting the commuted labour service rent due from customary tenants and the total money rent

due are compared for 1424, and in no one case do labour rents exceed money rent payments (cf. Kosminsky, 1956, 181-3). In Kosminsky's terms we are faced with an area which does not exhibit the one essential feature of a manorial based economy - a high labour rent: money rent ratio. Based on money rent, and, apparently, with a tradition of money rent payments, the 'manors' of Gilsland in North-west England were indeed, as Joliffe suggested for Northumbria, far from being 'manors' in the traditional sense of the word.

The inference which we must surely draw from this is that the 'manors' recorded within the Gilsland estate were not primarily economic institutions of agricultural production characterised by both peasant based demesne cultivation and straightforward peasant cultivation. In the specific context of this area these two, classically inter-dependent sectors, existed virtually independently: peasant producers were free to get on with their own agricultural enterprises for the major part of each year. Instead, the main influences of the 'manor' in this area, at least in the 16th century - and possibly in the medieval period as well - appear to have been threefold. First, in jurisdictional terms: as has already been indicated, and as is demonstrated in the following chapter (4.5.1), it was the manorial court leets of Above and Below Gelt which controlled and organised agrarian practices, disputes and infrastructural repairs.[25] Secondly, the 'manors' of the Gilsland estate formed the basic units for both the political mustering of part of the national army for 'border service' against the Scots and for patrolling and watching the border during the 16th century.[26] Thirdly, within the estate itself, individual 'manors' were used as the financial accounting basis of both the Dacre and Howard families.[27] Thus, following on from these remarks, it is suggested that the institution of the 'manor' within Gilsland, through

Table 3.2: Labour rent: money rent for Gilsland manors: 1424[1]

Manor	Commuted labour rent	Cash rent	% Labour rent	% Cash rent
Irthington	13/4	£11 2d	5.7	94.3
- Cambok	1/2	£1 8/4	3.9	96.1
- Little Cambok	-	£2 8/-	-	100.0
Brampton	£1 9/4	£7 7/3	2.0	98.0
- Woodhouse	1/4	16/-	8.3	91.7
- Wra	2/8	£1 10/4	8.8	91.2
- Brackenhill	1/4	£1 3/-	5.8	94.2
- Boothby	4/8	£4 2/4	5.7	94.3
Hayton	14/-	£8 13/2	8.1	91.9
Cumwhitton	12/4	£7 8/2	8.3	91.7
Walton Wood	8/-	£6 10/4	5.4	94.6
Askerton[2]	£7 3/11	£7 17/11	47.7	52.3

1 D. P/D. H of N C201/1,4,4a. Table excludes those manors held in demesne in 1424.

2 It is likely that Triermain manor is included here within the Askerton total.

both its jurisdictional control of agrarian practices and its political organisation of border service, would not only have structured much of the social interaction between those people living within its bounds - perhaps even fostering a community spirit between them - but would also have exerted a considerable influence on the actual course of the transition towards agrarian capitalism itself.

3.4.3: Estate and farm in North-east Cumbria

The primary roles of the estate and individual farm as institutions within rural society during the early modern period are straightforward in comparison to those of the township and the manor. This being the case, little space is devoted to discussing them in any empirical detail here. Instead, two points are raised. First, the major spheres of influence of the estate and farm are pointed to - this acting as a prelude to the substantive material which follows in Chapters Four to Seven - and, secondly, the connections between these two institutions and Brenner's arguments regarding the transition towards agrarian capitalism are made.

The estate has to be considered in two ways: as a unit of agricultural production and as the unit within which landlord-tenant relations were expressed (Hilton, 1973). In the first case, the estate - in the form of the home farm(s) - was itself run as an individual farm, that is, as a basic unit of agricultural production. In the second case, the estate was clearly the institution within which the property relation was manifested. It is within the framework provided by the institution of the estate, therefore, that the complexities of the entire landlord-tenant relationship can be anticipated to have worked themselves out and it is this institution which, correspondingly, sits at the heart of Brenner's arguments regarding the transition towards

agrarian capitalism. For any analysis which sets out to consider these arguments critically, and to extend them, it is, therefore, imperative to situate the estate at the centre of concern.

Also occupying a prominent position within Brenner's overall thesis are individual farms. These are considered first, as the units which were amalgamated to form large farms - supposedly vital to the development of agrarian capitalism - and, secondly, as the production units which became - as leasehold units - indicative of the emergence of capitalist relations in the countryside. Obviously, in order to be able to examine Brenner's arguments thoroughly, we need to be aware of the importance and influence of this institution in the course of the overall transition within specific areas.

In the remainder of this thesis, therefore, it is the Gilsland estate of North-Cumbria - to be described in detail in the following chapter - which occupies a central role in discussion. However, whilst accepting the general contentions of Brenner, one of the key points which has been emphasised repeatedly in this chapter is that his arguments, by themselves, do not constitute an adequate theoretical framework within which to view the course of the transition towards agrarian capitalism. In stressing human activity in time and space as structured by competing institutional nodes, the structurationist concept of <u>contextuality</u> enables us to see rural societies not just in Brenner's terms, that is as an agglomeration of estates and farms, but as a network of economic, social, political, and legal institutions - of which the estate and farm were but two. In the following account of the transition in the Gilsland area of North-east Cumbria therefore, it is not only the economic and social institution of the estate and its associated farms which provides the setting for empirical analysis, but also its constituent manors and townships, which - particularly

through their regulation and implementation of agrarian practices - are interpreted as basic communities within this area. This mesh of institutions provides us with the contextual framework - or substantive structure - within and through which we can begin to consider, evaluate and extend Brenner's arguments.

3.5: Conclusions

In this chapter we have taken the marxian-humanist type of approach to historical geography advocated by both Baker and Gregory and begun to elaborate upon what has, thus far, been little more than a programmatic outline of a potential future course for the subject (cf. 1.2). To this end, in Section 3.2, existing Marxist theories of the transition from feudalism to capitalism have been examined; these being considered specifically in terms of the degree to which they satisfy the requirements of a historical geography in which the concepts of structural determination and human agency are given equal weight (3.2.4; cf. 1.2). Obviously, such theories, if completely constrained within the strait-jacket of historical materialism, cannot hope to do this. The role of individual action is lost within the rigidity of an economic determinism which, when transferred into the historical context, suffers even more than its present day counterparts by virtue of having been read off from Capital. Nevertheless, on the plus side, what Marxist theory quite definitely provides us with is a notion of determination; something which contextual work is often distinctly lacking in. Thus, instead of abandoning Marxist theory altogether, the aim here is to extend this work, and particularly the arguments of Brenner, down to the contextual level.

One means by which this can be achieved was considered extensively

in Section 3.3, in which, following an outline of the central features of 'structurationist' proposals (3.3.1; 3.3.2), Brenner's arguments were inserted within Layder's theory of interaction (3.3.3). As well as providing us with a way of extending this largely compositional account down to the level of contextual analysis, this framework also enables us to circumvent the major problems of Brenner's account - his circularity of argument and insistence on the primacy of economic forces.

Finally, in Section 3.4, we have begun to fill-in one area of Layder's framework - the contextual setting within which the transition towards agrarian capitalism in North-east Cumbria must be interpreted. The identification of this was facilitated by the use of the structurationist concept of contextuality - an idea which enables us to see contextual setting not just as the estates of farms which characterise Brenner's account, but as a complex inter-twined mesh of institutions - social, political and legal as well as economic - which structured individual and group level activity in time and space. In the specific part of North-west England to be considered here, a mesh of estate, farms and communities - as determined from a preliminary analysis of manors and townships within the area in the 16th century - are suggested to be crucial to a full and wide-ranging treatment of the transition on the contextual level.

Just how important these institutions are will be seen in the remaining four chapters in which they occupy a pivotal role. As will be demonstrated, at the heart of this role are the rules associated with the institutions of estate and community. It was these rules, what Billinge (1982, 26) refers to as the 'informal attributes' or 'constitutive practices' of institutions, which are shown to have played a key part in the course of the transition towards agrarian

capitalism in the Gilsland area. Furthermore, it is through these rules that the links to the level of formal structure must eventually be drawn, and these too which sit at the centre of substantive and interaction structures: ultimately, they are what are reproduced and changed in the course of the transition towards agrarian capitalism.

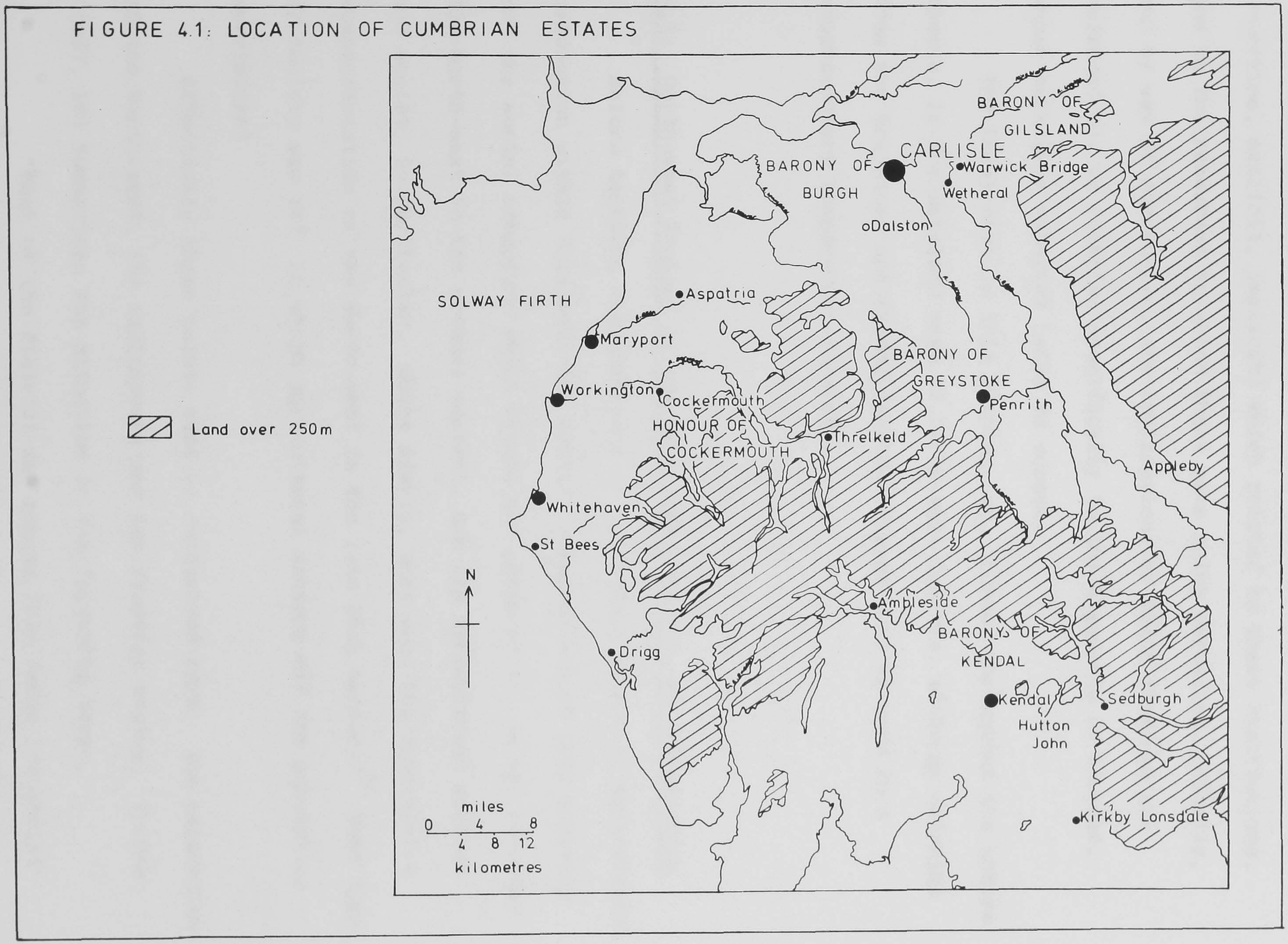
CHAPTER FOUR: SUBSTANTIVE STRUCTURE: SOCIAL STRUCTURE AND AGRICULTURAL ORGANISATION IN THE NORTH-WEST c.1570

4.1: Introduction

The central aim of this chapter is to expand upon the material presented in Section 3.4, in which the concept of contextuality was used to isolate those institutions directly involved with agrarian production in Eskdale, North-east Cumbria c.1570. These were determined to be the estate, farm and an agglomeration of manor and township, termed, somewhat loosely, 'community'. Two points need emphasising here. First, these institutions - and particularly the estate - provide the context, or substantive structure, within which interaction between lords and tenants occurred, and within which and through which the transition towards agrarian capitalism took place.[1] In view of this, the estate and community are considered in depth in this chapter;[2] this material providing us with the backdrop from which subsequent chapters emerge and to which they later return. A second, more complex, issue relates to the structurationist interpretation of structure in terms of structuring properties, that is, as the rules and resources which bind together social interaction (3.3.1). This leads to an analysis of the institutions of estate and community which, far from focussing exclusively upon aspects of agricultural production per se, emphasises the rules associated with these institutions and the resources which they influenced and controlled.

To this end, following a brief introduction to the secondary literature relating to North-western agricultural society in the late 16th century (4.2) and a more extensive consideration of agricultural production and social groups in general within the 16th century Gilsland estate (4.3 and 4.4), both the Gilsland estate and its

FIGURE 4.1: LOCATION OF CUMBRIAN ESTATES



constituent communities are viewed as institutions involved in agricultural production (4.5.1 and 4.5.2). Within each of these sections considerable attention is focussed upon the rules (written, unwritten, explicit, implicit) which related to these institutions, and to the resources to which these same rules pertained. Finally, and by way of conclusion, the implications of these findings are referred to, in relation specifically to the arguments of Brenner, whose work this material helps to assess.

The focal area in this chapter, as, indeed, throughout the entire thesis, is the Gilsland area of North-east Cumbria, although material from the Greystoke and Kendal estates (Figure 4.1) is used in a supplementary comparative capacity.

4.2: North-west England in the late 16th century: an introduction

Before tackling the questions of the actual nature of agricultural production within Gilsland, the spatial organisation of this activity and the social structure which framed and produced it, we may consider the North-west in its broader context, and its agricultural economy and society in particular. Quite simply, what were the distinctive characteristics of the North-west in the late 16th century?[3] What type of society was it? In which agricultural sectors did the population specialise?

Effectively three points must be emphasised here: the separation of the North-west, its lawlessness and its frontier status. Thirsk (1967, 16) summarises the situation in the following terms,

> 'Much of the district was remote from large industrial and trading centres; much of it was inaccessible to the traveller and all was generally regarded with repulsion by outsiders... the whole province was a

> wild, savage country, its inhabitants primitive in their passions and morals, and entirely without understanding of the rules of a law-abiding society.'

To what degree is this rather emotive description borne-out by documentary evidence?

The remoteness of the region can hardly be questioned. Even today large areas of Cumbria, particularly those bordering Scotland and Northumberland are isolated places characterised by sheep, beef store cattle, moorland, fell and single farmstead settlements. Carlisle is the only major centre: the nearest industrial concentrations are the coastal towns of Workington, Whitehaven and Maryport (Figure 4.1). In the 16th century this remoteness no doubt was exacerbated as, indeed, is suggested by the following contemporary description,

> 'the countrye consyst most in waste ground and ys very cold hard and barren for the wynter...'[4]

Was this remoteness, however, conducive to a lawless society?

The answer to this question must be a qualified 'yes'. What we are dealing with here is a frontier, or border, society in which crime figured significantly. Summerson (1982), examining medieval gaol deliveries for Carlisle (1335-1457), points to the nature of much of this crime: of 552 deliveries, 174 involved the theft of cattle; 45 the theft of sheep; 72 the theft of horses and 33 referred to damage or theft of grain.[5] Similarly, in the early 17th century, we find many references conveying the same message. For instance,

> 'Thomas Routledge of the Hill, a common thefe and notorious fugitive... did steele twoe mares and a colt from Mrs Ridley of Willemonswick. The 2nd Octo. last 1617 hee did steele three nowte out of Gilsland in following of which William Bell of the Park Nook was slaine the next day.'[6]

In July of 1617,

> '... 30 sheep (were) stolen from the Castlesteads neare unto Brampton, of William Hetheringtons: weare the next daie followed with a slewe dogg to Kinkerhill in Bewcastle, a tenant of the said John Routledge, into one of the houses there, where the sheep were shutt upp and the dore fast pinned.'[7]

And, in the summer of 1616, Rinion Armstrong was convicted of stealing 'certayn sheepe from Thomas Armstrong of Williavey.'[8] Clearly, theft, particularly of sheep and cattle was common even in the 17th century[9] (Fraser, 1971; cf. Watts, 1975).

This common theft - at least during the 13th, 14th and 15th centuries - was accompanied by widespread wasting and destruction on the part of the Scots. The scale of this activity is shown in a 1486 survey of the Gilsland estate, in which references such as the following abound,

> 'Et solebant esse in Brampton predictis diversis tenentes ad voluntatem qui solebant tenere diversis terris et tenementis et reddebant per eisdem per annum lxvi^{s} viii^{d} et modo dictis terris et tenementis iacent et per lx annes clapsa iacerint totaliter vasta et niculta per distruccoem Scottoy et nichil valent per annum eodem de causa.'[10]

Furthermore, as is shown in Table 4.1, several manors within Gilsland, if not completely wasted between 1424 and 1486, suffered devastation on a comparable scale to that experienced in Brampton.[11]

The point has been made: throughout the 14th, 15th, 16th and early 17th centuries, theft of stock - both on a small and large scale - figured prominently in the border society of North-west England and South-west Scotland. In the medieval period this was undeniably accompanied by widespread wasting and destruction by both English and Scots. Quite obviously, as Thirsk remarks, a situation of 'lawlessness'

did prevail.[12]

Intrinsically linked with this situation of lawlessness is the status of the North-west as a frontier zone. This is, of course, connected with the whole question of the creation of the Anglo-Scottish border in the west, and, whilst there is no need to dwell on this at great length, it would be as well to indicate some of the main stages in its development.

Barrow (1973, 139-40? summarises previous arguments as

> '(implying) first that the Border has remained since 1237 substantially uncontroversial and unaltered; secondly, that before 1237 the Tweed-Solway line, if it formed the Border at all, was only one of a number of lines prevailing from time to time.'[13]

In contrast to this view, Barrow himself proposes (p148) that the Solway-Esk line was effectively agreed upon in 1157 when Henry II forced Malcolm IV to surrender Carlisle, Cumberland and Westmorland to him and that, when Alexander II abandoned all claim to the North-west in the 1237 Treaty of York, he was in fact implicitly recognising the Solway-Esk border established 80 years previous.[14]

To view the North-west of England and South-west Scotland strictly in terms of a fixed border would, however, be a mistake. As Ramm (1970, 68) says,

> '... the border (itself) did not count for much, for men who had made the place too hot to hold them on one side would flee to kinsmen and friends on the other' (cf. Rae, 1966; Summerson 1982).

This much is borne-out by many of the Border ballads and by personal correspondence. The Ballad of Kinmont Willie, for instance, refers to the capture of William Armstrong of Kinmont by Lord Scrop and his recapture by Buccleuch and upwards of 500 followers (Lefebure, 1970); whilst a letter from Thomas Musgrave to Lord Burghley, written in

Table 4.1: Number of customary tenants holding land and tenements in Gilsland: 1424 X 1486

Manors[1]	Tenant Numbers: 1424[2]	Tenant Numbers: 1486[3]
Askerton	31	Waste
Triermain	NR)) 4	Waste
Walton	NR)	Waste
Brampton	31	20
Farlam	12	12
Hayton	23	8
Cumwhitton	21	9
Castle Carrock	NR	8
Cumrew	NR	1
Irthington	24	12

1 Not all manors are included here. Those omitted do not appear in either survey.

2 D.P/D.H of N C201/1.

3 CH. Ms. F1/5/3.

4 It is possible that the tenants of Triermain and Walton may have been included with those of Askerton given the rather large number recorded for the latter.

1583, warns that Border families

> 'will be Scottish when they will and English at their pleasure' (Watts, 1975).[15]

Thus, whilst 'Border Service', as it was known, indisputably became a feature of northern life,[16] the border zone itself was undoubtedly an area in which loyalties to family and kin figured strongly.[17]

These points, and many others, serve to show that Thirsk's (1967) summary provides a useful introduction to the geographical and political situation of the North-west in the 16th and 17th centuries and to some of the specific characteristics of life in this area at this time. A contemporary account adds to this an impression of the material basis of everyday life,

> '... yt ys very populous and bredyth tall men and hard of nature whose habitacions are most in the vallyes and dales where every man hath a small portion of ground, which albeyt the soyll be hard of nature yet by contynuall travel ys made fertyle to their great relief and comfort, for theyre greatest gayne consysteth in breedyng cattel which are no charge to them... by reason they are pastured and fed upon the mounteyns and waste where they have sufficient pasture all the yere unless great snowes chance in the wynter to cover the ground for remedy whereof they are driven either to sell their cattel or else to provyde for winter meale for them and because the great part of the country consysteth in wast and mountayns they have but little tillage by reason whereof they lyve hardly...'[18]

Contained within this extract are most of the general points regarding agricultural production in the 16th century North-west: the small percentage of land given over to arable crops;[19] an emphasis upon stock, particularly cattle, farming; and the importance of both waste and tillage land to the success of agricultural activity (cf. Thirsk, 1967).[20]

These points are taken up in the following section in which the specific characteristics of agricultural production within the Gilsland area during the 16th and 17th centuries are discussed.

4.3: 16th and 17th century agricultural production within Gilsland

The use of probate inventories to determine the details of agricultural production in a specific area is a well-tried procedure (Yelling, 1966 provides the best introduction; cf. Overton, 1977) and needs little elaboration. However, there are certain limitations and assumptions connected with such analyses and these are made explicit in Section 4.3.1. In Section 4.3.2 a full analysis of 16th and 17th century inventories for the Gilsland area is presented, whilst in Section 4.3.3 details of farm size are discussed.

4.3.1: Limitations and assumptions of probate inventory analysis

Overton (1980) isolates three basic limitations associated with probate inventories as a source of information on agricultural production. First, and most importantly, the information which they contain only concerns the goods and chattels of an individual: it quite definitely does not extend to providing us with any detail concerning farm size, capital equipment, the form of buildings, the labour used on the farm and the organisation of production in general. Secondly, it is difficult to determine whether each inventory records all the possessions of an individual. Thirdly, and finally, we have no means of ascertaining whether the quantities and values attached to these items are accurate.

Effectively, the second and third limitations are problems beyond our control. However, as Overton (1980, 207) says,

> 'mistakes must have occurred but there is no reason to assume that such errors are other than normally distributed and cancel themselves out where estimates are derived from a large number of inventories.'[21]

What is important to remember in this context is the first limitation: we can only expect these inventories to indicate details concerning actual agricultural produce. Thus it is an emphasis upon stock farming rather than anything else which we would anticipate to be revealed from the inventories for the Gilsland area.

So much for limitations; the assumptions which must be made in using probate inventories mainly concern the use of monetary values (expressed as percentages) as the basis for inter-sectoral comparisons.[22] Obviously, if the livestock and crop sectors are to be compared, this must be done using common units. In this case, the financial valuation attached to specific items represents the only possibility. What this means, however, is that whilst the recorded crop valuation covers the entire year, the livestock value is very much dependent upon the length of time over which the stock remain on the farm. In effect, this means that we must assume that there is no great seasonal variation between stock and crop values (Winchester, 1978).

A second assumption also needs to be stated. Because we have no means of estimating farm size from inventories, we must assume that there is little or no difference in the economic bias of small and large farms. Figure 4.2 does in fact show that we have every reason to believe that actual farm size - as represented by total monetary value[23] - has little to do with economic bias, at least in 16th and 17th century Gilsland.

4.3.2: 16th and 17th century agricultural production: the probate inventory evidence

The sample with which we are concerned here is composed of 150

FIGURE 4.2: GILSLAND, 1569–1621: FARM SIZE AND ECONOMIC BIAS

Fig 1 Farm size by value

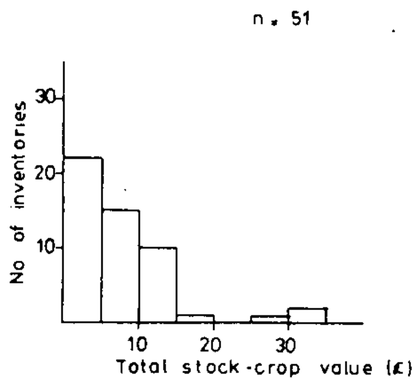


Fig 2 The importance of the pastoral sector in Gilsland

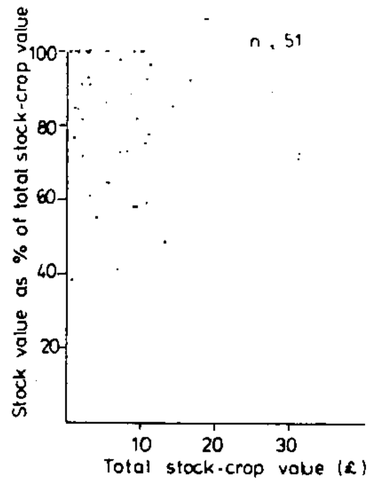


Fig 3 Monthly stock values

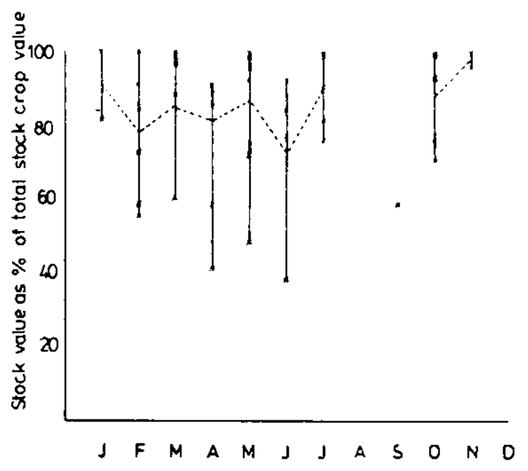


Fig 4 Size of cattle herds

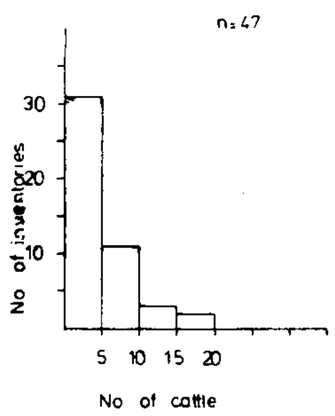
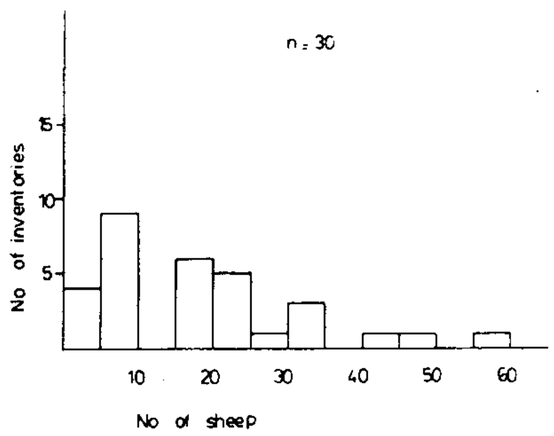


Fig 5 Size of sheep flocks



inventories covering the parishes of Brampton, Castle Carrock, Cumwhitton, Cumrew, Denton, Farlam, Hayton and Irthington within the Gilsland estate. These 150 divide into two groups: 103 fall within the years 1589-1621; 47 cover the period 1660-95. This division is a problem but one which is unavoidable. No inventories survive for the Civil War or Interregnum periods; whilst the incidence of inventory occurrence declines markedly after 1690. It is recognised that this does introduce an unavoidable element of numerical bias in favour of the earlier period but - as Figure 4.2 shows - this does not appear to have exerted much influence on the analysis itself.[24] Quite simply, both periods exhibit the same degree of sectoral bias in favour of pastoralism.

In Figure 4.2 median stock values are plotted against total stock-crop values for both sample periods. Regardless of the total value of each farm unit, the combined stock components constitute the major element by value in the inventories (cf. 4.2). In fact, when we look at the mean stock values for both sample periods, we find figures of 85 per cent for the years 1589-1621 and 95 per cent for 1660-95.

Such percentages offer interesting comparisons with Yelling's initial work. Using a sample of 236 inventories from East Worcestershire, covering the years 1540-99, he suggests a value of greater than 70 per cent as being indicative of livestock bias. Conversely, figures of the order of 47-55 per cent are considered to be typical of strongly arable areas (Yelling, 1966). Figures of 85-95 per cent are obviously way above this 70 per cent level. It is hard therefore to avoid the logical conclusion that we are dealing here with an area which is almost exclusively pastoral in emphasis.[25] What then were the major features of pastoralism in Gilsland during the 16th and 17th centuries?

Table 4.2 provides us with a preliminary breakdown of the percentage occurrence of various types of livestock, excluding poultry, within the 150 sampled inventories.

Table 4.2: Percentage occurrence of livestock: Gilsland, 1589-1695

	Horses	Cattle[1]	Stirks	Oxen	Sheep	Pigs	Goats
1589-1621	58%	88%	43%	55%	65%	7%	4%
1660-1695	57%	87%	45%	13%	59%	8%	2%

1 'Cattle' = cows, quyes (heifers) and kine (cows) i.e. the female breeding stock.

Source: C.R.O. Probate Inventories (Cumbria).

With one exception - oxen - these figures are roughly comparable in both sample periods.[26] This in itself serves to support the earlier suggestion that the numerical bias within the sampling design in favour of the first period is of minimal importance in influencing the nature of the results obtained. It also emphasises that no fundamental changes occurred in the relative importance of specific livestock types during the study period.

This is a key point. In spite of the enforced gap in sampling periods, we can see that cattle and sheep farming formed the major elements in the livestock sector within Gilsland during the late 16th and entire 17th centuries.[27] Thus, the evidence examined here is completely supportive of secondary accounts of agricultural practice in the North-west, referred to in Section 4.2 (see Bouch and Jones, 1961; Summerson, 1982; Thirsk, 1967; Watts, 1975; Winchester, 1978).

A broad indication of the composition of the cattle and sheep sectors is given in Table 4.3 which records the percentage occurrence

Table 4.3: Percentage occurrence of sheep and cattle

Cattle	1589-1621	1660-1695	Sheep	1589-1621	1660-1695
Kine[1]	51%	34%	Ewes	15%	4%
Cows	23%	25%	Lambs	13%	13%
Quyes[2]	41%	32%	Wethers & Hoggs	24%	11%
Stirks	43%	45%			
			'Sheep'	43%	43%
Oxen	55%	13%			

1 = cows
2 = heifers

Source: C.R.O. Probate Inventories (Cumbria).

of specific types of cattle and sheep as mentioned in the sampled inventories.

If we take the cattle sector first, clearly, what we have in the first period is a sizeable breeding population - as indicated by the first four categories - and a high percentage occurrence of stirks. Obviously, it would be ridiculous to propose that these stirks were being kept to replace or supplement the already large number of oxen used for draught purposes.[28] What we must see them as instead is as a separate and important enterprise, namely as beef cattle stores. Evidently, this importance carried through to the 17th century where, despite a decline in the percentage occurrence of cattle in the reproductive groups, stirks continue to figure highly.

The decline of cows, heifers and calves, if we take it at face value,[29] itself raises many questions; not least, 'was 16th and 17th century Gilsland an area of actual beef cattle breeding (that is production in the fullest sense of the word) or was it an area where beef cattle were bought in as stores?'

Trow-Smith (1957, 223) has suggested 17th century Scotland to be by far the greatest cattle breeding area within the British Isles, whilst Hutchinson (1794, 131) reports that,

> 'large numbers of Scotch cattle were bought annually and brought on the common lands in October and November and were sold to the graziers of Leicestershire and Lincolnshire at Brough Hill fair the next September or October.'

What we are seeing in these inventories is probably evidence for just what Hutchinson is describing. Gilsland appears to be an area in which beef cattle were stored and sold-on. If it were not, and instead was an area of actual beef cattle production, then we would expect the decline visible in the breeding sector in the 17th century to have been reflected in a contradiction in the percentage occurrence of stirks as well.

To what degree is this suggestion that 16th and 17th century Gilsland was an area where beef cattle were brought-in from Scotland, stored and sold-on confirmed by analysis of individual inventories? Can we identify any parishes in which this activity predominated? By attempting to answer these questions it must be emphasised that the sample of inventories upon which we must base our conclusions is no longer 150 but 57. The reason for this reduction is quite simple: values for each type of cattle in the inventories are only recorded on 57 occasions.

Table 4.4 presents the percentage values of each cattle type for all 57 units where comparison is possible. It is probably realistic to take those farms where stirk values exceed 50 per cent of the total cattle value to be farms where beef cattle have definitely been bought-in.[30] We have four such examples here; two from Cumwhitton and one each from Brampton and Farlam parishes, of which the following are typical,

Bell, John (1694), Farlam.
29 head of beasts ..... £28 10/-[31]

Hewatson, John (1605), Cumwhitton.
1 old cow 10/-
4 stirks 26/8

Nicholson, Christopher (1603), Cumwhitton.
2 kine 38/-
2 young nolt ..... 20/-[32]
5 stirks 13/4
1 ox 24/-

Quite clearly these stirks cannot be the products of their farmer's numerically small - or non-existent - breeding stock. They must have been bought-in.

Where the picture becomes more complex is in the case of those farms where stirk values fall between 30 per cent and 50 per cent of the total cattle value. Such examples are more numerous: we have eight in all, covering the parishes of Lanercost, Cumwhitton, Hayton, Brampton and Cumrew. It is, of course, entirely possible that such a number of stirks could have been produced on the individual farm concerned. For example, Thomas Atkinson of Cumrew, whose will was proved in 1675, had in his possession,

2 steers worth £3 16/8
3 kine, 1 heifer and a calfe worth .. £5 10/-

Similarly, Thomas Armstrong of Lanercost (1678) had

5 kine and calves worth £6
and 7 young beasts worth £4 13/9

The evidence, therefore, suggests that, whilst some areas within Gilsland could have been producing their own beef cattle, others were certainly buying-in beef stores and selling them on. Given the fact that an insufficient number of inventories survive to make valid comparisons between parishes,[33] it would be entirely unrealistic to suggest areas of specialisation in either activity.

Sheep comprised another important sector of livestock production within the Gilsland area during the 16th and 17th centuries (Table 4.2).

Table 4.4: Percentage value of cattle types within Gilsland

Parish	Oxen	Kine	Quyes	Cows	Stirks
Lanercost	55	35	9	0	0
	34	0	66	0	0
A	0	62	38	0	0
	0	80	20	0	0
	0	0	0	100	0
	0	0	0	83	17
B	0	0	52	48	0
	0	56	0	0	44
	0	0	100	0	0
Cumwhitton	0	0	0	27	73
	0	0	77	0	23
	32	50	0	0	18
	0	0	30	0	70
A	28	0	38	0	34
	57	0	0	43	0
	34	48	16	0	3
	40	30	30	0	0
	46	41	4	0	0
	63	32	5	0	0
	0	41	31	0	28
B	0	50	50	0	0
	0	0	0	100	0
Denton	0	69	31	0	0
A	50	50	0	0	0
	0	0	66	26	8

Parish	Oxen	Kine	Quyes	Cows	Stirks
Hayton	100	0	0	0	0
	60	40	0	0	0
	36	0	0	64	0
A	0	0	45	55	0
	100	0	0	0	0
	0	0	34	66	0
	50	33	6	0	11
	100	0	0	0	0
	0	82	0	0	18
	0	0	100	0	0
B	41	44	0	0	15
	0	65	0	0	35
	39	39	19	0	13
	0	63	0	0	37
Irthington	80	0	20	0	0
	0	61	0	39	0
A	73	0	0	0	27
	0	100	0	0	0
	0	0	100	0	0
Brampton	24	0	16	60	0
	0	25	0	45	30
A	0	100	0	0	0
	0	0	0	100	0
B	0	0	42	53	5
	0	33	0	0	67

Table 4.4: continued

Parish		Oxen	Kine	Quyes	Cows	Stirks
Brampton	B	0	66	0	0	34
Cumrew	A	0	66	0	0	34
		0	59	0	0	41
	B	0	0	0	100	0
		42	0	42	16	0
		33	49	0	0	18
Farlam	A	37	49	15	0	0
	B	0	0	0	0	100

A = 1569 - 1621.
B = 1660 - 1695.

Source: C.R.O. Probate Inventories (Cumbria)

Again, we can ask similar questions as were asked of the cattle sector; namely, 'for what purposes were these sheep kept?' and 'can we suggest any areas in which this activity might have been concentrated?'

In Table 4.2 in fact, one basic point is made extremely clear: sheep farming was not as widespread throughout 16th and 17th century Gilsland as cattle production and only occurs in 65 per cent of inventories sampled from the first period and 59 per cent from the second. In addition, Table 4.3 draws attention to a problem which complicates any analysis of actual sheep flock composition, that is, inventors were not as specific in their recording of types of sheep as they were in classifying types of cattle. What this means, in effect, is that we have the blanket term 'sheep' occurring in 43 per cent of both sample periods, hence it is somewhat difficult in many cases to determine what type of sheep flocks these in fact were.

In spite of this problem we can be fairly certain that sheep farming itself was closely associated with cattle production. Thirty-two per cent of the entire sample of 150 inventories contain references to sheep and cattle together; 92 per cent of those inventories mentioning sheep (54) also refer to cattle, whilst 8 per cent contain sheep alone. Such figures expand upon a point already made. Not only was sheep farming less than ubiquitous in the Gilsland area; it was very much a subsidiary activity to cattle farming, a fact borne-out by the small percentage of specialist sheep farmers.

One of the reasons for this may be contained within the inventories themselves: sheep were obviously less financially valuable than cattle. This is shown clearly within the following three examples,

<u>Bell, Randall</u> (1604), Denton.

12 sheep		40/-
3 kyn	£3	6/-
2 young stott		60/-

Robson, Rowland (1613), Cumrew.

33 sheep	£4	
16 lambs		24/-
3 kyn and calves	£4	
3 young beasts		40/-

Dodd, Percival (1666), Cumrew.

20 sheep	£3	
10 sheep	£4	
8 lambs		16/-
3 sheep		12/-
2 oxen	£4	
2 heifers	£4	
1 cow	£1	10/-

This is also confirmed in Table 4.5, in which sheep value is shown as a percentage of the total stock value, excluding horses. Only 24 per cent of these farms show sheep exceeding 50 per cent of the total livestock value.[34]

Whether we are entitled to see any spatial pattern within Table 4.5 is open to question. Without doubt, those farms recording high percentage sheep values reflected a large flock size,[35] however, whether these large flocks were to be found exclusively in the parishes of Cumrew, Cumwhitton, Brampton and Hayton is debateable. Table 4.5 suggests this; nevertheless, as before with beef cattle, we must recognise that, with the exception of Brampton, those parishes which appear to be characterised by large sheep flocks are those for which a greater number of inventories survive.

Regarding the overall purpose of sheep farming, we can be fairly certain that the larger flocks within Gilsland in the 16th and 17th centuries were kept primarily for their wool. A few examples illustrate this point. In the first sample period, for instance, we find Thomas Nicholson of Cumwhitton dying in 1604 possessed of '20 old sheep' and '8 hogges'. Likewise, John Nicholson - of Cumwhitton also - dies in 1610 leaving '43 old sheep' and '23 hoggs'. Alexander Leach (1616, Cumwhitton) meanwhile had '11 wether sheep, 9 ewes and 4 hogs'. Similar examples occur in the later period.[36] Since 'wether sheep', 'hoggs'

Table 4.5: Sheep value as percentage total stock value (excluding horses)

Parish		No. of Inventories											
Hayton	A	0	1.8	0	28	0	9.4	0	57	19	2		
	B	5	82	25	60	14							
Brampton	A	0	100	0	4.6	0	56	0					
	B	0	0	0									
Lanercost	A	0	0	0	14	25							
	B	0	0	0	7	25	20						
Cumwhitton	A	0	30	16	61	12	47	13	34	4	31	52	37
	B	58	30	33									
Cumrew	A	45	48										
	B	58	41	100	0	83	47	52	30				
Denton	A	42	0										
	B	2.9											
Irthington	A	0	0	1.5	25	0	9						
	B												
Castle Carrock	A	12											
	B												
Farlam	A	9											
	B	25	0	26									

A = 1569 - 1621 B = 1660 - 1695 Source: C.R.O. Probate Inventories (Cumbria).

and 'sheare sheep'[37] are normally taken as indicative of a flock kept primarily for its wool (Winchester, 1978, 126), it is fairly safe to conclude that this area was one in which wool production, rather than the breeding of sheep for mutton, was of considerable importance.

The attention given to pastoralism in this section is one which can be justified by the content of the probate inventories themselves, as well as by the impression created by secondary sources. Quite simply, whether we look at the overall content of the inventories sampled - or, indeed, the strictly arable components - the message is the same: arable production in the 16th and 17th centuries in this area was a subsistence activity. Crops, unlike livestock, were not the mainstay of the local economy; they merely supported animal and human populations and, as such, although important, did not constitute the major agricultural activity in this area (cf. 4.2).

This statement is confirmed by Table 4.6 which records the percentage values[38] for the 38 inventories where comparison between crops is possible.[39] Rye, oats and bigg (a poor variety of barley) occur in a roughly similar number of inventories (74 per cent; 68 per cent and 92 per cent respectively), usually in association with one another with no one crop being dominant.

Two main points serve to summarise this section. First, 16th and 17th century Gilsland was an area in which pastoral activity - particularly the production and buying in of beef cattle and the farming of sheep for wool - predominated. Secondly, and as a corollary of this, this was an area in which the arable sector performed a supportive role; providing the fodder to see the stock through the winter and to feed the human population (cf. Winchester, 1978).

In the final part of Section 4.3 the details of farm size and

Table 4.6: Percentage value of arable produce: 1589 - 1695

Rye	Bigg	Oats
50	50	0
83	17	0
14	41	45
32	58	10
38	21	41
42	25	33
59	26	15
50	50	0
28	40	32
44	56	0
30	70	0
0	11	89
0	34	66
62	38	0
0	27	73
67	33	0
19	36	45
50	38	12
100	0	0
0	82	18
83	17	0
39	48	13
0	45	55
61	39	0
0	69	31
4	48	48
46	38	16
0	46	54
29	29	42
17	0	83
100	0	0
0	22	78
0	67	43
0	64	36
40	49	11
100	0	0
0	38	62
44	29	27

Source: C.R.O. Probate Inventories (Cumbria).

the cultivated land:waste ratio within Gilsland are discussed.

4.3.3: Farm size and the cultivated land:waste ratio and overview

Discussion in this section focusses upon three specific issues: the cultivated land:waste ratio in general; the customary cultivated land:waste ratio in particular; and the pattern of land holding within the customary sector in Gilsland.[40] These three points are considered in turn, with Table 4.7 providing a summary of this material; the main point to emerge being that considerable differences existed between north and south Gilsland, particularly with respect to the pattern of land holding.

The first feature to note in Table 4.7 is that the percentage of common pasture or waste is high throughout the Gilsland estate. With the exception of Brampton (32 per cent common pasture and waste) and Askerton (45 per cent), all manors are dominated by pasture land, to such a degree that, in the case of Denton, we have only 15 per cent of all available land included within the customary sector. Charnley (1974, 13) - referring to Cumwhitton - in the southern half of the estate - sums this up as a situation in which 'open pasture... swamps those 'islands' or oases of cultivation', and the descriptions contained in the 1603 survey of the estate convey a similar impression. In many cases settlement is described as being surrounded by vast tracts of grassland. Thus, in Askerton, in the north, for example,

> 'the lorde hath two tenementes lyinge together more north late Anthons. Edw. Armstronge: whereof that on the north is a decaied tenement called Unmanrawe: the other was the dwellinge house of the sayde Anthon. and likewise wasted. They lye betwene the former pece of common on the south: the grounds of Cocklake on the weste: the common of diverse tenements and Williavey on the north: and the great common more on the east...'[41]

Table 4.7: Customary and Demesne Sectors: Gilsland, 1603

	Cultivable: Waste Figures			Customary Sector: 1603							Demesne Sector: 1603					
Manors	Total acreage (ha)	Cultivable land - dem. acreage	Common + waste	No. cust. Tenants 1588	No. cust. Tenants 1603	No. Units 1603	No. Units/ Tenant	Mean farm size (ha)	Modal class size	Farm size max. (ha)	Farm size min. (ha)	No. demesne units	Demesne acreage (ha)	Mean farm size (ha)	Farm size min. (ha)	Farm size min. (ha)
		%	%													
Askerton	13800 (5589)	7525 (44) (3048)	6275 (45) (2541)	61	55	62	1.09	71.8 (29.1)	40-59	288 (116.6)	18 (7.3)	7	1429 (11) (579)	175 (70)	534 (216)	45 (18)
Triermain	6557 (2656)	2443 (30) (989)	4114 (63) (1666)	45	39	53	1.32	41.8 (16.9)	20-39	130 (52.6)	1 (0.4)	3	462 (7) (187)	154 (62)	278 (113)	60 (24)
Walton Wood	1328 (538)	504 (25) (204)	824 (62) (334)	11	11	12	1.09	40.2 (16.3)	20-39	98 (39.7)	12 (4.9)	1	169 (13) (68)	169 (68)	169 (68)	169 (68)
Laversdale	3330 (1349)	1767 (39) (716)	1563 (47) (633)	25	22	28	1.27	59.5 (24.1)	60-79	106 (42.9)	20 (8.1)	-	- -	-	-	-
Dentons*	3440 (1395)	504 (204)	2936 (85) (1189)	28	26	40	1.54	37 (14.9)	20-39	86 (34.8)	14 (5.7)	3	611 (247)	204 (82)	442 (179)	31 (12)
Farlam*	44..	1415 (573)	?	20	19	23	1.09	34 (13.8)	20-39	79 (32.0)	5 (2.0)	3	214 (87)	84 (34)	181 (73)	38 (15)
Brampton	5560 (2248)	3788 (39) (1534)	1762 (32) (714)	53	50	84	1.68	24 (9.7)	0-19	138 (55.9)	1 (0.4)	12	1627 (29) (659)	172 (69)	712 (288)	1 (0.4)
Talkin	2230 (903)	840 (24) (34)	1390 (62) (563)	17	21	104	4.9	26.2 (10.1)	0-19	84 (34.0)	2 (0.8)	1	298 (14) (121)	298 (120)	298 (121)	298 (121)
Castle Carrock	2615 (1059)	681 (26) (276)	1934 (74) (783)	29	36	401	10.5	24.4 (9.9)	0-19	103 (41.7)	1 (0.4)	-	- -	-	-	-

Table 4.7: continued

Manors	Cultivable: Waste Figures: Total acreage (ha)	Cultivable land - dem. acreage	%	Common + waste	%	Customary Sector: 1603: No. cust. Tenants 1588	No. cust. Units 1603	No. Units/ tenant 1603	Mean farm size (ha)	Modal class size	Farm size max. (ha)	Farm size min. (ha)	Demesne Sector: 1603: No. demesne units	Demesne acreage (ha)	Mean farm size (ha)	Farm size min. (ha)	Farm size min. (ha)
Cumrew	3100 (1255)	1251 (507)	(30)	1849 (749)	(60)	31	39 412	10.05	27.2 (11.0)	0-19	136 (55.1)	0.5 (0.2)	-	-	-	-	-
Cum-whitton*	5..4	1...		?		51	51 117	2.3	23.1 (9.3)	0-19	132 (53.4)	0.5 (0.2)	-	-	-	-	-
Hayton	4524 (1832)	1453 (588)	(30)	3071 (1244)	(68)	65	64 549	8.6	18.4 (7.4)	0-19	81 (32.8)	1 (0.4)	-	-	-	-	-

*Denton percentages have not been calculated since there appears to be some error in the cultivable land figure. Other percentage values are not given where incomplete total acreage values are recorded.

Source: CRO D/6/V1; Graham, T.H.B(1934), The Barony of Gilsland, Lord William Howard's Survey taken in 1603.

The following extract from the same source is also typical, and describes 3,400 acres (1,377 ha),

> 'A greate pece of common pasture and moare more easte... betweeme Tradermeane grounds on the south, the North moare on the easte and north and diverse severall tenements on the weste'.[42]

Percentages of cultivated land within the customary sector are roughly comparable throughout the estate, ranging from 24 per cent and 25 per cent in the cases of Talkin and Walton Wood to 44 per cent in the case of Askerton. In passing we can note that the amount of land in the demesne sector varies from 29 per cent in the case of Brampton to virtually nil for Castle Carrock, Cumrew and Hayton. For those manors with a fairly sizeable percentage of land within the demesne sector we can make an important point: in an area where cultivable land was scarce, the demesne sector often hived off a considerable proportion of the potentially cultivable land.[43] Nor was this the only problem besetting tenant cultivation.

It is generally assumed that the typical rotation practised in North-west England in this period was one involving two years cropping and several fallow (Elliott, 1959, Thirsk, 1967). Thirsk (1967, 177) suggests the norm for Cumberland to be one of oats, barley and oats followed by seven to ten years of fallow. The point should be clear: a very much smaller percentage of the cultivated land within the customary sector was actually supporting grain or fodder crops at any one time than suggested in Table 4.7.[44] This, indeed, is further borne-out by some of the detailed descriptions contained within the 1603 survey. In Cumrew, for instance, the following is common place,

> 'A furlonge of grasgrounde there adjoyninge more weste: by the waie and the former furlonge on the easte and the River Carne on the south and weste ..... Tho Thomson a pece: beinge a headlande on

the south to pte of the former furlonge: buttinge easte upon alonge Dixon: weste (as also 10 peces followinge)

upon the wail	0a 2r 0p
Ld Wharton a pece	0a 2r 15p
The s^{d} Ld Wharton another pece	0a 1r 17p
Davie Thomson a pece	0a 3r 25p
Mr Dawe a pece somewhat longer	0a 2r 17p
Geo Dixon a pece	0a 1r 5p

...'[45]

Certainly this 'grasgrounde' cannot be meadow land for the latter is referred to quite specifically as such. It is doubtful too if it is arable land - in the sense of crop producing - since this would be termed 'whiteground' or 'arable'. The only interpretation left to us is that some system of ley farming was in fact being practised instead of straight fallowing.[46] Given this situation, we can appreciate that the margin between survival and dearth or famine in Gilsland, for both stock and population, was a very small one (cf. Appleby, 1973).[47]

If we turn to consider actual farm sizes and the pattern of land holding within the Gilsland estate c.1603, we can see that this same problem may have been more acute in some parts of the estate than in others. Expressed in its simplest terms, we have a distinction between those manors where cultivated land was held 'in severalty', that is, as individual, compact units, and those where common field practices prevailed.[48] As indicated in Table 4.7 - particularly by the mean number of units per tenant - this division in the pattern of land holding separated the manors of Talkin, Castle Carrock, Cumrew and Hayton from the remainder, the latter being areas where cultivated land was held in severalty. In addition, these areas of common field cultivation were quite clearly those in which average farm sizes were

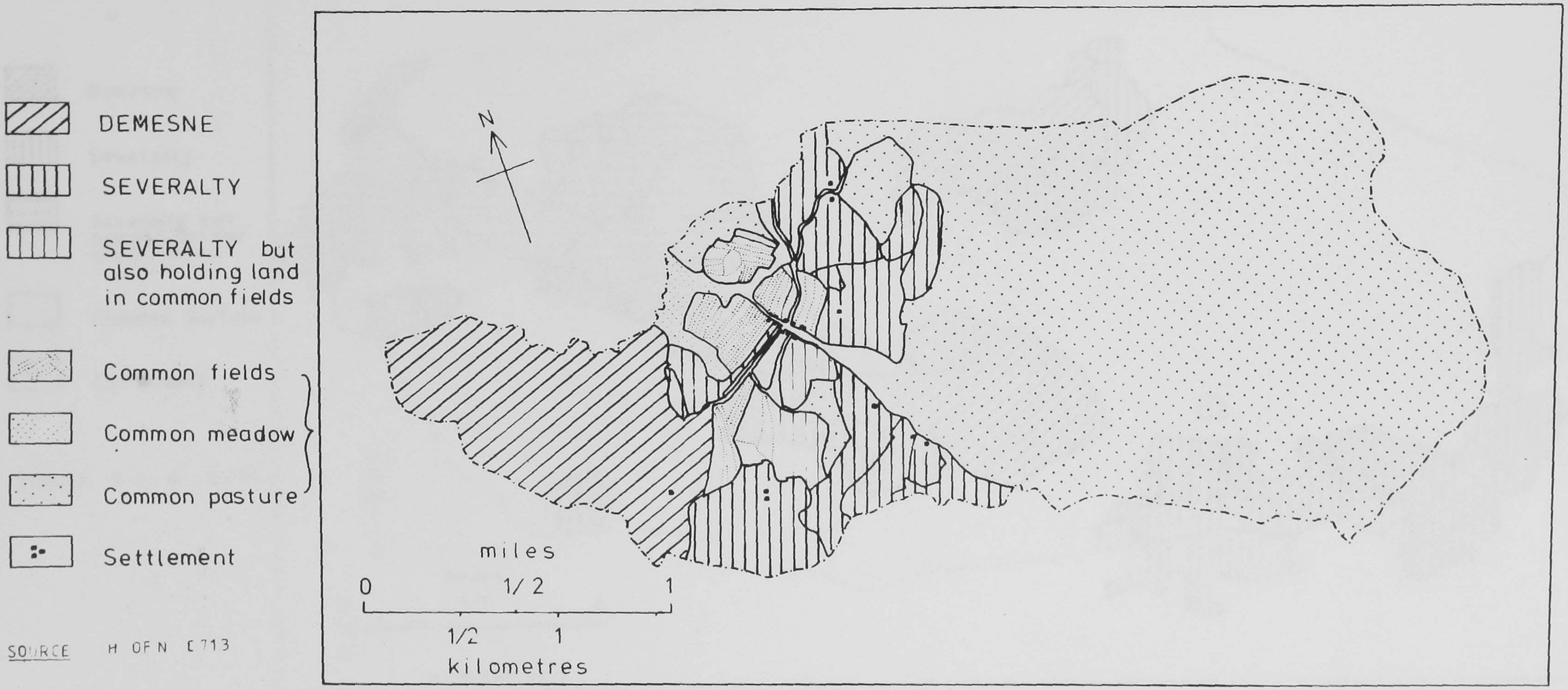
smaller. Hayton, for example, had a mean farm size of only 18.4 acres (7.4 ha), whilst Talkin, Castle Carrock and Cumrew recorded values of 26.2 (10.6 ha), 24.4 (9.08 ha) and 27.2 acres (11.0 ha) respectively. This contrasts markedly with the picture further north where farm sizes in Askerton and Triermain averaged out at 71.8 acres (29.1 ha) and 41.8 acres (16.9 ha).

Figures 4.3, 4.4, 4.5 and 4.6 in fact illustrate more clearly this distinction between the areas of common field agriculture and those of cultivation in severalty. In Talkin (Figure 4.3), for example, we have four main common fields - Walles, Stoneflattes, Cuffielde and Croftes. The land within these fields is held by 11 tenants, eight of whom hold strips of land in more than one field.[49] Thus, Andrew Milburne has nine parcels of ground in all four fields; Thomas Jo. Milburne, 12 in two fields; Philip Milburne, 15 in three and Lyon Milburne, 10 in three. Most of these strips are small; either under or just over one acre being typical. This arrangement is comparable to Elliott's (1959) description of Hayton, although here,

> '... the 1108 acres were shared by the four daughter settlements of Headsnook, Fenton, Faugh and How (and) The presence of these subsidiary settlements complicated the tenurial pattern in the open fields, increas(ing) the number of tenants, sharing the land and creat(ing) a more fragmented type of open field landscape' (p98).

Contrast this with the situation in Triermain (Figure 4.4). Here we have a pattern of individual, enclosed or ring-fenced farms (Elliott, 1973). For example, William Robson has a tenement of 23 acres (9.3 ha) called 'The Allenstead'. Similarly, Thomas Hitherton has 'two tenements now laid together called The Millerhill' covering over 68 acres (27.5 ha).[50] Such a pattern is complicated by the presence of what were probably formerly 'group' farms. Dassoglin is

FIGURE 4.3: TALKIN: PATTERN OF LAND HOLDING: 1603



SOURCE H OF N C713

FIGURE 4.4: TRIERMAIN: PATTERN OF LAND HOLDING: 1603

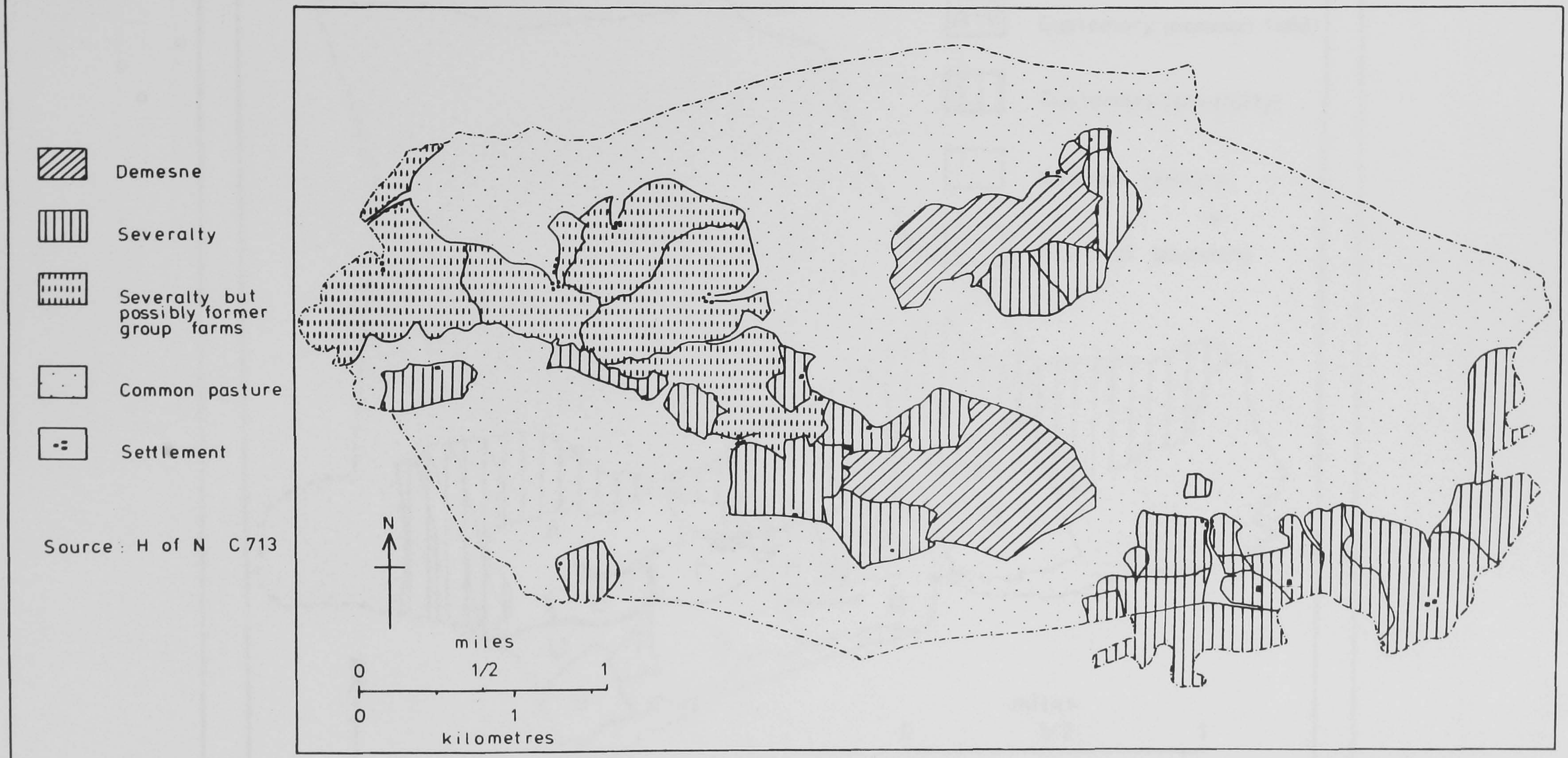
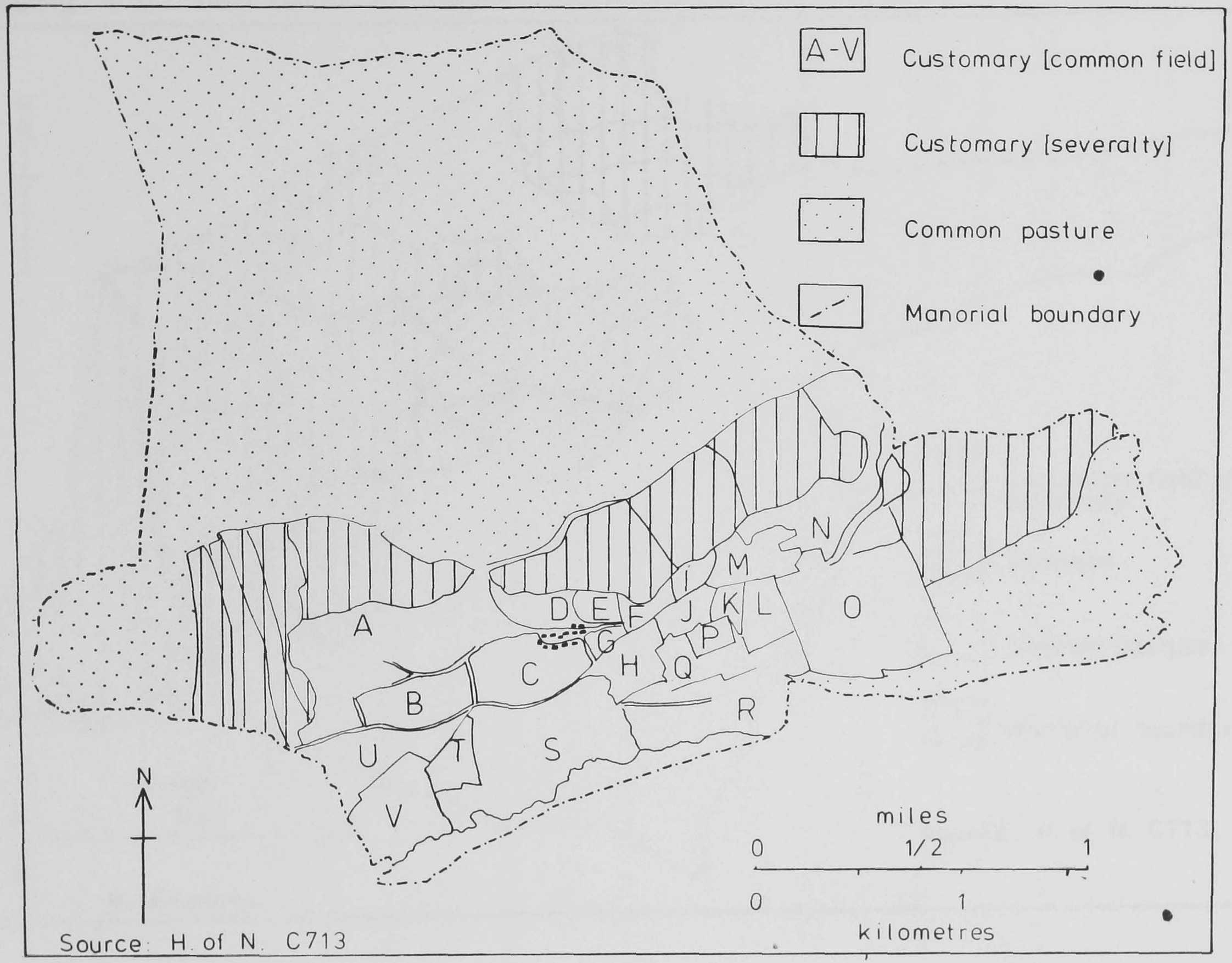
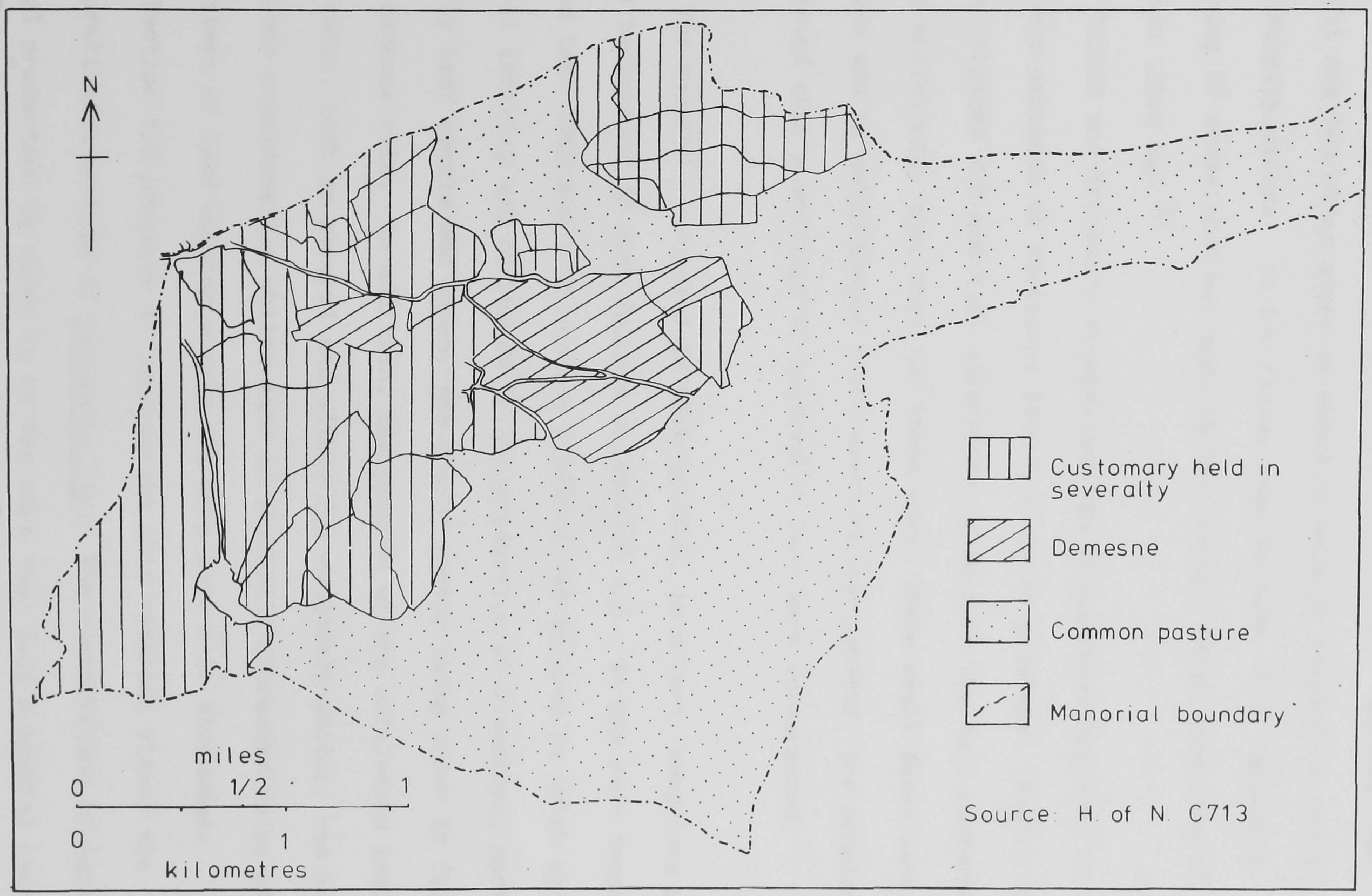


FIGURE 4.5 PATTERN OF LAND HOLDING CUMREW, 1603



Source: H. of N. C713

FIGURE 4.6: PATTERN OF LAND HOLDING: FARLAM, 1603



one such example,

> 'Four tenements more north liinge together called Dassoglin',[51]

wherein the tenements all cover 43 acres (17.4 ha). Westhall and Leeshill are two other examples where an equally suspicious degree of uniformity exists. In the former case we have 'four tenements occupying 22 acres (8.9 ha) and, in the latter, three tenements of 40 acres (16.2 ha).[52]

Talkin and Triermain encapsulate the distinctive features of the two basic patterns of customary land holding in Gilsland: Cumrew and Farlam (Figures 4.5 and 4.6) effectively show much the same patterns. We may anticipate, too, that for those areas where small farms were the norm and in which common field practice was general, the problems associated with a shortage of cultivable land were exacerbated.

The material discussed in this section, in effect, comprises part of the background to what follows in Section 4.5. It has been demonstrated that 16th and 17th century Gilsland was an area in which agricultural activity was dominated by the production of livestock, particularly beef cattle and sheep, the arable sector being shown to fulfil a subsistence role. In addition, the problem of the cultivated land: waste ratio, both in general and within the customary sector, has been given some consideration whilst some of the basic characteristics of the pattern of land holding within the area have been discussed.

Section 4.5 proceeds to incorporate this material within the structurationist concept of <u>contextuality</u>. The organisation of agricultural production is shown to be far more than just a spatial pattern. Instead, this pattern is shown to be associated with and reflective of the rules connected with the agricultural communities within this area. For the moment, however, it is necessary to consider one final aspect

of the characteristics of the Gilsland area at this time: the social groups involved in agricultural production.

4.4: The tenurial characteristics of 16th century agrarian society in the North-west

The general tenurial characteristics of 16th century agrarian society in North-west England are relatively straightforward. A broad two-tier classification based on tenure is proposed here. At the coarsest level we can make a basic distinction between those who legally owned the land itself and those who merely possessed it - a division which, of course, reflects the crude Marxist differentiation between those who owned the means of production and those who simply had the right to use it. Whilst this is an undeniably useful concept at the macro scale, it has to be said that at the micro scale - such as at the level of individual estates - a finer, more detailed, classification is essential. Only then do we begin to obtain a realistic picture of the complexities of social groupings within specific areas. In this section a finer distinction based upon tenurial status and size of holdings is used to give the Marxist categorisation more depth. Discussion, therefore, although recognising the importance of the lord - tenant division is organised around the four major tenurial groups found within particular estates in North-west England at this time:- free tenants; tenants at will holding freely; tenants at will; and cottagers (tenants at will holding less than four acres (1.6 ha)). At this point emphasis is placed simply on numbers and spatial pattern of location: the intricacies and complexities of the tenurial situation are considered in detail in Section 4.5.2.

Much attention has already been directed to those at the apex of this social hierarchy - the lords - and to the nature, size and

composition of their estates, and the fortunes of the various aristocratic families concerned in their administration (see, for instance, Bean, 1958; Beckett, 1975; James, 1966; Stone, 1967, 1973). In the specific cases with which we are concerned here, it is the families of Dacre, Howard of Naworth and Howard of Greystoke which figure most prominently. However, since these families have been the subject of detailed investigation already, there is little point in pursuing this issue to any great depth (Graham, 1934; Reinmuth, 1970; Watts, 1975). One major point, nevertheless, does need emphasising: both the Dacres and Howards were no small fry landowners. Instead they were wealthy aristocrats owning land and estates - often extensive - in various counties throughout England.[53] This being so, it would not be surprising if we were to find no great stress upon estate rationalisation and improvement during the 16th and early 17th centuries.[54]

In comparison to the considerable amount of literature concerning aristocratic families with interests in the North-west, relatively little in the way of detailed work exists concerning the heterogenous collection of tenant farmers in this particular area (Elliott, 1959, 1973; Kerridge, 1967; Tawney, 1912; Watts, 1975). Effectively, as already noted, four groups can be identified:- free tenants; tenants at will holding freely; tenants at will and cottagers. These - with the exception of the minimal number of free tenants - are discussed now.

Cottagers are defined as those tenants at will occupying less than four acres of land but evidently they were not a particularly numerous group in late 16th century Gilsland. The 1603 survey records their presence in the manors of Nether Denton (1), Farlam (4), Brampton (16), Castle Carrock (2), Cumrew (4) and Cumwhitton (11), and, given the reliability of this source, we can be fairly certain that this is

an accurate representation of their numbers. Apparently, a similar situation existed c.1588, in which 46 cottagers are recorded:- Farlam (6), Brampton (23), Castle Carrock (1), Cumwhitton (12), Talkin (2) and Hayton (2).[55]

Two possible explanations can be forwarded to account for this relatively small number of cottagers - one which can be broadly labelled economic, the other reflective of inheritance practices within this area.

In the first case, as has been demonstrated conclusively in Section 4.3.2, Gilsland was an area in which pastoralism figured strongly. In this type of situation we can anticipate that it would have been difficult, if not impossible, for a large number of cottagers to have supplemented their income by working as hired labour at key times in the cropping year. The arable sector, being no more than a subsistence element in overall production in this area, did not require a large casual labour input.

To substantiate this point we can use evidence from the demesne sector. On an estate of over 100,000 acres (40,500 ha), and in which there were 24 demesne leasehold units, ranging in size from a minimum of 1 acres (0.4 ha) to a maximum of 712 acres (288.4 ha), the demand for hired labour was minimal. For example, in 1612, we find three persons paid for mowing corn - Lionel Bell, James Sheppard and Thomas Hutton - and only two 'husbandmen' working permanently at the demesne farm of Kirkoswald.[56] In addition, Richard Attye was responsible for mending and making ploughs and general repair work, whilst Richard Hetherton was paid for keeping ewes at Cumcatch, folding sheep at Brampton Park and mowing hay there.[57] In fact, for the entire year of 1622, we find only 18 named persons paid for working in the demesne sector.

The point here is fairly clear. If the largest farms within the

Gilsland estate required very little in the way of hired labour, it is extremely unlikely that the smaller, family-based enterprises within the customary sector - also primarily pastoral units - provided very much more in the way of opportunities for supplementing annual income. Other, non-agricultural opportunities may have existed, particularly in the market town of Brampton - where it is noticeable that a far larger number of cottagers than anywhere else are recorded - however, evidence for such handicraft activities is extremely thin at this date.[58]

A second possible explanation for this small number of cottagers in Gilsland at the beginning of the 17th century is connected with inheritance practices in this area. Thirsk (1967, 9-11, 23-4) has argued that the 'Highland North-west' was an area in which partible inheritance, that is, the practice of dividing holdings equally between male offspring, was practiced as late as the 16th and early 17th centuries.[59] In view of this, we would expect, a priori, a considerable proportion of the population within Gilsland itself to have been cottagers. The fact that this was not the case casts some doubt as to the general validity of Thirsk's argument. Furthermore, the case against Thirsk can be backed-up with documentary evidence.

Survey material referring to the entire Gilsland estate in 1588 points quite clearly to the fact that partible inheritance was not practiced in Gilsland during the 16th century,

> 'theire said tenements after death should discend to the heire male or the heire generall for that we find that it hath been some tyme allowed the one way and some tyme the other way'.[60]

Primogeniture, or simple descent to the eldest child, is the clear message here.

Having said this, however, there are some grounds for suggesting that the earlier medieval period may have been characterised by partible

inheritance. Looking at the spatial concentration of cottagers in both 1588 and 1603, it is immediately apparent that they all occur within the southern part of the Gilsland estate, that is, in the area associated with common field agricultural practice and small farms; this is an area in which we would automatically expect that partible inheritance may have occurred. Moreover, when the breakdown of tenant's names within manors is considered, we find that many tenants share the same family name.[61] Now, whilst the farms associated with these tenants undoubtedly formed single, non-divisible units by the 16th century, it is not inconceivable that they in fact represent former sub-divisions of what originally may have been a large tract of family territory. Little evidence survives to confirm or refute what is no more than a suggestion,[62] however, if this was the case and partible inheritance was once common practice in the Gilsland area, it is obvious that at some point prior to the 16th century this custom was changed in favour of primogeniture. Any tendency towards an expansion in the number of cottagers within the area would, therefore, have been arrested.

In practice it is probably a combination of both the possibilities afforded by the economic setting and the constraints of inheritance practice within the Gilsland area which brought about a situation in which the number of cottagers at the beginning of the 17th century was relatively small.

The vast majority of tenant farmers in the Gilsland area in the late 16th century were those who, during a 'normal' year, were able to support themselves and their families from the produce of their holdings.[63] Some of the major characteristics of these holdings have been considered in detail in Section 4.3.3. What remains to be

emphasised here is the broad nature of these tenancies and the numbers involved.

As to the numbers involved: the 1603 survey of the Gilsland estate records a total of 439 tenants for the 12 manors (Table 4.7).[64] This figure is remarkably close to the 436 recorded in 1588,[65] thus, we may be fairly certain that it is a reliable estimate of the number of tenants in the late 16th and early 17th centuries.

At a finer scale, we find the mean number of tenants per manor to be 37. This, however, masks a range which varied from 64 tenants in the case of Hayton and 62 in Askerton to 19 for Farlam and 11 for Walton Wood. Similar numbers characterised the manor of Burgh, within the Barony of Burgh in 1588;[66] thus the constituent elements of the Gilsland estate were probably by no means atypical in terms of the numbers of tenants residing within their boundaries.

Tenure within Gilsland during the 16th century is, as will be shown in both Section 4.5.2 and Chapter Five, a more complicated issue than has been presented thus far. For the moment, however, it is sufficient to note that the general distinction made between free and customary tenant farmers is applicable to this specific area of North-west England. In this case, free tenants were far out-numbered by those customary tenants, or tenants at the will of the lord.[67] However, such a division is, in a sense, over-simplistic. Dodgshon (1975), working primarily in Northern England and Scotland, has emphasised that it was by no means unusual for customary tenants to hold not only customary tenements but blocks of 'freeland'; the latter being considered indicative of non-assessed outfield land.[68] Confirmation of this line of argument is provided in both Gilsland and Burgh. Indeed, in the case of Burgh, 10 of the 34 customary tenants recorded in 1588[69] are stated as holding some freeland, none of which appears to have had

any housing associated with it. This is an important point for it suggests that the 'freeland' was at a distance from the farm houses of these ten customary tenants; possibly it was comprised of areas of outfield cultivation.

To summarise then: we have within this particular area of North-west England a society in which the land legally owned by the aristocratic families of Dacre, and subsequently Howard, was occupied by a heterogenous group of tenants. The latter have been divided up into four groups on the basis of tenurial status and size of holdings - first, an extremely small number of free tenants, secondly and thirdly a numerically large group of tenants at will holding a combination of either free and customary land or just customary land; and a small group of cottagers, also tenants at the will of the lord but occupying miniscule holdings.

This section completes the overall introduction to the Gilsland area during the late 16th and early 17th centuries. In this the general characteristics of agricultural production and social groupings based on tenure have been considered. In the following section we begin to move on from this by returning to the structurationist concept of contextuality and to the institutions of estate and community in particular. By focussing upon the rules associated with these institutions and the resources which they controlled, it is possible to see how and why spatial patterns of agricultural organisation existed and why the social groups described above were found.

4.5: Estate and community: the production of agricultural activity

In this, the final section of this chapter, the additional depth to analysis provided by the adoption of structurationist concepts is

demonstrated clearly. Following on from Section 3.4 in which the idea of contextuality was used to focus upon the key institutions of estate, farm and community within the Eskdale area of North-east Cumbria, we proceed to consider here the nature of the rules associated with the institution of the Gilsland estate in particular, its constituent communities and the resources which these rules controlled. This provides a slightly different perspective on the material discussed in Sections 4.3 and 4.4 to the predominantly spatial one produced thus far by historical geographers. Instead of considering agricultural production and the social groups involved in this activity as spatial pattern pure and simple, a focus upon institutions, their rules and resources, enables us to see how and why particular spatial patterns of agricultural organisation were produced. Section 4.5.1 is concerned with the influence of 'community' on this process; Section 4.5.2 with the role of the estate.

4.5.1: The institution of community and the spatial organisation of agricultural production

The main influences of the community as an institution upon the organisation of agricultural production are summarised in Figure 4.7. These ideas are taken largely from the work of Dilley (1967) on court leets in North-west England and emphasise that the primary resources which the community controlled were the three distinct sectors of agricultural land use - arable land, common pasture and meadow land. The rules associated with the community, consequently, were ones which related to access to these same resources. Such a summary, however, assumes a common field pattern of agricultural organisation: both arable and meadow land in areas of cultivation in severalty were resources controlled purely by individual farmers. In this section, therefore, we examine the way in which these community rules exerted

FIGURE 4.7: COMMUNITY AND ESTATE IN C16th GILSLAND

COMMUNITY			ESTATE	
RESOURCES	RULES		RESOURCES	RULES
	Common field	Severalty		
ARABLE	Seasonal access for grazing		LAND FARMS BUILDINGS	Ownership/ possession
	Upkeep of hedges →			Rights associated with tenure
WASTE	Limitation of stock numbers →		[LABOUR]	Commuted cash payments
	Casting of peat, turves →			
	Piecemeal enclosure →			
MEADOW	Upkeep of hedges			

a differential effect upon the distinctive characteristics of the spatial organisation of agricultural production and land use within the Gilsland estate.

The details of agricultural production at the end of the 16th century were considered fully in Section 4.2, however, two points need to be re-iterated here. First, this was an area in which there was an extreme emphasis upon pastoralism, particularly the farming of beef cattle. Secondly, arable and meadow land fulfilled an important supportive role in this local economy. Dodgshon (1973) has emphasised that in predominantly pastoral areas such as this, the key to the success of agricultural practice lay with the mutual dependence of these two sectors; something which he considers to be manifested in the organisation of stock grazing by the community. These, obviously, are central ideas to be explored in any examination of the influence of the community on agricultural production, and need to be outlined before we can proceed to look at the specifics of the production of the spatial organisation of agricultural activity within the Gilsland estate.

Dodgshon's arguments were developed from work on Scottish townships (1973),[70] and their central feature for the present argument is the annual movement of stock from byre to common pasture, to outfield, to infield, and finally to byre again - a movement seen as vital in the retention of levels of productivity on infield land in both areas of common field and several farming. What this means in practical terms is that in an area of spring-sown cropping - such as Gilsland - the stock could only graze on the infield land after the harvest had been gathered in.[71] Prior to this, during the summer months, they were put on the fells and common pasture. In areas of outfield cultivation organisation would have been more complex: stock would have been folded during the summer months on areas of waste which were to

be brought into cultivation the following year, not left to free graze.

If Dodgshon's arguments are correct we would certainly expect stock to be moved between the arable and pastoral resources of both individual farmers and communities. Indeed, in areas of common field agriculture, such as southern Gilsland, we would anticipate the use of stock as a resource, that is as a source of manure, to figure prominently in the rules associated with these communities. Just how important control of stock was for these communities we will see in the following paragraphs.

Seventeenth and early 18th century court leet material reveals quite clearly the pattern of stock movement described by Dodgshon and there is every likelihood that this material describes the situation in the 16th century as well.[72] In Hayton - an area of common field organisation - presentments stress that stock were to be kept off of the cropped infield land from the 25th March to the 18th of October each year,

> 'We order... that no loose cattle be kept in the fields and grounds of Hayton including the place called Hayton Holme from the 25th day of March till the last sheaff of corn be taken away'. (1709)
>
> 'Everyone of Hayton Quarter shall keep up their hedge of the new improvement all between John Brown sheall and Battay Dike betwene 25th day of March and Michaelmas day'. (1711)

Implicit in these presentments, too, is that stock were allowed to graze on infield land post the 18th of October, that is, after the harvest had been gathered in. A similar situation obviously prevailed in Castle Carrock, also an area of common field cultivation,

> 'None of the inhabitants of Castle Carrock shall bring any cattle into those fields but everyone their equal stint and to keep their ring hedge sufficient betwene the 18th October and Lady Day 15 March'. (1719)

In areas of cultivation in severalty - in the north of the Gilsland area - a somewhat different arrangement prevailed, in that each tenant (rather than all tenants) was responsible for the upkeep of his own ring hedges and ditches during the period of infield cultivation,

> 'We order that Thomas Bell of Bankshead shall keep Cumwidditch yealt in sufficient repaire and maintain it and non passe throw the field betwixt the 20th day of March and the first of November but William Carrock and Richard Carrock with thir peats and turffes and hay. And we order that it shall be free for any to pass through the said field betwixt the 1st day of November and 20th day of March'. (1669)

However, the same basic pattern of organisation existed: stock were moved from the common pasture areas on a date which marked the end of the harvest period;[73] thenceforward they grazed the stubble of the infield land, providing in the process, the vital annual manure input to this ground.

Such a pattern corresponds to the main features of Dodgshon's (1973) argument. What is somewhat more debateable is whether the grazing of common pasture, in particular, was more closely managed in this area. Dodgshon himself has suggested (1973, 18) that the penning and folding of stock on the waste led naturally to temporary and then outfield cultivation of these former grazing lands; stock were excluded from grazing these areas when next on the common pasture since they would by then be under crops and, therefore, subject to non-grazing rules.

It would be unlikely if this practice had not been the case in the Gilsland area, although direct evidence of penning and folding of stock on the waste is non-existent. Indirect evidence, in the form of long grass leys may, however, be indicative of outfield cultivation

(Elliott, 1973). Nevertheless, perhaps a more supportive thread of evidence here comes in the form of the contraction of full-scale transhumance practices in this area at the end of the 16th century.[74]

Ramm (1970) has discussed the nature of this practice in Gilsland and Bewcastle fairly extensively, thus there is little need to emphasise more than a few basic points here. First, there is no doubt that it was once common practice for all tenants of the entire Gilsland area - north and south - to 'shield' their stock on the North Moor during the early summer months.[75] This much is made plain in late medieval documentary evidence.[76] However, by the end of the 16th century the practice had dwindled, as the 1603 survey of the estate records,

> 'the greate waste ground of heath and mosse called the North moare... (herein) the lordship of Askerton Traddermaine next found southwards in the Barony of Gilsland... (victualling) and commoning or shealding their cattle in the summer time which is the (third) of May until the first day of August...'.[77]

Only those communities nearest the North Moor continued to use it for pasturing their stock during the summer months. Possible explanations for this decline are many and various. Cattle plague, a reduction in the human population and the problems associated with promiscuous - often totally uncontrolled grazing - all offer potential causes for this change; however, it is also possible that the change itself could have represented an attempt to make greater use of stock as a source of manure, in the manner that Dodgshon has suggested. The grazing of the North Moor for three months clearly wasted 25 per cent of each community's entire annual manure supply. In contrast, by penning or folding stock on their own extensive common pastures, communities could have expanded the limited areas of cultivation open to them considerably - and without threat of over-grazing their own sizeable pasture reserves (Table 4.7). Without any direct evidence to confirm or refute

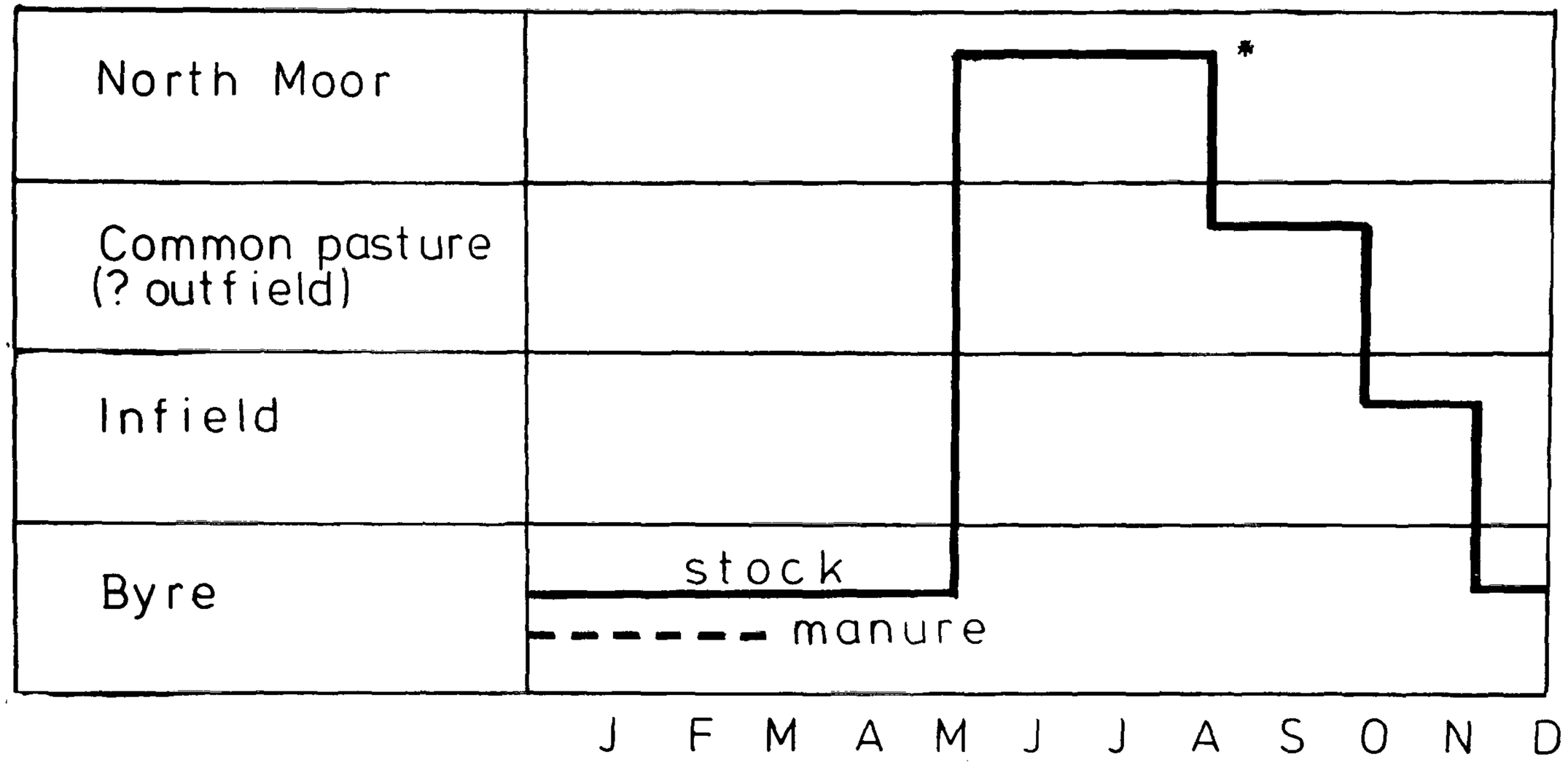
such a suggestion, this can, however, remain little more than a highly speculative - although plausible - proposal.

The importance of stock movement to the spatial pattern of agricultural land use described here and shown diagrammatically in Figure 4.8 cannot be over-estimated. Quite simply, at a time when animal manure and crop rotations represented the primary means of retaining levels of soil fertility, stock were vital. Without their movement the continued cultivation of infield land was an impossibility; so too was the survival of the beasts themselves throughout the hard winter months (Dodgshon, 1973). As a result of this importance, the rhythmic annual flow of stock through the respective land use sectors of each community and individual farm is isolated as the most fundamental feature of the organisation of agricultural production within the Gilsland area, and it was - as we shall see - with the organisation of this activity that most community rules, in both common field and severalty areas, were concerned.

The most basic of these have indeed been discussed already and relate only to those areas of common field cultivation. These were the set of 'exclusion' rules by which communities determined the temporal duration of grazing of common arable land and - by implication - the duration of time over which stock remained on common pasture land. As has been shown above, this largely revolved around banning stock from arable areas for the length of the cultivation period, from March to October. Attached to these, however, were a whole series of secondary rules which were associated with the primary exclusion rules and which are to be found in areas of common field cultivation and several farming. These are now discussed in detail.

The first of these related to the upkeep of hedges and ditches during the cultivation period: only by maintaining these could stock

FIGURE 4.8: STOCK MOVEMENT: GILSLAND, C16th



* only applicable to Askerton and Triermain manors by this date

(After Dodgshon, 1973)

be confined to common pasture areas and prevented from straying on to cropped ground. Numerous examples of presentments for ill-repaired hedges exist in the court leet records for the Gilsland area; nevertheless, since illustrations of these have already been quoted, there is little need to dwell further on this issue. Instead, we can turn to consider another set of secondary rules, those concerning the control of stock numbers.

The movement of stock on to extensive areas of common pasture during the summer - although essential - contained within it the inevitable temptation to increase stock numbers. This, in itself, was no difficulty during the summer months since the pasture areas of Gilsland were sizeable tracts of land, well able to support large numbers of beasts (cf. 4.3.3). However, maintaining increased stock numbers throughout the winter on the produce of a limited arable acreage was a huge problem. Evidently, this situation was a familiar one in the Gilsland area.

In 1695, for example, we find the following presentments,

> 'That no foreine or other person that hath any lands within our manor (Irthington) and lives out of the manor shall att anytime put any more or other goods upon the waists, commons or common fields of this mannor butt such as he keeps in winter upon his lands within this winter.'
>
> 'That no person who hath any lands or tenements within this maner which he letts to farm to any person and lives themselves out of the mannor (again Irthington) shall have any cattle, sheep or horses of his own going upon the commons or in the common fields of this mannor.'

As late as 1737 the same situation still existed,

> '(_____) Rucroft is fined for chaceing and re-chaceing his sheep on Cumrew fell that is to say for keeping more sheep on the said fell in summer than he can keep within the said maner in winter'.

Not only were tenants within communities putting more stock on their community's common lands during the summer months than they could support through the winter, but they were also pasturing stock on the common pasture of other communities as well - no doubt in an attempt to avoid detection by their own community.

Efforts to prevent this situation initially centred on fining. However, by the mid 18th century - and probably well before than - regulation of numbers had become more formalised and stinted grazing normal practice. For instance, in 1742, a reference to the tenants of Carnbrig states,

> 'Know that each hole tenement is not to put above two horses and six beasts for there stint and each half tenement, one horse and three beasts for their stint'.

Thus, the communities of Gilsland not only controlled the spatial location of stock and their access to different sectors of agricultural land, but also attempted to regulate numbers as well. That they did so must, inevitably, be seen as evidence to suggest that the communities themselves were well aware of the delicate balance and mutual interdependence of the individual sectors of agricultural production and managed them as such.

Whilst control of stock represented the most influential and important area of active community involvement in agricultural production, it was not the only area of community concern: the management of the waste for purposes other than grazing constituted another sector for the application of such rules. Dilley (1967) isolates two

such uses: estover (the right to cut, burn or dig up gorse and heath) and turbary (the right to cut peat turves from the waste).

In the Gilsland area turbary was a source of more open dispute and, therefore, tighter regulation. As with stock grazing, tenant's rights to peat turves were confined to the community within which they actually lived (Winchester, 1978). This, however, did not stop certain individuals from cutting peats elsewhere. John Hall, for example, of the parish of Ainstable (outside Gilsland) was fined for casting turves on Irthington Common and carrying them to Edmund Castle (Hayton), Holm End (Hayton) and Crosby.

Casting peats could not be allowed to become a haphazard business for the obvious reason that it might endanger the safety of the stock grazing the waste. Individual communities therefore limited the areas in which turves could be cut, as the following examples show,

> 'No turfe or flack be diged or cast up from the new hedge of the head of Castle know all the way up throw the town of Hayton to St Mary Hill and the (------) gaite end'. (1709)

> 'No inhabitant in Fenton or any forreiner shall dig any flacks betwene Howbeckford and the town of Fenton'. (1710)

> 'No inhabitants or forreiner shall dig any flacks upon Faugh Green in the grounds of an old hedge called Whoadike'. (1710)

In some areas, too the times of digging were subject to limitation, for instance, in Cumrew, turves could not be cut before the 12th of May.

Grazing and cutting of peats constituted the two major uses of the waste for communities within Gilsland. Not surprisingly, they were - as has been shown - areas over which a number of regulations

existed. Preservation of the waste for these purposes represented a final area of community concern. In certain parts of Cumrew, as Dilley (1967) has argued, preservation was more important; indeed, presentments over encroachment onto common pasture areas were more numerous in lowland manors. Contrastingly, in fell, or upland, districts, there was little incentive for individuals to take in large areas of common and little opposition to someone who wanted to enclose just a small patch.

This situation was apparently mirrored in the microcosm of Gilsland. To the north, in the upland areas of the estate, no presentments survive concerning encroachment onto the waste, although this is almost certain to have occurred. Further south, in Cumwhitton and Hayton, where pasture land was less extensive, communities were fining individuals for encroachment. In 1726, for example, Thomas Bell was fined,

> 'for making an incroachment on the edge of Long Moss upon the common of Hayton High Moor in Fenton Quarter by which he hinders the neighbours to spread their peats that have their moss in that place.'

Similarly, in 1793, 15 were fined for encroachment on the common of Cumwhitton.

We can summarise the influence of the institution of the community within Gilsland as a differential one, working in three directions. First, in the common field areas of South Gilsland, as has been demonstrated, the resources which communities controlled were the discrete sectors of agricultural land use (common field arable, meadow and common pasture) and individual's access to these areas in particular. In so doing - but specifically in controlling stock movement - each community ensured, secondly, the continued success of the spatial pattern of common

field agricultural production described above in Section 4.3.3. Without stock movement the productivity of small areas of infield land would have collapsed and the entire agricultural system would have been flung into a state of chaos. A third and final point is that, not only did the rules of each community ensure that this particular spatial pattern of agricultural organisation was produced: they also ensured that it was reproduced. In limiting the number of beasts allowed per individual onto common pasture land, and in constraining encroachment where essential, each community effectively prevented not only serious over stocking but also the initiation of a spiral which, once entered, was virtually impossible to withdraw from. This, of course, is the spiral which commenced with large-scale conversion of marginal and former pasture land to cultivation, but whose inevitable end was failing productivity and dearth (Postan, 1972).

Similar remarks apply to those communities within areas of several farming in northern and central areas of the Gilsland estate. Although the direct influence of the community in such areas was weaker than in areas of common field farming - in that enclosed arable and meadow land fell outside its jurisdiction - the community still fulfilled a vital role in agricultural production by regulating individual's access to common pasture land. Quite simply, in limiting the numbers of stock which individual farmers could depasture on the waste during the summer months, communities again ensured the reproduction of the spatial pattern of enclosed cultivation and common pasturing found in North Gilsland at this time: the potential for large-scale conversion of pasture land to cultivated land - as well as for over-stocking - in this area was severely restricted.

The community then was an institution which, throughout Gilsland, was very much involved in the specifics of agricultural organisation: it, its rules and the resources which it controlled were the social

forces producing and reproducing both spatial patterns of agricultural organisation found within the estate. In the following section we turn to examine the contrasting institutional role of the estate.

4.5.2: Custom and Tradition: the estate and the production of an agricultural society

If we return to Figure 4.7 we can see the role of the estate as an institution summarised alongside that of the community. The two obviously differ in their areas of influence. Whereas the resources controlled by the community are sectors of agricultural land use (4.5.1), those controlled by the estate are the land in general and the farms which constituted the units of agricultural production. As we have seen, the rules of the community concerned the production of a specific spatial pattern of agricultural organisation: the rules of the estate, in contrast, are concerned with the production of the social, or tenurial groups described in Section 4.4 - free tenants, tenants at will holding freely, tenants at will and cottagers. This section focusses upon the particular sets of rules which together constituted the customs and traditions of tenancy at will on the estates of Gilsland and Kendal and which framed and defined the main landlord - tenant relationship in these areas during the 16th century.[82] It is this set of rules which - in the following chapters - is shown to provide the basic social structure within which landlord-tenant interaction and the transition towards agrarian capitalism took place. Discussion here, however, is divided into two parts: first, the set of rules - implicit as well as explicit - associated with tenancy at will are identified and, secondly, the connection between these rules and the social groupings discussed in Section 4.4 is made.

In order to present a clear picture of tenancy at will, discussion focusses upon three questions: 'How is tenancy at will defined by the

traditions and customs of the Gilsland estate and, for comparison, the Kendal estate in Westmorland?'; 'What do these definitions mean as they stand?'; and 'What do they mean in practice?' What will become apparent as we proceed is a subtle differentiation between the explicit rules, which provided the theoretical interpretation of customs, and the implicit rules which effectively comprised their practical interpretation.

How then is tenancy at will defined by the customs and traditions of the estates of Gilsland and Kendal? It is worth quoting at length from 16th century survey material here to illustrate the similarities between the two areas. In Gilsland,

> 'The saide customarie tenandes and cottagers (that is tenants at will) within the saide Baronie do claime to holde their said tenements and cottages as customarie tenants for theire said service and payment of fyne and gressom at the change by death or otherwise either of the lord or tenants which said custom they call tenant right, and their said fynes and gressoms have been sometimes two and sometimes three years rent according to the rate of the rent they pay for their said tenements and cottages according to their habilities. And for such tenants as come to the possession of any tenements or cottages by alienation or marriage of daughter and heire have been accustomed to pay greater fynes and gressoms such as the lord and they could reasonably agree upon...'[78]

Similarly, in Kendal,

> '... the tenants held their tenements under certaine rents, fines, boones, duties and services with suit of court. And for the fines or gressoms which are due from the customary tenants or tenements by tenant right are by the generall rule all over these two counties (Cumbria)... due upon the death of the lord and change of tenants, whether by death or alyenation.'[79]

Clearly, tenancy at the will of the lord was recognised as a customary tenure in which land was held from the lord in return for the performance of specific services and the payment of rents and fines at recognised and agreed times.

The nature of these services varied from estate to estate. In Gilsland, as in Kendal, boon work - by the 16th century, a commuted money payment - comprised the major service requirement,

> 'The tenants (in this case the manor of Laversdale in Gilsland) ought to paye for the same amonge them after the rayte of 4d every day, the which rent hathe not been changed but since the death of the Lord Dacre, for his time they wrought theire accustomed boone days in work'[80] (cf. Table 3.3; Section 3.4.2).

This service, however, was not required of all tenants at will during the medieval period, nor did it figure in commuted service payments. Again, in Gilsland, we find statements to the effect that '(there) is no custom of boon days work in this manor (Triermain)'.[81] Similarly, in Askerton, the entire custom of boon work or payment was apparently dropped,

> 'As concerning the said customs of boon days we do present that to our knowledge they ought not nowe have upon to paye any'.[82]

Within the Kendal estate, boon service is mentioned along with other, more onerous, service demands,

> 'The tenants are bound to many carriages, as to carry the lord's trees to any place within the county upon their own charge... for carrying coales or provision for the lord's manor house, for carrying limestone, tymber and such like materials for building and repayring the lord's houses, also boon shearing plowing mowing harrowing and the like'.[83]

Two points emerge from this. First, the level of service demands and obligations required by the lords of Gilsland and Kendal from their

tenantry was not excessive. Boon service did in many cases constitute the only service due. Other dues were rare and examples of commutations of the traditional features of serfdom - merchet, heriot, toll and arbitrary tallage - are virtually non-existent in the 16th century documentary record. In fact the only case of such demands within Gilsland occurs in Denton where,

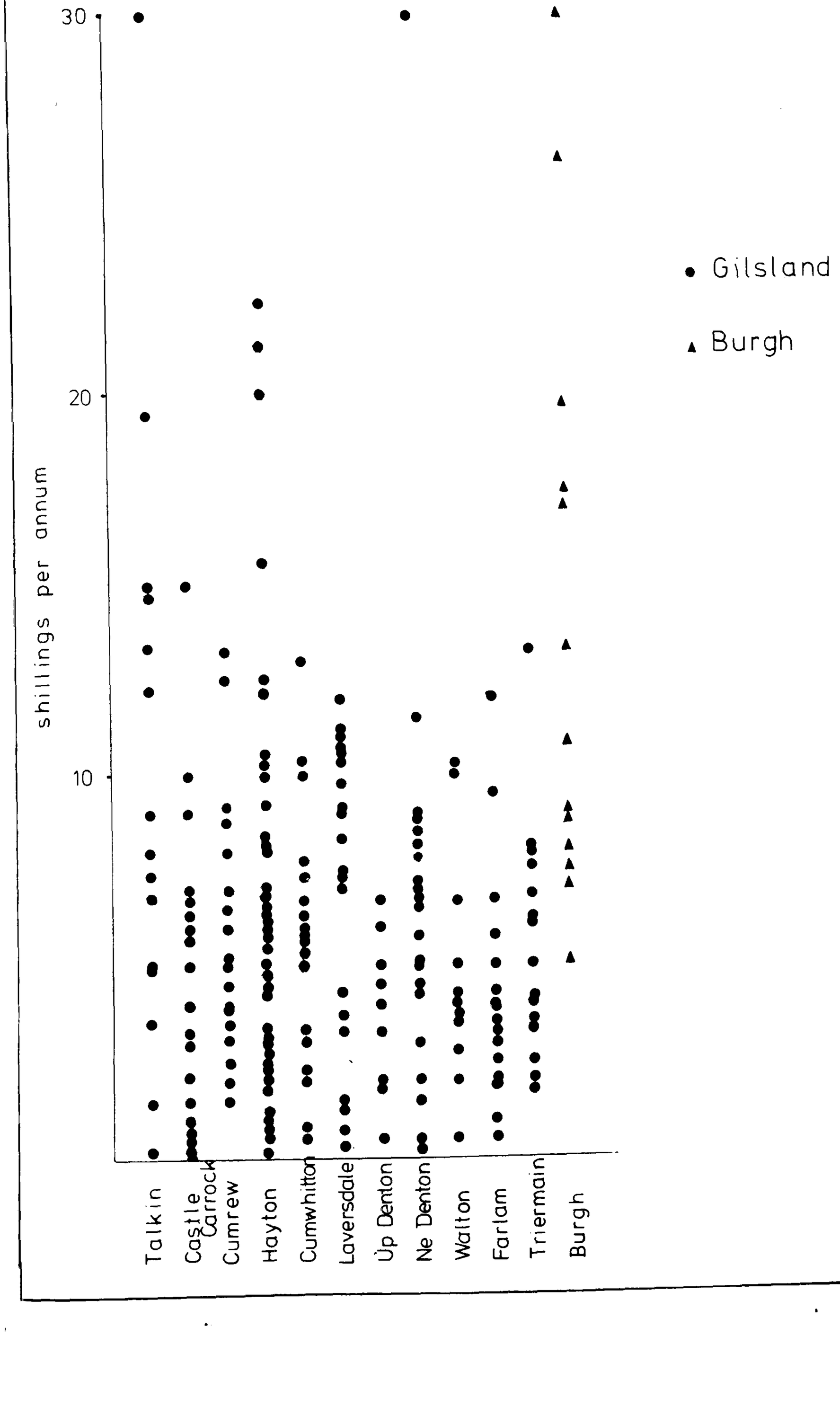
> '... there is and for time out of mind hath been a custom... that after the death of every tenant there shall be paid his best quicke beast or cattell in the name of a heriot'.[84]

This leads into a second point. Although these service customs were recorded as being general throughout these estates, considerable variation existed within them. Quite simply, individual manors had their own traditional service dues which could be at variance with those described as the general custom of the estate. The examples of Denton, Askerton and Triermain given above show this extremely clearly. Since this is the case we must, consequently, treat general custom with considerable caution.[85]

In Figure 4.9 customary rents for the Gilsland estate (1617-34) are plotted:[86] for purposes of comparison, figures for the Burgh estate (1588) are also given.[87] Obviously, the general level of customary rents in both estates was comparable. Furthermore, if we contrast these customary sector payments with those annual rents demanded of leasehold tenants in Gilsland, it is apparent that the rents demanded of tenants at will were extremely low. Whilst within the leasehold sector annual payments of £20 were not uncommon, within the customary sector the maximum annual rent at this time was 30/-, the vast majority falling within the range 2/6 to 6/8 per annum (cf. Jones, 1962; Kerridge, 1967; Stone, 1967, 138-46; Tawney, 1912).

Unfortunately, we have little information regarding the exact level

FIGURE 4.9: CUSTOMARY RENT PAYMENTS: GILSLAND AND BURGH, C16th/17th



of fines demanded by the 16th century lords of Gilsland although general custom suggests these to have been of the order of two to three times the annual rent. What information we do have, however, does appear to confirm that fine levels were much as described by general custom. A 1579 assessment of fines due mentions specifically that these were levied in proportion to their respective rents and a few randomly chosen illustrations from this same document indicate that many fines were in fact three times the annual rent payable.

Cumwhitton	Rent	Fine
T. Earle	5/10	17/6
W. Atkinson	5/-	15/-
J. Atkinson	6/-	18/-
H. Bell	5/-	15/3
Castle Carrock		
W. Nixon	6/-	13/4
H. Milburne	5/-	20/-
Cumrew		
J. Grayson	3/11	13/4
Talkin		
J. Milburne	8/-	24/-

How can we summarise this situation? Basically we must take the services, rents and fines described above as essential facets of the traditions and customs associated with tenancy at will in a specific area of North-west England. Custom must not simply be seen in terms of the rights of the tenantry to cut wood or peats or to graze their stock on the common land but as the complete and reciprocal tenurial relationship between landlord and tenantry. And what this relationship is composed of fundamentally is two things. On the one hand, we have tenants who quite clearly are holding land. They are in possession of their holdings: they do not theoretically own them. On the other hand, we have a set of rights which evidently define the relationship between landlord and tenant in terms of the revenue (or labour) which a lord

could legitimately expect from the tenant by virtue of his, that is, the tenant's possession of land. Whether the lord exercised his rights to the full is unclear. What is clear is that these rights defined and de-limited the landlord-tenant relationship. Any attempt to go beyond these parameters, as the following chapter will show, was a potential source of conflict. In this sense then we are discussing a set of rules which not only defined and framed the general relationship of lord and tenant to the land but which also defined the interaction between landlord and tenant. They provide us with part of the contextual circumstances within which interaction was played out.

And yet this is not quite the entire picture. Thus far we have discussed only what is explicit in all this. There is, undeniably, an implicit level to these rules as well - a practical interpretation of them - which is particularly important when we come to consider the value of Brenner's arguments regarding the transition towards agrarian capitalism. Expressed in blunt terms, the tenantry of Gilsland and Kendal may not theoretically have owned the land they occupied but in practice they certainly acted as if they did.

We can see this most clearly when we look at the descent of these holdings. Paradoxically, although stressing that customary tenants only held land, the general custom of Gilsland also states the following,

> '(the) said tenements after death should descend to the heir male or the heir generall for that we find that it hath been sometyme allowed the one way and sometyme the other way and never any certaintie there'.[88]

Evidently, holdings passed from father to heir automatically: the lord - even as represented in the form of the manorial court - was not involved in this process at all. The same was true for Kendal and many other estates in the North-west, including Greystoke.[89] There is little doubt that over a considerable duration of time this automatic inheritance

would come to be regarded in practice as ownership. Furthermore, when we consider the actual sale of peasant holdings we are certainly looking at a tenantry who effectively did own the land which they cultivated.

In fact, in Kendal,

> 'the tenants usualy (sold) their tenements without consent of the lord and without any surrender in the lord's court, and the purchasing tenant (entered) upon his purchase without being put into possession by any officer for the lord'.[90]

Although we have no 16th century court book material to corroborate these general statements relating to Kendal, 17th century court book evidence attests to the volume of exchange and transaction which characterised the customary sector elsewhere in the North-west. Between 1656 and 1671 we find on the Greystoke estate 51 purchases of tenant land and 93 descents. Examples of these include the following,

> 'Gawin Wren hath purchased of Ric. Wilson of Bussenthwaitenhillis younger and Anne his wife one messuage and tenement with the appurtenances called Slackhouses and close of arable and meadow called the Slackhouses Lancaster Roodes, one other close of ground called Lancaster (------) with the appurtenances in Foresyke'. (1656)
>
> John Wilkinson of Mungrisdale, next heir to John Wilkinson his father deceased hath right to tenement there (Greystoke) of yearly rent of 16/8'. (1659) [91]

Similarly, customary tenants were apparently buying freehold and demesne land,

> 'Thomas Dawson purchased a tenement in freehold estate late in ye possession of Anthony and Agnes Watson and Thomas (son) of yearly rent of 5d'. (Stainton, 1662)

> 'William Mawson of Penrith hath purchased ye demaine lands at Timpson from John Jackson with two tenements called Goodalls and Hodgsons whereof he owes suit and service to ye lord of ye barony'. (Newbiggin, 1659)[92]

What this appears to be suggesting is the existence of a relatively free market in land transfer in which land held by tenants at will (customary land) could be sold without the consent of the lord or any of his representatives, or in which the theoretical ownership of the land was only recognised in a brief comment in the manorial court. In this respect there seems to have been no practical differentiation between customary tenure and freehold tenure in this specific area of North-west England: the distinction drawn between them in the documentary record of the 16th century was, in practice, cosmetic.

This is an extremely important point. Those tenants at will, although theoretically customary tenants who merely possessed their holdings and land, acted, in practice, as freeholders, that is, they exchanged land at their own wish, they paid small rents and they either performed or paid for minimal service dues. The implications of this are considerable, not least from the standpoint of Brenner's existing arguments (3.2.2). Although the explicit rules - the general customs - do conform to Brenner's orthodox Marxist viewpoint, in that the non-servile tenantry merely possessed the land which they cultivated, the practical interpretation of these rules suggests the picture to be infinitely more complex. Indeed, in certain places in North-west England, at least by the end of the 16th century, 'peasant proprietorship' was very much a reality.

The full implications of this statement will become apparent in the course of the subsequent chapters. For the present, however, it is necessary to emphasise that the rules discussed in this section were inevitably responsible for the production of the distinct social groups

described in Section 4.4: the tenurial groups discussed therein obviously mirror the theoretical rules, customs and traditions of particular estates. What, undoubtedly, is more complicated is the way in which this set of rules - particularly their practical interpretation - and these social groups combined in lord-tenant interaction. This is the subject matter of the following two chapters.

4.6: Conclusions

This chapter has covered a considerable volume of material in order to arrive at a detailed impression of the substantive structure which framed and brought about landlord-tenant interaction and, indeed, as will be shown, the transition towards agrarian capitalism. This was largely achieved in Section 4.5 in which the influences of the estate and community as institutions were discussed. The preceding sections, however, are far from irrelevant to this and for three reasons. First, they have provided the necessary backdrop against which the later, more detailed material needs to be viewed. Secondly, Sections 4.3 and 4.4, in particular, discussed the types of subjects which historical geographers have traditionally been concerned with. Thirdly - and finally - as Section 4.5 has demonstrated, this material is intricately bound up with certain institutional contexts. Agricultural production and the groups involved in this activity need not be considered purely in spatial terms, but, instead, may be seen as socially produced spatial patterns, produced in this case by the institutions of estate and community respectively.

This much is what can be achieved in using a structurationist perspective with its emphasis on context, institutions, rules and resources, and certainly, the richness of the discussion here contrasts

markedly with the arguments of Brenner, whose denial of the existence of peasant proprietorship has already been shown to be of dubious merit in the specific areas of North-west England being considered.

The following two chapters go on to develop this perspective further by showing how this substantive structure comprising institutions, rules and resources, framed and influenced not only landlord-tenant interaction but the transition towards agrarian capitalism itself.

CHAPTER FIVE: INTERACTION STRUCTURE: THE ONSET OF SOCIAL CHANGE, 1603-1625

5.1: Introduction

In the previous chapter the concept of substantive structure was developed in relation to specific agricultural societies in North-west England during the late 16th century. This was defined in terms of the network of rules and resources associated with the institutions of the community and the estate (4.5.1; 4.5.2). Layder (1981) has emphasised that the links between substantive structure and interaction structure - in this case the interaction between tenants and between tenants and landlords - are far from necessary or contingent. Indeed, in many circumstances he considers interaction between individuals to be no more than reproductive of a simple tie between individuals (3.3.2). However, in this particular situation, it is clear that the links between substantive structure and interaction structure were strong: community rules - as we have seen - regulated agricultural activity, both in the everyday sense and in terms of the seasonal movement of stock. Furthermore, as is demonstrated in this chapter, the rules associated with the estate could also - in more unusual circumstances - be connected with interaction between landlords and tenants. The more unusual circumstances to be examined in this chapter are the 'tenant-right' disputes which occurred on the Gilsland and Kendal estates during the early 17th century.

These disputes are interpreted on two levels. On the one hand, it is evident that they represented an overt challenge to existing landlord - tenant relations. To re-iterate: in the last chapter these were shown to have two dimensions associated with them - a theoretical one, expressed in estate surveys, in which the relationship between

landlord and tenant was seen to correspond with the classical Marxist view of tenant possession and lord ownership; and a practical one, reflecting the daily life of these societies, in which tenant ownership of land was shown to be a definite reality. The 'tenant-right' disputes threatened to alter all of this at a stroke, and to substitute in their place the social structure of landlord and leasehold tenant - part of the social structure defined by Brenner (1976, 1977, 1982) as necessary for the emergence of agrarian capitalism.

Much of this chapter is devoted to establishing these points and to evaluating the success (or failure) of specific disputes. However, at another level, a series of important issues need to be raised. As was argued previously, the rules which comprised substantive structure in specific areas of North-west England at the end of the 16th century may be seen as providing a frame of reference which defined the landlord-tenant relationship at this time, and any interaction within this (4.5.2; 4.6). In this chapter empirical justification for this somewhat abstract argument is provided. The landlord - tenant conflict represented in the 'tenant-right' disputes of the early 17th century is shown to be defined in terms of the rules associated with specific estates. In addition, the legal cases themselves are demonstrated to be conducted, judged and resolved within the terms of reference of these same rules, whilst their ultimate success or failure is considered to be indicative of the degree to which these rules could be proven and upheld in court of law.

Stated another way, not only does this chapter provide us with an illustration of the connection between substantive structure and interaction structure; it also has strong links with the key structurationist concept of the duality of structure (3.3.1). In Giddens's terms, we should see the rules which define the social structures

associated with these particular agricultural societies as both the medium through which social practice is organised and - at the same time - the outcome of these social practices. In less complex terms, the social practice of the 'tenant-right' disputes is brought about by and conducted in a manner produced by the rules associated with specific estates. In some cases, as we shall see, these rules were reproduced; in others they were not.

What emerges from this is not, as might be anticipated, an image of people imprisoned by the rules which ultimately define their condition: rather - as will become evident - the picture which is conveyed by the documentary evidence consulted is one in which the social groups (in this case the landlords and tenants of specific estates) are obviously conscious of their own ability to transform, alter or defend the rules which defined and framed their activities. This particular chapter therefore has very close ties with the heart of Giddens's structurationist concerns, namely, to integrate and analyse individuals or social groups within their specific structural circumstances without reducing them to the level of unaware prisoners of these sets of constraints (Giddens, 1976, 1977, 1979, 1981, 1982; 1.2; 3.3.3).

We begin at a point which, at first sight, is somewhat removed from this, that is, with an examination of previous interpretations of the term 'tenant-right' to be found within the secondary literature (5.2.1). Many of these are shown to be confusing, if not erroneous. In Section 5.2.2 a move towards clarifying this confusion is made, whilst in Section 5.2.3 the validity of the suggested re-definition of 'tenant-right' is examined with respect to the Gilsland estate. All of this serves as a necessary preliminary to a selective discussion of the complex series of 'tenant-right' cases in the early 17th century, in which it is absolutely essential to be clear about what was meant,

and implied, by the term 'tenant-right'. Section 5.3.1 prefaces this discussion with a consideration of the new political situation created by the Union of the Scottish and Fnglish crowns in 1603, focussing specifically on the implications which this had for the questions of 'tenant-right' and existing landlord - tenant relations. Finally, in Sections 5.3.2 and 5.3.3, we move to view the contrasting examples of the Kendal and Gilsland 'tenant-right' cases in considerable detail, looking particularly at the central issues of these disputes which - as might be anticipated - reflect the theoretical and practical interpretations of the rules framing landlord - tenant relations in the North-west in the 16th century.

5.2: The Question of 'Tenant-Right'

5.2.1: Previous interpretations of the term 'tenant-right'

The question of 'tenant-right' is, undeniably, a complex issue. It is also a problem, the understanding of which has not been helped by the existence of several contradictory interpretations and explanations. This is demonstrated in this section in which the secondary literature relating to this question is examined.

Butler (1926, 326), describing North-western customary tenure, provides one of the earliest illustrations of the confusion surrounding the term 'tenant-right'.

> 'These tenants... had a tenant right in their estates known as 'border tenant-right'; they paid certain small fixed rents for their estates, but held them on condition of providing a certain number of armed men forty days in the year for service against the Scots when required, and their estates were tantamount to freehold'.

Leaving aside the question of whether North-western customary tenure

was tantamount to freehold, what we have here is the equation of 'tenant-right' with service on the border against the Scots - a situation which others have accepted uncritically (see Batho, 1967, 293).[1]

Kerridge (1969, 43) offers an alternative perspective. Instead of <u>having</u> a 'tenant-right', the tenants of the North-west in the 16th century are seen as

> 'holding by tenant-right, according to the custom of husbandry and according to the custom of the manor'.

This is plainly quite different to Butler's view, not least because Kerridge apparently sees 'tenant-right' as a definite customary tenure which was completely distinct from the issue of border service. Moreover, because he sees 'tenant-right' as the North-western customary tenure, he does not follow Butler in making the assumption that these tenants were freeholders in all but name.

Kerridge's main intention, however, in entering the debate is to take issue with Tawney's (1912) interpretation of the contemporary lawyer, Coke's description of northern customary tenure. It is worth quoting at length from Coke here,

> 'Immediately upon the conquest they were known by the name of villains... wholly depending upon the will of the lord, and outstable at his pleasure...; having shaken off the fetters of their bondage, they were presently freed of their opprobious name, and had other new gentle stiles and titles conferred upon them: they were everywhere then called tenants by copy of court roll, or tenants at will according to the custom of the manor: which stile imports unto us three things: 1. Name, 2. Origin, 3. Title. His name is tenant by copy of court roll... His commencement is at the will of the lord. For these tenants in their birth, as well as the customary tenants upon the borders of Scotland, who have the name of tenants, were mere tenants at will: and though they keep the customs

inviolate, yet the lord might, sans control eject them. Neither was their estate hereditary in the beginning as appeareth by Britton: for if they died, their estate was presently determined; as in case of a tenant at will at common law; and in some points, to this present hour, the law regardeth them no more than a meer tenant at will; for the free-hold at the common law resteth not in them, but in their lords, unless it be in copyholds of frank tenure, which are most usual in ancient demesne (Kerridge, 1969, 44-5, quoting Coke, Copyhoder, Section 32).

In seeing tenants at will as tenants with little security of tenure, Tawney (1912), 299) clearly takes up only part of Coke's argument, namely that relating to eviction. With this Kerridge (1969, 44-5) strongly disagrees, stating,

> 'As Coke well knew, the common law protected tenant-right according to the custom of the manor or county. Whenever a custom of inheritance could be proved, even upon the borders of Scotland, the law countenanced and confirmed it.'

This clarification is important. What Kerridge has done is to make a clear differentiation between the two tenancies contained in Coke's statement - 'tenancy at the will of the lord' (those holding only by copy of court roll) and 'tenancy at the will of the lord according to the custom of the manor'. It is to the latter which Kerridge obviously attaches the term 'tenant-right'.

Nevertheless, having said all this, Kerridge goes on to re-introduce an element of confusion to his argument, stating,

> 'The Tudor monarchs had always done all in their power to strengthen border tenure or tenant-right'. (p. 58)

We are back with Butler - the equation of border service and 'tenant-right'.

Watts (1971) offers another, albeit more detailed view which parallels that of Kerridge,

> 'Tenant-right consisted of a special constellation of manorial customs which varied slightly from manor to manor. Rents and fines were low and often fixed. The duties which a tenant owed his landlord were minimal. Perhaps the most distinctive feature of this form of tenure was the ease with which tenants could transfer their tenant-right. Unlike most customary tenants in other parts of England, tenants could freely sell all or part of their tenant-right for an outright cash payment. In most cases, the practice or fiction of surrendering the land to the lord, who in turn would regrant it to the new customary tenant, was absent. If a tenant dies intestate his heir was designated according to manorial custom, but generally a tenant could will his land freely within his immediate family...' (pp. 64-6; cf. 4.5.2).

'Tenant-right' is identified explicitly with customary tenure. However, once again we find confusion if we look at Wark and Harbottle - Watt's examples of 'tenant-right' manors. Here we find the tenants,

> '... challeng(e)ing to holde their tenements by title of tenant-right, paying their rents and doinge their services upon the Border' (Watts, 1971, 69).

Once again the issue of border service has been introduced to the argument, seemingly as an integral part of 'tenant-right'.

One possible interpretation of this confusion is that there may well be several different but equally valid meanings attached to the term 'tenant-right', and it is to these that attention is now turned.

5.2.2: 'Tenant-right': towards a multiple definition

The confusion contained in previous attempts to clarify the question of 'tenant-right' and evident above does in fact have a positive side to it. If we ignore the earlier interpretations of the

term 'tenant-right', and concentrate instead upon Kerridge's and Watt's contributions, we can see that not only do they agree in viewing 'tenant-right' as an example of customary tenure, but that their own confusion is brought about specifically in the introduction of border service to the discussion. This is a key point. Essentially it points to the fact that we may anticipate a discrepancy between the late 16th century/early 17th century interpretation of the phrase at local (landlord - tenant) and national (Crown - landlord - tenant) levels.

Given the consensus reached between Kerridge and Watts on interpretations of 'tenant-right' at the local level, there seems little point in devoting much attention at this juncture to furthering their generalisations into the specific areas of Gilsland and Kendal. To do so would in fact pre-empt the discussion in Section 5.2.3. Further support for the validity of their conclusions, however, is readily available. Bouch and Jones (1961, 68-9), for example, refer to the 16th century customs of the manor of Borrowdale, wherein,

> '... the customary tenants enjoy the ancient custom called tenant-right namely "To have their messuages and tenements to them during their lives, and after their deceases, to the eldest issues of their bodies lawfully begotten. And for lack of such issue, the remainder thereof to the next persons of the same blood, paying yearly for the same the rents accustomed to the lord or lords of the manor, as the feast days of St. James the Apostle and St. Wilfred by even portions" '.[2]

This definition evidently concurs with the Kerridge-Watts view. What is more debateable is how we interpret 'tenant-right' at the national level.

The tenants of the north, by virtue of their geographical situation in close proximity to the border with Scotland, performed a unique role

in that they were bound to serve in any army engaged by the English Crown against the Scots (cf. 4.2). This service guaranteed exemption from the payment of any subsidies voted by Elizabethan parliaments, but by 1581 the Crown was obviously concerned about the level of preparedness for border warfare. For example, an act of that year included clauses stipulating that those who had owed border service in 1535/6 contribute actively to that service; special commissioners were appointed to redress the decay of the service and empowered to compel landlords to provide the necessary equipment for tenants who were willing but unable to equip themselves with weapons; whilst, if tenements had been subdivided since 1550/1, then all sub-tenants were to provide money or goods for the principal tenant (Watts, 1975, 30). But, more than this,

> 'If tenants wilfully neglected their obligations, the Act reminded landlords that they could expel defaulting tenants and replace them with men willing to fulfil the obligations from the tenements'. (Watts, 1975, 30)

This is a crucial clause. Effectively it means that the Crown saw northern tenants as holding land only by virtue of performing border service. It follows that the Crown's interpretation of 'tenant-right' in the north was an interpretation confined to the national level: manorial custom was unrecognised at this level.

This then is the crux of the problem: we have both manorial and Crown, local and national, interpretations of the term 'tenant-right' and it can be suggested that this is what previous attempts to look at the question have failed to recognise explicitly. Furthermore, these two interpretations of 'tenant-right' are at variance with one another and cannot be collapsed into one broad definition of northern customary tenure: they both had legitimate meanings but these were mutually exclusive.

In the following section 16th century estate surveys of Gilsland are examined to see if the dual level definition asserted here was in fact a reality.

5.2.3: 'Tenant-right': the Gilsland evidence

In effect, even a cursory reading of the 16th century customs of Gilsland estate suggests immediately the existence of two competing interpretations of the basis of northern customary tenure: one manorial, one specific to the Crown. The problem is to disentangle their relationship. This is made considerably easier if we examine at the outset one very fundamental point, namely, the nature of the survey material outlining custom and, in particular, the orchestrators of this survey material.

This, both Kerridge (1969) and Watts (1971) ignore and, almost certainly, to their cost. The surveys which they use - and which form the evidence base here - are Crown Surveys and, as such, may be expected to promote the national, as opposed to the local, view of northern customary tenure. They are not neutral, value-free documents but in fact just the opposite. If we recognise this situation from the outset, our attempts to disentangle the varying interpretations of 'tenant-right', and later the 'tenant-right' disputes themselves, become far more straightforward.

The preamble to a 1588 Crown Survey of Gilsland makes quite specific the contradictions between national and local tenurial interests in one area,

> '(the tenants)... do claim to hold their tenements and cottages as customarie tenants for doing their service on the borders and paying their fines and gressoms at the change by death and otherwise either of the lord or tenants which said custom they call tenant right, and their said fynes and gressoms have

been sometimes two and sometimes three years rent according to the rate of the rent they pay for their said tenements and cottages according to their abilities. As for such tenants as come to the possession of any tenants or cottages by alienation or marriage of daughter and heire have been accustomed to pay greater fynes and gressoms such as the lord and they could reasonably agree upon'.[3]

Herein we have what seemingly is a flagrant denial of the distinction proposed in Section 5.2.2: customary tenants are stated as holding land by virtue of performing border service and abiding by manorial custom. However, contained within the same document we have two clues to suggest that this is not the case and that this statement merely reflects the origin of this particular document. First, all customary tenants are described as 'tenants at the will of the lord according to the custom of the manor', with no provisos concerning holding land by virtue of border service.[4] Secondly, and perhaps even more importantly, given the mention of border service as the primary basis of customary tenure in the preamble, the following statement occurs,

> 'All freeholders have been accustomed tyme out of mind to serve upon the border under the direction commendment and appointment of the officer of the said barony'.[5]

Quite clearly, border service was not confined to customary tenants but was expected of freeholders as well. In short, the simple equation of northern customary tenure with border service is rendered erroneous by this admittance within a Crown Survey that border service was demanded of all tenants. Given this, the logical conclusion is that the dual meaning attached to the term 'tenant-right' suggested in Section 5.2.2, is in fact borne-out by the Gilsland evidence. Evidently, the Crown's interpretation of 'tenant-right' encompassed all tenants

and referred specifically to the performance of border service: the local meaning was only attributable to customary tenure itself, that is, tenancy at the will of the lord according to manorial custom.[6] As will become apparent, the great 'tenant-right' disputes themselves were to revolve around substantiating this point in court of law.

5.3: The 'Tenant-Right' disputes in the North-west, 1603-1625

In the previous section late 16th century interpretations of the term 'tenant-right' were clarified. In this section it is shown that the events of 1603 brought about a complete political change which was to have momentous implications for the status of northern customary tenure in general. Discussion divides into two main sections. The first looks at the new political situation created by the Union of the Crowns and what this meant in terms of the dual level interpretation of 'tenant-right' (5.3.1). The second takes two examples of specific 'tenant-right' disputes to illustrate a major point - that the central issue within these individual landlord - tenant disputes became to differentiate between manorial and crown interpretations of 'tenant-right' (5.3.2, 5.3.3). At all times the links back to the rules which constituted 16th century substantive structure are made explicit.

5.3.1: State and aristocracy in the North-west, 1603-1625: the implications for 'tenant-right'

The accession of James VI of Scotland to the English throne in 1603 initiated a chain of events which were to have profound implications for many of the customary tenants of Northern England. They were so because the entire issue of border service was eliminated at a stroke: the four northern counties were no longer border marches but were regarded henceforward as 'The Middle Shire', an overall unit under the

direction of the Border Commissioner, initially George, Earl of Dunbar.[7] Their political standing had been transformed almost overnight from frontier province to a position which James was later to refer to as the 'umbellick' between England and Scotland.

The implications for northern customary tenure are clear: with border service invalidated the term 'tenant-right' was devoid of meaning at the national level. In the Crown's eyes, northern customary tenants no longer had any right to their estates and, in July 1620, James issued the following proclamation confirming this view,

> 'Though tenant rights or customary estates of inheritance are abolished since the Union, yet certain tenants have combined to sue their landlords for it. All lands where such claims are made are to be let by Indenture only and not otherwise. No entry is to be made in a court roll of an estate of Tenant Right, or cusomarie estate pretended for border service. Suits of equity may be filed against unreasonable landlords'.[8]

The whole question of customary tenure was now openly threatened: the issue of border service had been used to attack the very heart of northern customary tenure itself.

Moreover, the proclamation did not merely attack customary tenure per se. It did far more than this, demanding the replacement of all customary tenures with leasehold tenure: one of Brenner's central prerequisites for the transition towards agrarian capitalism is thus introduced into the arena of landlord - tenant relations in the North.[9] Furthermore, what James's proclamation clearly did, via the stated extinction of 'tenant-right' and customary tenure, was to attempt to invalidate the entire basis of late 16th century landlord - tenant relations in this area. With the imposition of leasehold tenure, the rules framing landlord - tenant interaction would have changed

completely: in place of a situation in which tenant ownership of the means of production existed in all but name would have been substituted a set of tenurial circumstances in which land ownership - both theoretical and practical - was vested in the landlord.[10] This then is the depth to which the 'tenant-right' struggle reached. It threatened ultimately to alter the entire contextual situation of North-west agrarian organisation from its traditional condition to one more favourable to landlord than tenant.

More traditional interpretations of James's proclamation have focussed upon the financial advantages accruing to landlords from leasehold, as opposed to customary tenure, rather than upon the changes in social structure which this threatened to bring about.[11] In place of the low rents and 'reasonable fines' (4.5.2) associated with customary tenure, it is argued that leasehold conditions - involving the payment of large irregular fines - offered landlords the opportunity to adjust for any losses they had incurred as a result of inflation, particularly during the 16th century (Stone, 1967, 143-54). Of course, it is not difficult to agree with such arguments in principle. Looking for the moment from the landlord's perspective, the potential financial advantages of leasehold tenure over customary tenure must have been obvious. Whether these advantages materialised, however, very much depended upon the specific leasing policies adopted by the individual landlords concerned.[12] The Crown, as a landowner in the North-west, stood to gain from this as much as any other major landowner but whether we should see the 1620 proclamation simply as an attempt to exploit a changing political situation for pure financial gain is more open to question.

Not only can these traditional, 'finance-based' interpretations be criticised for failing to appreciate the full implications of the 'tenant-right' disputes in terms of the complete landlord - tenant

relationship, but they ignore another important, contextual point, namely that the 16th and 17th centuries were centuries of absolutism and absolutist monarchy.

Following Anderson (1974), absolutism in general can be defined as,

> 'a redeployed and recharged apparatus of feudal domination, designed to clamp the peasant masses back into their traditional social position - despite and against the gains they had won by the widespread commutation of dues'. (p18)

Within this, the state is seen as functioning as,

> 'the new political carapace of a threatened nobility'.[3] (p18)

Set against this background, James's anti 'tenant-right' proclamation becomes far more meaningful. Together with other proclamations concerning law and order in the North,[14] it emerges as part of a political and economic alliance with the northern nobility, designed to tip the balance of landlord - tenant relations away from the latter to the former. To be more explicit, Reinmuth (1970) identifies a power vacuum in the social composition of border society at the beginning of the 17th century (cf. Newton, 1974). The disappearance of the great border families of Dacre, Percy and Neville,[15] he argues, left the Stuart monarchy with the problem of a politically separatist zone bereft of its natural leaders,[16] a situation conducive to total chaos. That this did not occur he sees as the result of two combined actions:- the introduction of noblemen from other areas (for instance, the Earl of Dunbar) and the elevation of members of the gentry to noble rank.

Reinmuth only goes on to consider the first of these options in any detail, concentrating primarily on the political influence exercised by these individuals.[17] However, for both the introduction of noblemen from other areas and the elevation of the gentry to noble rank, there

had to be more incentive than the possibility of some influence in the government of the North. Some financial 'carrot' had to be provided to persuade noblemen to accept estates in the North, whilst the gentry, in order to rise to the rank of nobility, had to find a way of increasing their financial income to a level commensurate with their new found status. It is suggested therefore that James's proclamation of 1620 may best be interpreted not just as a personal financial ploy, but as an example of state intervention designed first, to aid, abett and support a new northern nobility in their attempts to exploit a changed political situation for their financial benefit, and, secondly, to upset the traditional landlord - tenant inter-dependence in favour of an alliance between Crown and landlords. This second point particularly, accords with Anderson's interpretation of absolutism. The alliance between Crown and nobility in the North-west in the early part of the 17th century can be seen both as an attempt to re-assert the traditional theoretical relationship between landlord and tenant and to stifle what - by the 16th century - had become its practical interpretation: Crown and nobility were aligning together in order to re-inforce the traditional feudal balance of class forces.

In the following two sections two specific examples of the ensuing 'tenant-right' disputes are considered.

5.3.2: Landlord v. Tenant: The Kendal 'tenant-right' dispute

Straightforward chronological accounts of the 'tenant-right' dispute in the Barony of Kendal are fairly commonplace (Bouch and Jones, 1961; Graham, 1934; Watts, 1971) thus there is little need to identify more than the salient features of its actual course through the courts.[18] Instead, attention is focussed quite deliberately upon the focal issues of the dispute and particularly upon the tenant's defence of the existing

landlord - tenant relations within the Barony.

Initially, the dispute concerned only crown tenants in the fee of Richmond and Marquis, with Charles, Prince of Wales, bringing a suit in Chancery in 1618-19 against his tenants, claiming that the end of border service had invalidated their customs. As Nicholson and Burn (I, 51-2) and Watts (1971, 74-5) point out,

> 'The result was a compromise. In exchange for £2700, Lord Chancellor Bacon and later King James confirmed the tenant's customary estates of inheritance to them and their heirs respectively, commonly called tenant-right, according to the custom of the Barony of Kendal'.

Subsequent disputes concerned non-royal tenants and it is these which we will consider in some detail.

That the tenants themselves were aware of the threat posed to existing relations by James's proclamation is a fact which is quite easily demonstrated. In January 1621 a large number of customary tenants assembled at Staveley Church and drew up a document entitled,

> 'Reasons alleged by the commoners of Westmorland why their customarie hold by tenant-right according to the custom of their severall manors or lordships: are not destroied by taking away of Border Service'.[19]

Although the document itself does not survive, this title suggests clearly that its main purpose was to prove the validity of local interpretations of 'tenant-right' or customary tenure. Not surprisingly therefore, the focal issue of the entire dispute became to establish beyond question the tenantry's right to customary estates of inheritance.

Humphrey Bell, for example, declared that he held a customary messuage or tenement from Sir Philip Musgrave,

> 'by paienge the yearly rent of 22/9 and by payment of reasonable fine upon the death of the lord and change of tenant by death or alienation and by doinge

> and performing of such customary rites and services as are due to the lord of the said manor according to the ancient custome of the said manor'.[20]

No mention is made of border service: instead, the emphasis is plainly on establishing local custom as the basis of tenurial arrangements.

Additional submissions go further than this. Martin Gilpin, the steward of Sir James Bellingham, not only makes the same point as Humphrey Bell, in stating that the tenants held customary estates of inheritance 'according to the severall customs of the severall manors', but adds,

> 'The tenants within the said Barony of Kendal have had and enjoyed their severall customarie tenements especially for and in respect of their customarie rents, fines, heriots and other customarie duties but not especially in respect of border service; And he further saith that soe manie of the customarie tenants of the lands of Sir James Bellingham... were not admitted for anie border service, nor anie mention made of border service'.[21]

A similar opinion underlines John Robertson's declaration,

> '... he or those from whom he claimeth his said customary estate... claime their estates... as tenants or tenant will only. (not) that he or they had their estates granted unto him or them... forand in respect of any service as in and by ye said information is termed or called by the name of border service, or that he or they were at anie time tied to that service in respect of his or theire said customarie estate'.[22]

Thus the questions,

> 'Have the tenants within the Barony... enjoyed their said customary estates... for and in respect of their rents, fynes, heriots and other duties payed and... for and in respect of service done upon the borders... and were the said tenants entered into the court rolls and admitted tenants... upon any such terms... as to have and to hold for service done upon the borders or...

> were they admitted to have and to hold according to the customs of the severall manors without mentioning service upon the borders',[23]

all had quite definite answers. The Kendal tenants had stated, and could support with documentary evidence, the fact that they held customary estates of inheritance according to local customs which had nothing whatsoever to do with the question of border service.

More than this, they were even able to suggest that they exercised the right to sell these estates. John Preston, for example, states that,

> 'he now remembereth above 20 severall conveyances made between tenant and tenant within this 17 or 18 years last within the Barony of Kendal wherein the tenants have passed their severall estates one to another'.[24]

Small wonder that in June 1625 Justice Hobart and the other judges in Star Chamber announced that,

> '... the estates of the tenants are estates of inheritance at the will of the lord, descendable from ancestor to heir, according to the severall customs of the severall manors whereof they are holden... And though it be true that these tenants did border service in former times; yet we are of opinion upon all that we have seen, that the border service was no speciall part of their services reserved, or in respect of the tenure of their lands, but a duty and readiness required of them to tend those occasions, as the lords themselves and all other freeholders, great and small, of the whole country did and ought to do, by virtue of their allegiances and subjection; not by order and direction of their lords, but of the lord warden of those parts. Neither was there ever any mention of their border service in their admittances or other entries touching the said estates; and we think fit that for ever hereafter there be no mention of 'tenant-right' or border service in any admittances or other writings or incidents of this kind, but a perpetual

> oblivion made thereof according to the meaning and prescription of his majesty's proclamation in that behalf'.[25]

The Kendal tenant's claim to hold their estates as customary estates of inheritance had been upheld and any pretentions to regarding border service as the basis of this tenurial situation had been removed. Existing landlord - tenant relations had been confirmed.

5.3.3: Landlord v. Tenant: the Gilsland 'Tenant-Right' case

Other tenants were not as successful. In 1610 the Exchequer declared that the Crown tenants of Irthington, West Farlam, Aldbyfield, Ainstable, Dacre, Glassonby, Blackhill, Lazonby and Stuthill,

> 'shall forever herafter be excluded and debarred from their said pretended rights and titles claymed by tenant-right. And henceforth... shall relinquish and give over their said pretended tenant-right by leases of their said tenements from the Kings majesty ... (the) said tenants of the said manors as between this and 5 December next ensuing will take leases or lease of their severall tenements for term of 40 years...'[26]

In the same year Lord William Howard managed to persuade the tenants of Triermain to sign the following,

> 'May it please your Honor, we whose names are under-written are content freely to yield and give over all challenge of tenant-right, beseeching your Honour to be so good as to let us have our tenements by lease for such number of years as our heires shall have no cause to say that wee are unnaturall parents. And in so doing wee are content that your Honour shall enhance our rents at your Honour's pleasure, according to equite and the goodness of our said tenements'.[27]

Tenant reaction to these developments was predictable. The Gilsland tenants assembled at Gelt Bridge[28] in 1611 and thereafter the

dispute was conducted in Chancery and Star Chamber.

Again the main aim was to prove the distinction between customary estates of inheritance and border service. Robert Hetherington, for instance, claimed to hold his customary estate for,

> 'the payment of the said yearlie rent and accustomed fines at the change of the lorde and tenant thereof by death or by alienation of the tenant thereof and by doing service therefore due and accustomed'.[29]

In addition, the same defendent made explicit that his was a customarie estate of inheritance,

> 'About the month of February last past... this defendants said father dyed... the customarie estate of the said tenant with the appurtenances did discend and come to this defendant. By virtue whereof this defendant did quietlye enter into said tenement and hath ever since occupied and enjoyed the same'.[30]

However, what the tenants claimed and what they were able to support with documentary evidence were obviously two entirely different things. In 1616 the Star Chamber judges declared,

> '... upon the full and deliberate hearing of which cause it appeared to this Honourable court that the said Honourable complainant (Lord William Howard) having in times past purchased of the late Queen Elizabeth the Barony of Gilsland... and the tenants therof clayming and pleading a customarie estate of Tenant right for doeing service upon the Borders of Scotland, which pleaded custome beinge by decrees and orders in the Chauncery adjudged to be voide in lawe, most of the Tenants did therefor submitt themselves and many others were willing to take new estates therof from the nowe complainant, who offered the saime unto them upon reasonable and honourable conciousness'.[31]

The Gilsland tenants had failed in their attempt to defend existing landlord - tenant relations, and their leaders, Thomas Salkeld, John

Dacre, John Hodgshon and Christopher Pell - were committed to Fleet Prison.[32]

5.4: Conclusions

By way of conclusion four points can be made, all of which relate to the overall themes pursued in this thesis.

First, as has been shown, the fundamental political changes which occurred in 1603 initiated a series of events which issued an overt challenge to the existing set of landlord - tenant relations. No longer a frontier province, the North was envisaged as the Middle Shire between England and Scotland. Furthermore, a combination of an absolutist monarch and a north devoid of its natural aristocracy, brought about a situation which necessitated the introduction of financial incentives in order both to attract a new pro-monarchist aristocracy into the area, and, to elevate members of the gentry to this status. The Crown's interpretation of 'tenant-right' offered just such an opportunity: estate revenues could be increased if the tenurial status of customary tenants could be invalidated and their customary tenure replaced with leasehold tenancies (5.2; 5.3.1). Moreover, what this represented, quite clearly, was not just an attack on customary tenure per se, but a threat to the existing balance of class forces and to the practical interpretation of landlord - tenant relations in the North in particular. Quite simply, the imposition of leasehold tenure meant both a re-assertion of the theoretical principle of the landlord's ownership of land and tenants possession and - at the same time - an extension of this principle, such that the revenue demanded from the tenantry in return for their occupation of land became strictly negotiable. If the tenant failed to comply with the conditions

determined by his landlord, as stipulated in his lease, he faced - at least theoretically - the prospect of eviction.[33] Tenant proprietorship of land in such circumstances was no longer even a practical reality.

The second of the four concluding points relates to the specific 'tenant-right' cases discussed above (5.3.2; 5.3.3). These demonstrated that the challenge to existing landlord - tenant relations was at times successful, at times not. However, what both cases also reveal is the close links between substantive structure (the institutional rules of the estate) and interaction structure (in this case, the conflict between landlords and tenants). Not only were these conflicts played out between the two major social groups (classes) defined by the institutional rules of the estate - landlords and tenants - but the issue at stake in the disputes themselves was proof of either the theoretical or practical level interpretations of these rules, that is, substantive structure (5.3.2, 5.3.3; cf. 4.5.2). If the practical level interpretation could be substantiated using estate or manorial documents (and particularly court rolls) then the reality of tenant proprietorship was confirmed. Contrastingly, if this position could not be proven, existing tenant possession of land could be reduced to straightforward occupation through the imposition of leasehold tenure.

A third point relates to Giddens's structurationist programme (3.3). That the tenantry themselves were well aware of the full implications of their changing situation is obvious enough, given the ferocity of the 'tenant-right' disputes. As Christopher Carle says, in the Cilsland dispute,

> '... the complainant (Lord William Howard) intended to dispossess the said tenants, their wives and children and to send them a-begging, and to place strangers upon their tenements'.[34]

This alone is sufficient to suggest that, far from being 'cultural dupes', ignorant of changes in structural circumstances and unable to counteract them effectively, the customary tenants of the North-west were very much aware of both the network of rules defining their situation and the effect which political changes could have on these rules. Furthermore, when this network was challenged openly - as it was in the early 17th century - they united in defence of it. Their success, as we have seen, varied, being entirely dependent upon documentary proof of their exact status and good legal advice.[35] This of course, is a situation which is entirely sympathetic with one of Giddens's major concerns: to show that individuals and social groups are not simply prisoners of their structural circumstances but that they are, instead, extremely conscious of these (1.2; 3.3.3). Moreover, the 'tenant-right' disputes themselves connect closely with another of Giddens's central concepts - the <u>duality of structure</u>. As we have seen, not only did the institutional rules of the Kendal and Gilsland estates provide the framework for the 'tenant-right' disputes themselves, but these same rules were either reproduced or changed in the course of the disputes.

Fourthly - and finally - we can revert to Brenner's arguments regarding the transition towards agrarian capitalism. If the occurrence of leasehold tenure is to be taken as an important pre-requisite in the emergence of capitalist relations in the countryside then, as a result of the differing verdicts obtained in the early 17th century disputes, we should expect differential development of agrarian capitalism within individual estates in North-west England. In the following two chapters we look at the development of these relations within the Gilsland estate: an area in which the landlord - tenant relations which prevailed during the 16th century were successfully challenged in the early 17th

century, and an area, therefore, where we would anticipate the earlier development of capitalist farming.[36]

CHAPTER SIX: INTERACTION STRUCTURE: THE EMERGENCE OF THE LEASEHOLD SECTOR: GILSLAND 1603 - 1828

6.1: Introduction

Three themes are explored in this chapter. The first of these relates to one of the central conclusions of the previous chapter and considers the degree to which the 'tenant-right' disputes of the early 17th century effected a change in the 16th century social structure of the Gilsland estate (4.5.2; 5.3; 5.4). In particular it is the question 'To what extent was a leasehold sector created overnight following the verdict of the 'tenant-right' case?' which initiates discussion and which forms the subject-matter of Section 6.2.

Following this, attention is switched to an analysis of the development of the leasehold sector in Gilsland during the 17th and 18th centuries (Section 6.3). This constitutes a second theme and an assessment of part of Brenner's (1976, 1977, 1982) arguments regarding the transition towards agrarian capitalism (3.2.2; 3.3.3).

What emerges from this - as before - is not just the somewhat questionable merits of Brenner's arguments in the context of North-west England (4.5.2), but the exceptional importance of the institutional rules and customs associated with the Gilsland estate, and which bound and defined landlord - tenant relations within this estate (4.5.2; 5.3; 5.4). Indeed - as will become evident in Section 6.3 - an account of the emergence of the leasehold sector in Gilsland which failed to take into account these institutional rules would be far from complete. Thus, whilst primarily an assessment of some of Brenner's statements on the emergence of agrarian capitalism, this chapter also has strong links back to some of the overall themes of this thesis.

Most notable of these is the value of adopting a structurationist

approach to the entire problem of the transition towards agrarian capitalism. This comprises the third and final theme of this chapter. As with the last chapter, interpretation of the material considered here is given added depth by an approach which recognises the importance of the contextual circumstances within which interaction between landlords and tenants occurred (that is, the link between substantive structure and interaction structure). In addition, this approach enables us to appreciate that changes in these contextual circumstances often occurred in the course of interaction; itself defined by and brought about by the very set of rules which constituted contextual circumstances. Such ideas form the core of Giddens's central concept of the duality of structure (1976, 1977, 1979), and it is this concept which sits at the heart of this chapter.

Discussion - as before - is focussed mainly upon the Gilsland estate; while this maintains continuity with the previous chapter, supplementary material from other estates in North-west England is used for comparative purposes.

6.2: The emergence of a leasehold sector: Gilsland, 1603 - 1828

To what extent then was a leasehold sector created overnight following the verdicts of individual 'tenant-right' cases? The conclusions reached in the Gilsland 'tenant-right' dispute suggest that leasehold estates were to be brought into being virtually immediately and, concomitantly, that customary estates were to be abolished (5.2; 5.3.3). But was this in fact the case? In this section this question is examined using material covering the Gilsland estate.

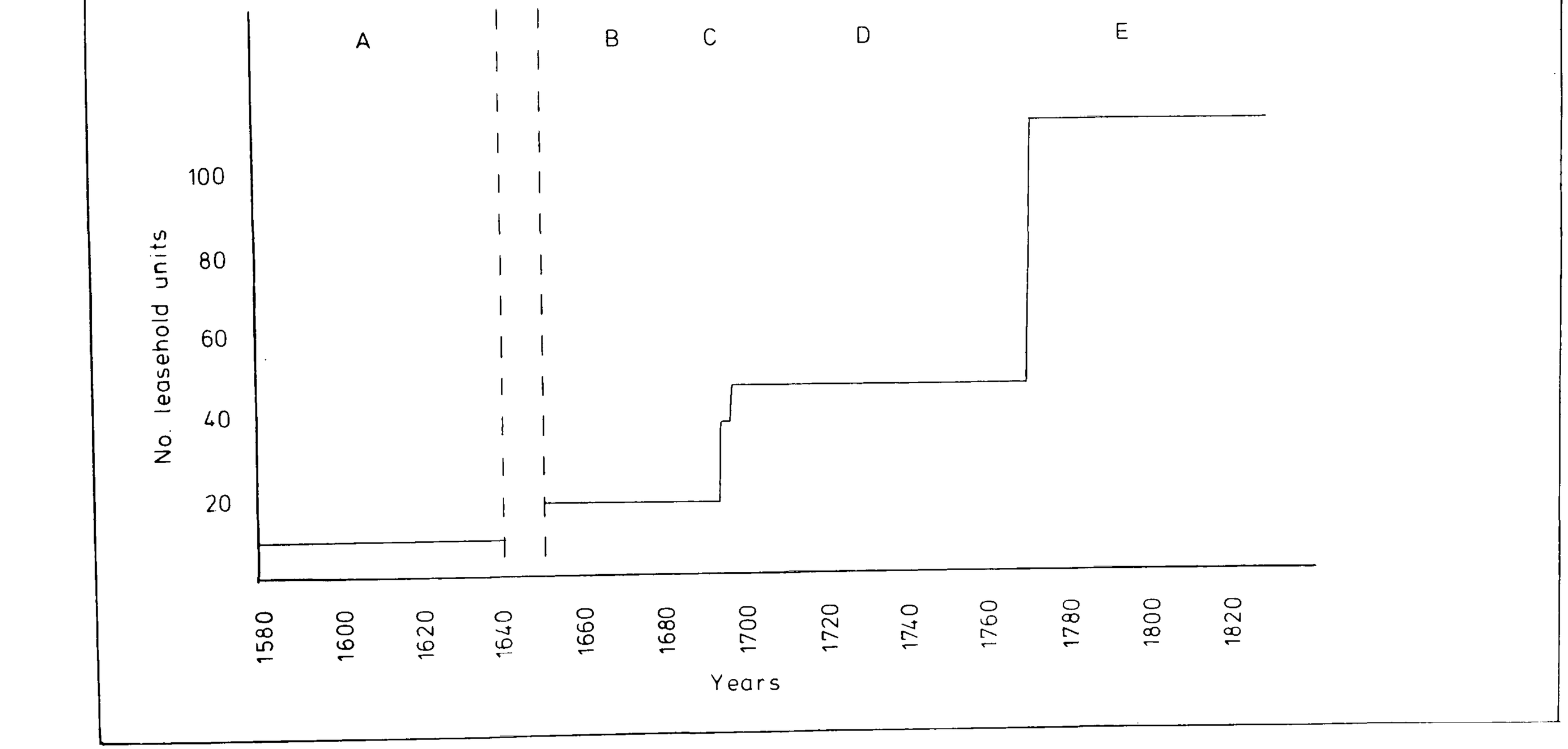
The answer to this question is fundamentally simple: leasehold estates were not introduced immediately following the 'tenant-right'

verdict and customary estates were not abolished. This much is borne out in Figure 6.1, in which there is no change in the number of leasehold units within the Gilsland estate between the years 1588 and 1634.[1] In fact, it is not until the mid 17th century that an increase of any kind occurs. This date is well beyond that at which we would expect any alterations reflective of the verdict of the 'tenant-right' case itself (1625) to manifest themselves. Thus it seems fair to conclude that the latter had a distinctly minimal effect upon the social structure of the Gilsland estate. Far from introducing a major structural change in the organisation of agrarian society - as threatened - the Gilsland 'tenant-right' dispute had been totally ineffective: the social structure of 1634 remained essentially that of the late 16th century estate, with customary tenure dominant as before.

This conclusion raises two immediate questions. First, 'Did a leasehold sector develop within the Gilsland estate?' and, secondly, 'Why was the verdict of the 'tenant-right' dispute ultimately unsuccessful?'. The first of these questions is considered in this section; the second is examined in Section 6.4.

That a leasehold sector did develop in Gilsland is certain. Table 6.1, constructed from a survey of 1828,[2] shows clearly the presence of a sizeable percentage of leasehold land within the individual manors which comprised the Gilsland estate (50.4 per cent in total, (Appendix 6.1)). In four of these manors - Askerton, Upper Denton, Brampton and Farlam - the percentage of leasehold land exceeds 50 per cent of the manorial acreage, the values recorded being 71.4 per cent, 59.8 per cent, 58.6 per cent and 62.1 per cent respectively. In contrast, other manors yield extremely small values - Laversdale (0.9 per cent), Hayton (1 per cent) and Cumrew (6.4 per cent) being

FIGURE 6.1 : NUMBER OF LEASEHOLD UNITS : 1588 - 1828



prime examples. A somewhat fuller picture of the situation c.1828 is conveyed in Figure 6.2, wherein the broad distinction between the southern end of the estate - where the percentage of leasehold land is small - and the remainder - where moderate or large values are recorded - is immediately apparent.

The importance of this spatial pattern will become clearer in Section 6.3, in which the actual mechanisms associated with the emergence of the leasehold sector within the Gilsland estate are discussed in detail. For the moment, however, attention is focussed on the growth of this sector in strictly numerical terms.

Obviously, the situation presented in Table 6.1 and Figure 6.2 did not appear overnight. It had to be the outcome of a long term process (or several long term processes), certain aspects of which are apparent in Figure 6.1. Two points emerge from this diagram. First, the main period of expansion in the number of leasehold units occurred between 1770 and 1828, during which time the number of leasehold units virtually doubled. Secondly, from the late 17th to mid 18th centuries the increase in leasehold units was an extremely gradual process.

The central problem in the following section is to illustrate the processes behind these two phases which characterise the emergence and expansion of the leasehold sector in Gilsland.

6.3: The Gilsland leasehold sector: processes of emergence 1603 - 1828

In Figure 6.3 the six main methods by which it was possible to transfer land from customary to leasehold sectors are summarised.[3] A basic distinction is made here between those processes which operated within the framework provided by the existing set of rules defining landlord - tenant relations within Gilsland (those mechanisms on the

FIGURE 6 2: PERCENTAGE LEASEHOLD ACREAGE BY MANOR: GILSLAND, 1828

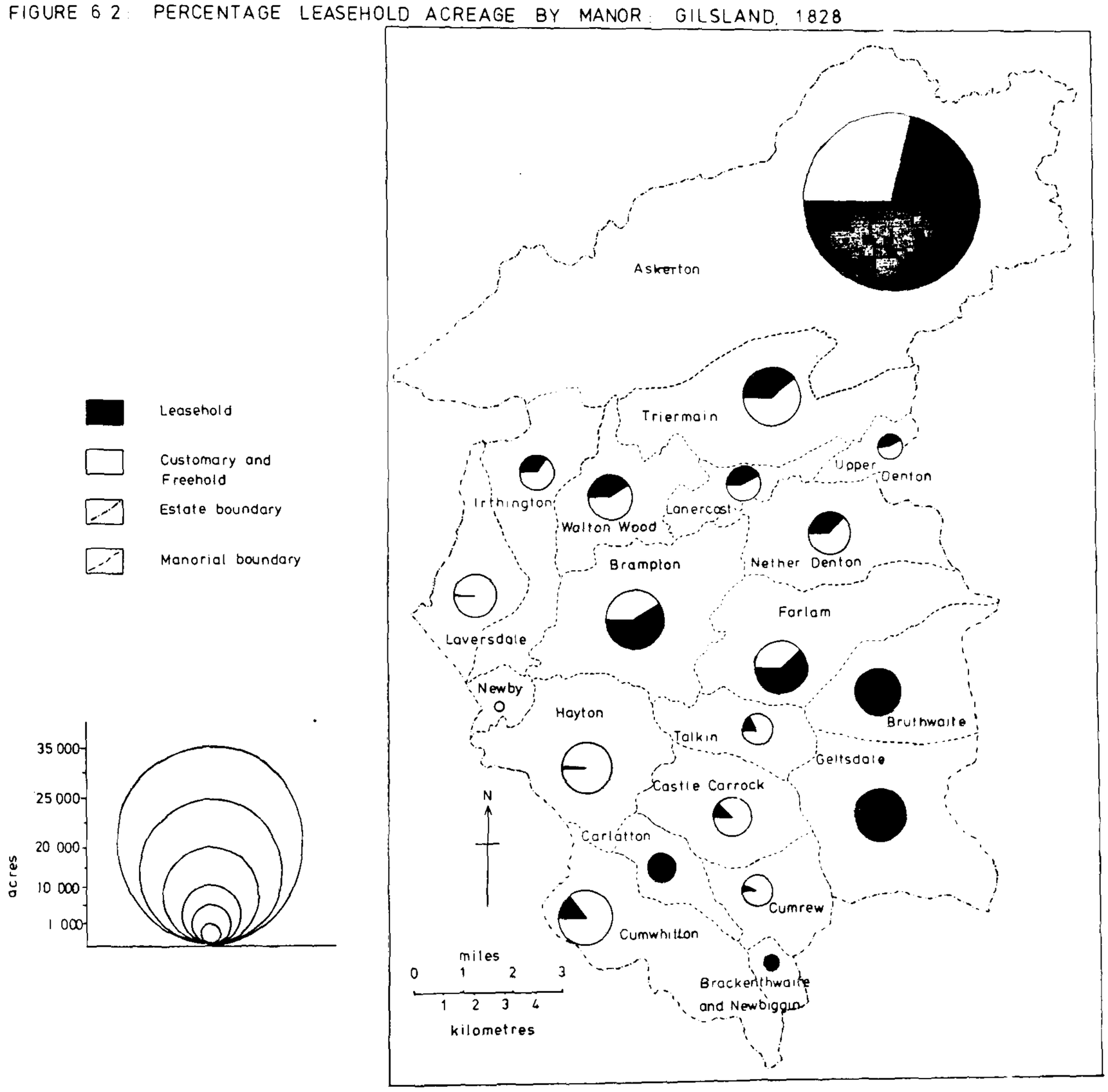


FIGURE 6.3: METHODS OF LEASEHOLD FARM CREATION

LEGAL	ILLEGAL
EVICTION	DEMESNE LEASING
MANIPULATION OF FINES	PURCHASE OF CUSTOMARY LAND
	FAILURE OF PEASANT INHERITANCE
	CREATION OF FARMS FROM WASTE

Table 6.1: Leasehold and Tenant Acreages: Gilsland, 1828

Manor	Leasehold Acreage	ha	Tenant (Customary & freehold) Acreage	ha	% Leasehold	% Customary & freehold	Total Acreage	ha
Askerton	22216	8997	8897	3644	71.4	28.6	31113	12601
Triermain	2462	997	4620	1871	34.8	65.2	7082	2868
Upper Denton	703	285	472	191	59.8	40.2	1175	476
Nether Denton	1806	731	3018	1222	37.4	62.6	4824	1954
Lanerton	1029	417	1400	567	42.4	57.6	2429	984
Walton Wood	586	237	851	345	40.8	59.2	1437	582
Brampton	3684	1492	2606	1055	58.6	41.4	6290	2547
Farlam	3310	1340	2018	817	62.1	37.9	5328	2158
Bruthwaite	4923	1994	-	-	100.0	-	4923	1994
Geltsdale	5137	2080	-	-	100.0	-	5137	2080
Irthington	1011	409	1910	773	34.6	65.4	2921	1183
Laversdale	34	14	3648	1477	0.9	99.1	3682	1491
Newby	-	-	782	317	0	100.0	482	195
Hayton	59	24	4690	1899	1.2	98.8	5019	2033
Talkin	441	177	2110	854	17.3	82.7	2551	1033
Castle Carrock	392	159	2740	1110	12.5	87.5	3132	1264
Cumrew	160	65	2330	944	6.4	93.6	2490	1008
Carlatton	1393	564	-	-	100.0	-	1393	564
Cumwhitton	851	345	4900	1984	14.8	85.2	5751	2329
Brackenthwaite & Newbiggin	1	0.4	580	235	0.02	99.98	581	235
Corby	-	-	17050	6905	-	100.0	17050	6905

Source: D P/D H of N C 201/24-25.

left hand side of the diagram) and those which openly challenged these (those on the right). Both legitimate and illegitimate processes are examined in this section and from this two points emerge. First, Brenner's arguments regarding the means by which expansion in the leasehold sector occurred at the expense of the customary sector are shown to be erroneous, at least for this particular area of North-east Cumbria. Secondly, and very much following up one of the major themes of this thesis, both the emergence and expansion of the leasehold sector within Gilsland are seen to occur within the bounds permitted by the contextual situation described at length in Section 4.5.2. As before with the 'tenant-right' dispute, interaction between landlord and tenants is demonstrated to be heavily influenced by the specific set of rules associated with the institution of the Gilsland estate.

Discussion divides into five sub-sections. In Sections 6.3.1 and 6.3.2, Brenner's arguments regarding eviction and the exploitation of the fine system are given due consideration.[4] Following this, the practices of demesne leasing (6.3.3), the purchase of customary land (6.3.4) and the creation of leasehold farms from former areas of common pasture and/or waste (6.3.5) are all considered.

6.3.1: Eviction

Appleby (1975), Beckett (1975), Brenner (1976), Hill (1967) and Stone (1967) are just a few of those who mention the potential importance of eviction to the creation of a sizeable leasehold sector within individual estates. However, as far as the Gilsland estate is concerned, the case is quite straightforward. In spite of the fears expressed by tenants in the 'tenant-right' case itself (5.4), no evidence has been found to suggest that this process occurred in this area, at least during the period in question. In this respect then we may both concur

with and extend the comments of Appleby (1975, 582), who states,

> 'Individual tenants were evicted from time to time, of course, for non-payment of rents or fines, or for felony, but, with the exception of Thomas Lord Wharton's eviction of a number of tenants at Ravenstonedale to create a park, there is no evidence that entire groups of tenants were dispossessed during the 16th century in Cumberland and Westmorland'.[5]

Not only was this the situation in the 16th century; apparently it was also the norm for Gilsland during the 17th century.

Such findings, of course, shed considerable light on the Tawney - Kerridge debate on this issue. Certainly, in view of the above, parts of Tawney's arguments - most notably that part relating to the development of agrarian capitalism via large scale eviction - appear grossly inaccurate. Eviction, quite clearly, was not a commonly adopted ploy in this area. Kerridge (1969) takes this whole argument further. Querying Tawney (1912) completely, he sees the question of eviction as intricately bound up with the customary tenant's security of tenure, and, in particular, with the degree to which a copyholder - or customary tenant - could obtain protection from the courts when threatened with eviction (1969, 65). In comparison to Tawney - who saw this as a situation which only developed in the course of the 16th century - Kerridge maintains (pp 68-74) that the customary tenant, having recourse to both customary and common law, had considerable security of tenure against eviction from the medieval period onwards (cf. 5.2).

This is an important argument, and one which the Gilsland evidence appears to confirm. Furthermore, it is an argument which attests to the importance of recognising the contextual circumstances within which landlord - tenant interaction occurred. Without doubt, as 'tenants at will according to the custom of the manor',[6] the Gilsland tenants - notwithstanding the 'tenant-right' case which went

against them - would have been protected by both customary and common law. It would, therefore, have been extremely difficult for the Howard family to have implemented, and successfully carried out, a policy of widespread eviction, regardless of its undoubted economic attractions.

The reasons lying behind the lack of eviction in Gilsland - and in other areas of North-west England - then are probably not, as Appleby (1975) argues, solely economic,[7] but are, instead, reflective of the traditional context framing landlord - tenant interaction.

6.3.2: Exploitation of the fine system

In contrast to straightforward eviction, the manipulation of the fine system provided a more indirect means by which landlords were able to exert pressure on their tenantry. This was often to such a degree that,

> 'The lord could... force copyholders to surrender their copies and take leases at higher rents and lower fines'. (Stone, 1967, 146)

Brenner (1976, 62-3), too, stresses the importance of this process, particularly in relation to the development of a leasehold sector within individual estates. In addition, Appleby (1975), considering the situation in the North-west in general, suggests that lords were able,

> 'To set the fines at whatever level (they) wished subject only to the vague requirement that they be reasonable'. (p 583)

Furthermore, the same author maintains (p 583) that,

> '... during the course of the 16th century private landlords demanded progressively greater fines of their tenants',

although whether this led to the vacation of customary holdings and

their transfer to the leasehold sector is left unclear. This section considers the validity of these remarks in the context of the Gilsland estate and, for comparison, the Hutton John estate in Westmorland.

As far as the Gilsland estate is concerned, Appleby's contentions can be seen to be inaccurate. As Table 6.2 indicates, fine levels for the late 16th century were not, as he claims, excessive: 80.25 per cent of the sample of 112 fines covering the entire estate fall between two and three and a half times the annual customary rent (cf. 4.5.2).[8] By the 18th century fines were being assessed apparently in relation to the yearly value of the tenement, not its ancient rent, but again these fines do not seem to have been excessive. For instance, in 1731, 80 per cent of descent fines[9] were assessed at one and a half times the yearly value of each customary unit, 82 per cent of purchase fines at one and a half times the yearly value and 81 per cent of mortgage fines[10] at between 0.7 and 0.77 of the yearly value (Table 6.3). Such consistency in both cases suggests that, far from being set at random, as Appleby maintains, fine levels were calculated according to established procedures. Further confirmation of this argument, of a negative kind, is obtained from Table 6.4, which attests to the lack of correspondence between fines, and ancient rents (a relationship which varies from 22 to 2400 times the ancient rent)[11] and from the scattergrams of Figure 6.4 which show this situation graphically.

Three conclusions can be drawn from this analysis. First random manipulation of the fine system did not occur on the Gilsland estate. Secondly, fine levels were, as Kerridge (1969) has argued, 'reasonable' in both the 16th and 18th centuries. Thirdly, and finally, it is extremely unlikely therefore that the fine system was used as a mechanism to transfer land from the customary to leasehold sectors, at least in this individual case.[12]

Table 6.2: Fine levels: Gilsland, 1579

Manor	Customary Rent	Fine	Rent:Fine Ratio
Cumwhitton	20/10	62/6	1:3
"	20/-	60/-	1:3
"	5/-	15/-	1:3
"	4d	20d	1:5
"	5/10	27/6	1:4.7
"	5/10	17/6	1:3
"	6/-	18/-	1:3
"	8d	2/-	1:3
"	2/8	8/10	1:3.25
"	4/-	30/10	1:7.7
"	5/-	15/-	1:3
"	5/-	15/3	1:3.05
"	5/-	15/-	1:3
"	5/-	15/-	1:3
"	5/-	15/-	1:3
"	5/8	17/1	1:3.01
"	4/-	12/-	1:3
"	12d	3/-	1:3
"	13d	2/-	1:1.85
"	3/8	11/-	1:3
"	12d	3/-	1:3
"	6/8	20/-	1:3
"	5d	15d	1:3
"	4d	12d	1:3
"	16d	4/-	1:3
"	2/8	8/-	1:3
"	11/2	33/6	1:2.98
"	7/8	23/-	1:3
"	7/8	23/-	1:3
"	4/2	12/6	1:3
"	9/4	28/-	1:3
"	7/8	13/-	1:1.69
"	8/-	23/-	1:2.87
"	5/-	15/-	1:3

Table 6.2 cont:

Cumwhitton	5/-	15/-	1:3
"	6/11	20/-	1:2.89
"	10/-	30/-	1:3
"	4d	12d	1:3
Castle Carrock	13/-	33/4	1:2.56
"	10/-	40/-	1:4
"	6/-	13/4	1:2.2
"	6/8	20/-	1:3
"	6/8	20/-	1:3
"	10/-	20/-	1:2
"	3/4	10/-	1:3
"	12/-	13/4	1:1.11
"	12d	3/-	1:3
"	10/-	30/-	1:3
"	10/-	20/-	1:2
"	2/2	10/-	1:4.61
"	5/-	20/-	1:4
"	9/-	20/-	1:2.22
"	6d	2/-	1:4
"	4d	12d	1:3
"	5/-	20/-	1:4
Cumrew	3/6	20/-	1:6
"	3/6	20/-	1:6
"	2/3	10/-	1:4.4
"	2/6	-	-
"	2/6	13/4	1:5.3
"	5/-	20/-	1:4
"	10/-	26/8	1:2.66
"	15/-	30/-	1:2
"	5/-	10/-	1:2
"	4/-	12/-	1:3
"	6/-	13/4	1:2.2
"	3/11	13/4	1:3.4
"	4/2	16/8	1:4
"	5/8	20/-	1:3.53
"	4d	12d	1:3
Talkin	18/8	37/4	1:2
"	4/-	10/-	1:2.5

Table 6.2 cont:

Talkin	6/8	13/4	1:2
"	7/8	20/-	1:2.6
"	12/4	100/-	1:8.1
"	6/8	20/-	1:3
"	13/4	40/-	1:3
"	7/4	20/-	1:2.73
"	5/-	13/4	1:2.66
"	3/8	10/-	1:2.72
"	3/6	10/-	1:2.86
"	5/-	13/4	1:2.66
"	4/10	13/4	1:2.76
"	8/-	24/-	1:3
Hayton	5/-	20/-	1:4
"	5/-	20/-	1:4
"	12d	5/-	1:5
"	6d	2/-	1:4
"	7d	3/4	1:5.71
"	8d	12d	1:1.5
"	11/6	30/-	1:2.83
"	8/9	20/-	1:2.96
"	8/4	20/-	1:2.4
"	4/-	20/-	1:5
"	8/2	20/-	1:2.5
"	11/6	20/-	1:1.74
"	2d	4d	1:2
"	6/-	20/-	1:3.33
E. Farlam	4/4	13/4	1:3.08
"	3/6	10/-	1:2.72
"	5/4	13/4	1:2.5
"	3/4	10/-	1:3
"	10/-	20/-	1:2
"	4/4	13/4	1:3.08
"	6/8	20/-	1:3
"	2/-	6/-	1:3
"	6d	18d	1:3

Table 6.2 cont:

E. Farlam	6d	18d	1:3
"	6d	18d	1:3
"	6d	18d	1:3
"	6/8	20/-	1:3
"	6/8	20/-	1:3
"	6/-	20/-	1:3

Source: CH.MS. F1/9/2 (1579).
n = 112

FIGURE 6.4a: RELATIONSHIP BETWEEN YEARLY VALUE AND FINES (1731)

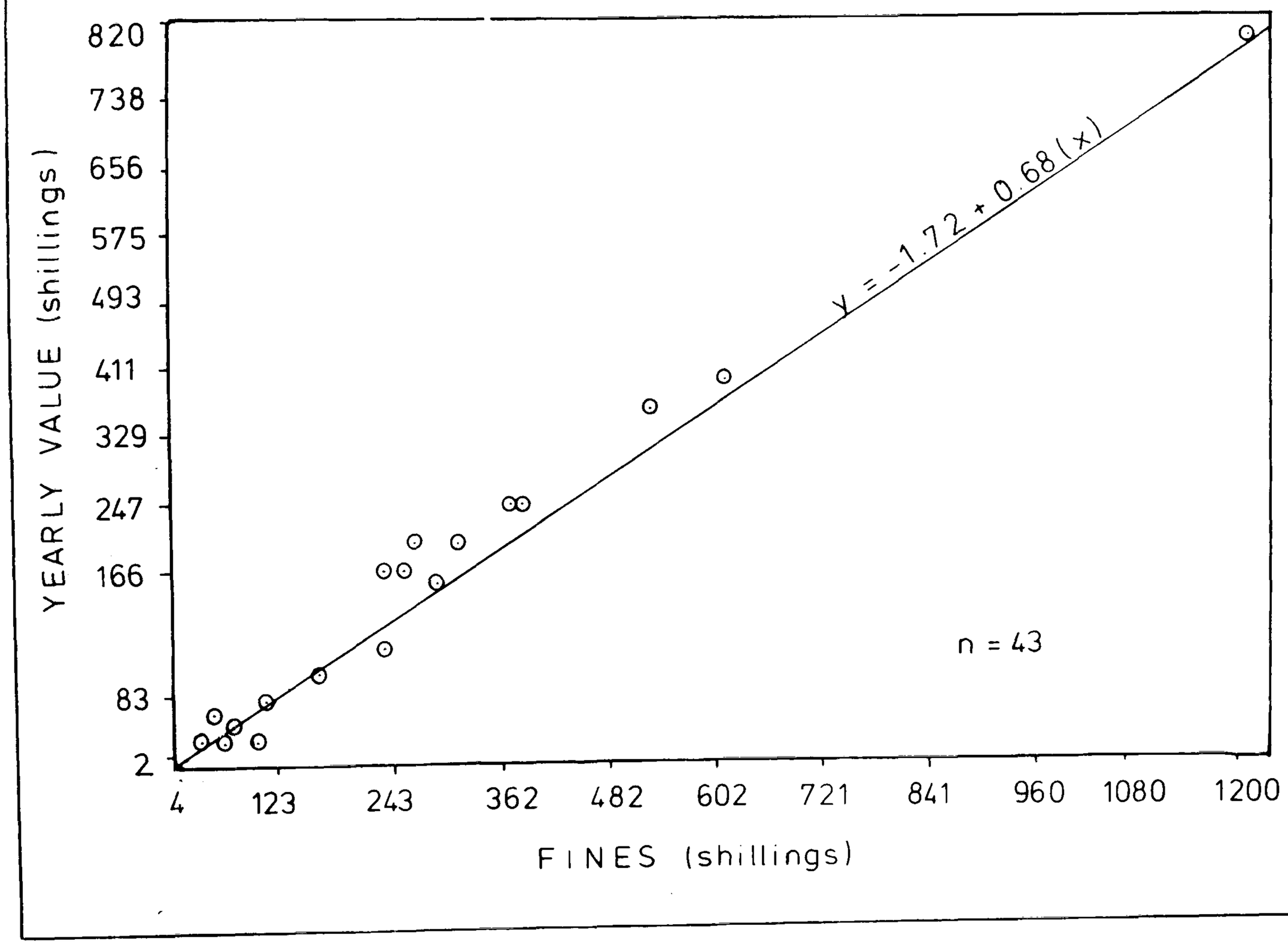


FIGURE 6.4b: RELATIONSHIP BETWEEN YEARLY VALUE AND FINES (1731)

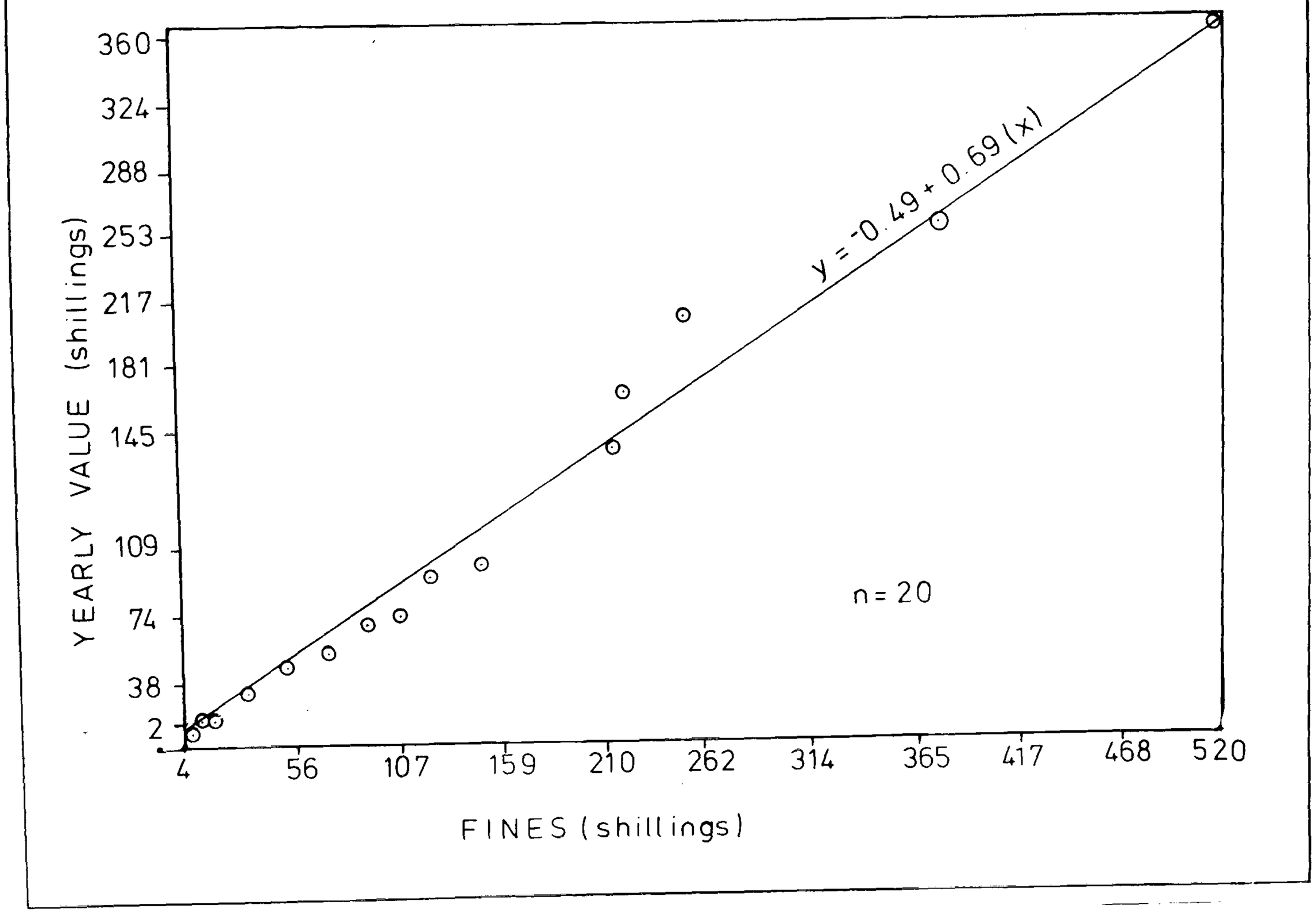


FIGURE 6.4c: RELATIONSHIP BETWEEN ANCIENT RENTS AND FINES (1755)

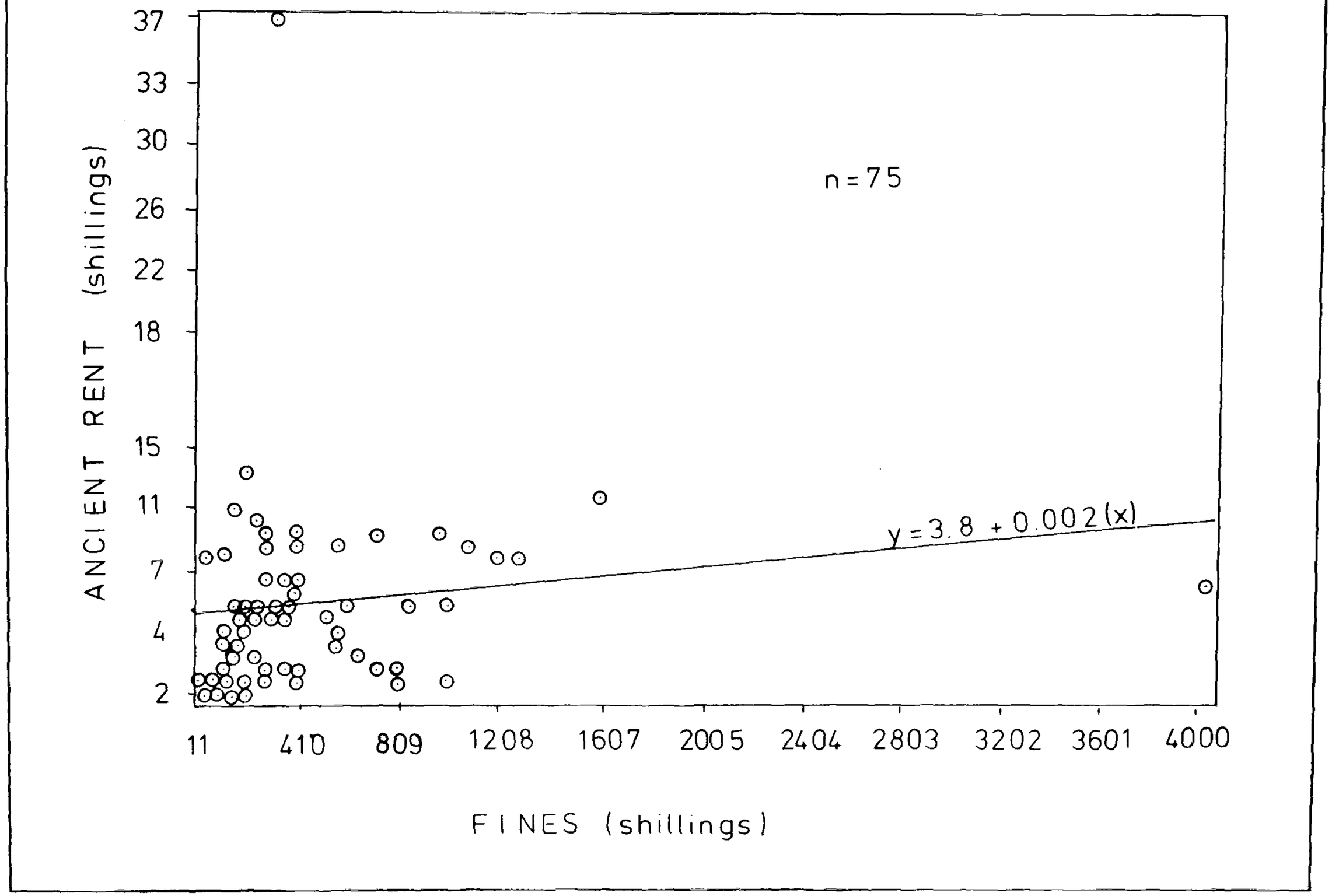


Table 6.3: Descent and Alienation Fines for the Barony of Gilsland: 1731

Manor		Ancient rent	Yearly value (x)	Fine (y)	y/x
Brampton	(p)	6d	10/-	15/-	1.5
"	(p)	6d	£ 2 7/-	£ 3 10/-	1.5
"	(m)	10d	£ 1	16/-	0.8
"	(d)	8/-	£12 10/-	£19	1.5
"	(m)	3/10	£ 6	£ 4 10/-	0.75
"	(d)	6d	10/-	15/-	1.5
"	(m)	16/10	£23 10/-	£17 12/6	0.75
"	(d)	5d	£ 3 10/-	£ 5 5/-	1.5
"	(m)	1d	6/-	10/-	1.6
"	(m)	6d	£ 1 10/-	£ 1	0.6
"	(m)	4d	£ 4 10/-	£ 3 10/-	0.77
"	(p)	2d	£ 1 15/-	£ 2 12/6	1.5
"	(m)	6/8	£16	£12 7/-	0.77
Cumwhitton	(p)	4/5	£ 4 15/-	£ 7 10/-	1.5
"	(d)	1/9	£ 1	£ 1 10/-	1.5
Cumrew	(p)	4d	7/-	10/6	1.5
Castle Carrock	(p)	1/-	£ 1	£ 1 9/-	1.45
Denton	(d)	5/-	£ 8	£11	1.4
"	(m)	3/4	£ 6	£ 9	1.5
"	(p)	7/2	£ 6 10/-	£10 17/6	1.5
Farlam	(m)	10/-	£18	£13 10/-	0.75
"	(m)	3/2	£ 5	£ 3 10/-	0.7
Farlam	(d)	1/-	£ 4 10/-	£ 6 5/-	1.4
"	(d)	1/-	£10	£15	1.5
"	(p)	10/-	£20	£30	1.5
"	(p)	6d	2/-	5/-	1.5
"	(m)	6d	15/-	11/6	0.7
Hayton	(m)	4d	£ 6 10/-	£ 4 15/-	0.7
"	(m)	1/-	£ 2	£ 1 10/-	0.75
"	(d)	2d	3/-	4/6	1.5
"	(p)	3/-	£ 3	£ 4 10/-	1.5
"	(m)	2/-	£ 3	£ 2 2/-	0.7
Irthington	(p)	6/8	£18	£27 17/6	1.5
"	(d)	3/-	£18	£26 10/-	1.5
"	(m)	10/-	£ 7 10/-	£ 5 10/-	0.7
"	(d)	10/-	£ 7 10/-	£10 15/-	1.4
"	(p)	1/4	£ 7	£10 10/-	1.5
"	(d)	6/8	£10	£15	1.5
Laversdale	(m)	1/-	£ 7	£ 5 5/-	0.75
"	(p)	1/-	£ 7	£11	1.5
"	(p)	4d	5/-	10/-	2.0
"	(p)	5d	£ 4	£ 7	1.75
"	(p)	1/6	£ 4	£ 5 15/-	1.4
"	(p)	4d	6/-	10/6	1.75

Table 6.3: continued

Manor		Ancient rent	Yearly value (x)	Fine (y)	$\frac{y}{x}$
Laversdale	(p)	4d	6/-	9/-	1.5
"	(d)	1/6	£20	£30	1.5
"	(d)	18/2	£41	£60	1.5
Talkin	(p)	2/-	£ 2 7/-	£ 3 10/6	1.5
"	(p)	2/8	£ 3 10/-	£ 5 5/-	1.5
"	(p)	2/6	£ 2 8/-	£ 3 12/-	1.5
"	(p)	10d	£ 1 3/-	£ 1 15/-	1.5
"	(m)	1/-	11/-	8/-	0.73
"	(p)	6/8	£ 8	£12	1.5
Triermain	(m)	6d	£ 1 8/-	£ 1	0.7
"	(p)	3/6	£ 4 10/-	£ 6 15/-	1.5
"	(m)	7/-	£ 8	£ 6	0.75
"	(d)	8/2	£12	£18	1.5
"	(d)	4d	5/-	7/6	1.5
"	(p)	1/9	£ 4	£ 6	1.5
"	(m)	5/11	£ 8	£ 6	0.75
Walton Wood	(p)	2d	13/-	£ 1	1.5
" "	(m)	4d	£ 2 5/-	£ 1 7/6	0.43
" "	(d)	4d	£ 2 5/-	£ 3 7/6	1.5

Source: D. P/D. H of N C660.

p = purchase fines) Alienation fines
m = mortgage fines)
d = descent fines
n = 63

Table 6.4: Descent and Alienation Fines for the Barony of Gilsland: 1755

Manor		Ancient rent (x)	Fine (y)	y/x	Manor		Ancient rent (x)	Fine (y)	y/x	Manor		Ancient rent (x)	Fine (y)	y/x
Brampton	(d)	3/4	£ 7	42	Irthington	(d)	9/8	£16 10/0	34	Hayton	(d)	5/-	£8 10/-	34
"	(p)	1/6	£18	240	"	(d)	8/-	£18 10/-	46	"	(p)	4/9	£6 10/-	28
"	(m)	1/4	£12 15/-	191	"	(d)	1/-	£ 1 6/-	26	"	(p)	8/7	£11	26
"	(p)	1/8	£ 5 7/-	110	"	(d)	6/6	£49	150	"	(p)	1/6	£ 4 10/-	60
"	(p)	2/-	£11 10/-	170	"	(d)	4/8	£17	73	"	(p)	6d	11/-	22
"	(d)	4d	£ 4 10/-	270	"	(d)	1/9	£ 9	103	"	(d)	2/6	£ 3	24
"	(d)	10d	£18	432	"	(d)	10/4	£17	33	"	(d)	2/8	£ 9 10/-	71
"	(p)	3d	£ 3 15/-	300	"	(d)	5/-	£11	44	"	(p)	5d	£ 1 19/-	70
"	(d)	4d	£ 6 10/-	390	Laversdale	(d)	9/-	£48	106	"	(p)	6d	£ 1 10/-	60
"	(d)	1/2	£13 10/-	231	"	(d)	1/3	£18 10/-	296	"	(p)	10d	£ 4	96
"	(p)	6d	£ 1 19/-	78	"	(d)	1/3	£38 10/-	616	"	(d)	5/2	£14	54
"	(m)	4/6	£24	106	"	(d)	7/-	£34	97	"	(p)	4d	£1 7/-	81
"	(p)	2/8	£11	82	Hayton and Newby	(p)	8/8	£13 2/-	30	"	(p)	4d	£ 1 7/-	81
"	(d)	4d	£ 6 19/-	417	Askerton	(d)	7/-	£52	148	"	(d)	3/-	£ 5	33
"	(d)	5d	£ 1 14/-	81	"	(d)	£1 17/-	£200	108	"	(d)	8d	£ 2 18/-	87
"	(d)	5d	£ 1 14/-	81	"	(d)	1/-	£14	4800	"	(p)	8d	£ 3 8/-	102
Farlam	(d)	8/-	£50	125	"	(d)	8/-	£38 10/-	95	"	(d)	1d	15/-	180
Talkin	(d)	9/10	£34	69	"	(p)	3/8	£59	321	Cumwhitton	(d)	5/8	£18	63
Ne. Denton	(d)	5/-	£16	64	Troddermaine	(d)	5/-	£26	104	"	(d)	5/1	£11 5/-	44
"	(d)	4/6	£16	71	"	(d)	5/-	£28	112	"	(d)	2/6	£ 6 10/-	52
Upp. Denton	(d)	6/8	£18	77	"	(d)	8/-	£40	100	"	(p)	2/6	£ 6 10/-	52
Irthington	(d)	11/8	£79	135	"	(p)	13/4	£63	94	"	(d)	4/-	£ 5 10/-	27

Table 6.4: continued

Manor		Ancient rent (x)	Fine (y)	y/x
Castle Carrock	(d)	9/-	£26	57
" "	(d)	11/6	£26 10/-	46
" "	(d)	3/4	£ 6	36
" "	(d)	10/-	£13	26
Cumrew	(p)	5/-	£ 9	36
"	(d)	9/-	£12 10/-	27
"	(d)	4/2	£14	57
"	(d)	3/8	£ 8 10/-	46
"	(d)	1/6	£ 4 4/-	56
"	(d)	1/6	£ 7	93

Source: D. P/D. H of N C660.

d = descent fine
p = purchase (alienation) fine
n = 76

In Hutton John the situation was somewhat different. Despite a custom of 'reasonable' fines set at four times the ancient rent,[13] the tenants of Hutton John were subjected to a protracted dispute over fine levels which continued throughout the 17th and 18th centuries. Many of the claims made in the course of these disputes may, of course, have been somewhat exaggerated but their validity - at least in a general sense - cannot be doubted. Thus, in 1654, the tenants claimed in the Court of the Exchequer that Joseph Huddleston had demanded 'exacting, unreasonable fines', together with 'unaccustomed services and duties unwarranted by the said custom of the said manor'.[14] In defence, Huddleston maintained that the tenants were merely 'tenants at will without any rights of custom', which position was apparently upheld even though the tenants insisted upon having,

> '... customary estates of inheritance, descendable from ancestor to heir in their tenement according to custom paying several yearly rents and reasonable arbitrary fines on death or change of tenant and heriots'.[15]

Notwithstanding this, a similar dispute occurred in the 18th century, where Andrew Huddleston was accused of charging his tenants 'over and above 4d fine every 3 years' (1728).[16]

Whether, in fact, the Huddlestons used this policy of financial manipulation for anything other than financial gain it is difficult to say, although we do have some evidence to suggest that eviction may have followed the failure to pay these excessive fines. Andrew Huddleston, for example, is stated to

> '(have) expected arbitrary and excessive fines (and) by quartering his soldiers under his command and other high oppressions had totally ruined and underdone the complainants, their children and families and endeavoured to overthrow their customary estates and expelled many of the said tenants from their lands and

tenements in forcible and violent manner'.[17]

Whether any of these claimed evictions actually occurred, and, if they did, whether they resulted in the transfer of former customary land to the leasehold sector, it is impossible to say without further detailed research.

The conclusions which can be drawn from this are two-fold. First, in terms of Brenner's arguments regarding the transition towards agrarian capitalism, it is quite evident that, in at least one of the cases considered here, landlords did not manipulate the fine system in order to rid themselves of their customary tenants and replace them with leaseholders. In another, the protracted nature of the disputes between the Huddlestons and the customary tenants of Hutton John suggests that - whilst the fine system itself was undoubtedly exploited, this exploitation was, almost certainly, primarily for financial purposes and not for the creation of leasehold farms. Thus while Brenner's case may have a degree of general validity attached to it at a national scale, it is important to stress that individual examples do query the overall soundness of his generalisations.

A second point relates back to our major theme in this chapter which stresses the importance of the contextual circumstances within which landlord - tenant interaction occurred. Reverting, for the moment, back to the Gilsland estate and to the institutional rules associated with it, we can see that the fine system itself was but one small part of this. The rules of custom bound landlord and tenant to a 'reasonable' level of fines, a position which could be supported by ample evidence in court of law (cf. Kerridge, 1969). Any attempt by the Howard family to levy 'unreasonable' fines, could, therefore, be short-circuited in the common law courts. In contrast, what we can infer from the long running Hutton John dispute, is that these

tenants, unlike their counterparts in Gilsland, had insufficient proof of the exact status of their fines to withstand cross-examination in law. In fact, as has been argued, the term 'reasonable arbitrary fines' contained within it, if not an element of contradition certainly a degree of ambiguity: it is by no means unlikely that the tenants of Hutton John were trying to defend a situation which was flatly contradicted by all the documentary evidence at their disposal.

If any wider generalisation may be made from this it is that the ability to make changes of a far reaching nature was dependent upon the degree to which those customs and rules comprising the existing structure of landlord - tenant relations had been thoroughly, accurately and indisputably documented. Furthermore, whilst the fine system may have been used to create leasehold units from former customary land in some areas - as Brenner has argued - we can suggest that the cases in which this occurred may have been those in which a fixed fine system did not figure in the network of rules defining landlord - tenant interaction. An examination of such cases in the light of their wider contextual circumstances would seem desirable.

In the following sections we consider the process of the emergence and expansion of the leasehold sector within the Gilsland estate. It will be shown how this process occurred within the bounds of the contextual situation described in Section 4.5.2.

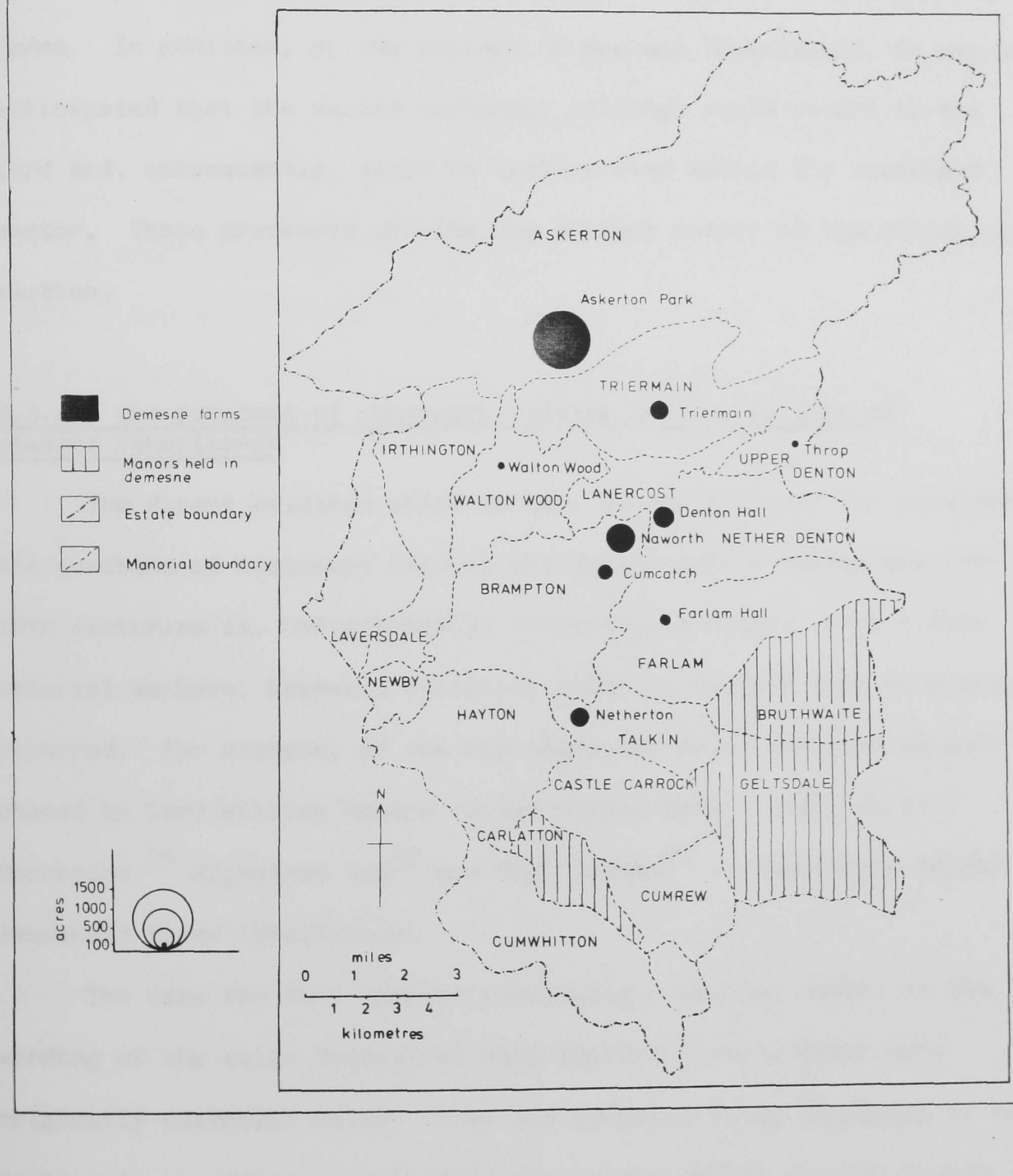
6.3.3: Demesne - leasing

The process of demesne-leasing can be dealt with fairly quickly. Taking the period 1588 - 1634 as a starting point, it becomes apparent, through comparison of late medieval documentary evidence with that from the 16th century,[18] that the first leasehold farms within Gilsland were the former demesne farms of individual manors. Thus Farlam Hall,

Askerton, Naworth, Cumcatch, Denton Hall, Netherton and Triermain (the leasehold units of the period 1588 - 1634) were the demesne farms associated with the manors of Farlam, Askerton, Brampton (2), Denton, Talkin and Triermain respectively in the medieval centuries (Figure 6.5). This, in itself, is not unusual and the process of demesne-leasing is a well documented one, needing little elaboration here (see, for instance, Bean, 1968; Du Boulay, 1966; Finberg, 1951; Hatcher, 1970; Hilton, 1969; Lomas, 1978).

Instead, what does need to be emphasised is the connection between demesne-leasing and the existing structure of landlord - tenant relations, particularly since this offers one possible explanation for why ex-demesne farms became the first leasehold units within the estate. In Gilsland, and much of North-west England, the landlord was faced with a situation in which the customary tenantry regulated the agricultural activity of the customary sector: control over this sector - and the agricultural production within it - was vested in the institution of the 'community' (4.5.1). Furthermore, as we have seen, the institution of the estate, which defined landlord - tenant relations, gave landlords only limited rights over the customary tenantry of Gilsland (4.5.2). No matter that the Howard family held all of Gilsland in a theoretical sense, the practical realities of landlord - tenant relations meant that the tenants were free to pass on and exchange the land which they occupied. This created a definite barrier to the expansion of the leasehold sector during the 16th century. To convert customary estates to leasehold would have meant short-circuiting the rights of inheritance and exchange. It would also have meant a protracted legal dispute between landlord and tenants which - as the whole 'tenant-right' dispute suggests, may well have been ineffective for the landlord in any practical sense. Thus, the

FIGURE 6.5: DEMESNE FARMS: 1603



only farms which could be leased without threatening the balance of existing landlord - tenant relations were those already within the demesne sector.

Equally, however, the customary sector was not totally sacrosanct. Existing landlord - tenant relations did permit lords to purchase customary estates which could, in turn, be converted into leasehold farms. In addition, on the failure of peasant inheritance, it may be anticipated that the vacant customary holdings would revert to the lord and, consequently, could be incorporated within the leasehold sector. These processes provide the subject matter of the following section.

6.3.4: The purchase of customary estates and the failure of peasant inheritance

The direct evidence which we have at our disposal for considering the purchase of customary land by the Howard family during the 17th and 18th centuries is, unfortunately, distinctly minimal. What little material we have, however, certainly seems to suggest that this process occurred. For example, of the six customary units recorded as purchased by Lord William Howard in the period 1608 - 1640, three - Spadeadam,[19] Highstead Ash[20] and High Grains[21] - undoubtedly became leasehold farms immediately.

The case for this appears convincing. Without doubt, as the wording of the sales themselves make explicit, these farms were originally customary units: they are referred to as messuages or tenements and, in addition, the rent paid by the tenant of High Grains is obviously customary, being 2d per annum.[22] Furthermore, their incorporation into the leasehold sector is made quite plain; all three farms appearing as leasehold units in the next comprehensive account of leasehold farms in Gilsland, dated 1694.[23]

Whilst it could be argued that the date of this account is too far removed from that of the sale of the tenements to provide firm evidence in support of this argument, it is equally the case that nowhere in the rentals of customary tenants for the mid - to - late 17th century is there any reference to customary tenements called Spadeadam, High Grains or Highstead Ash.[24] Such negative, yet supportive, material upholds the argument that at least some of the gradual expansion of the leasehold sector which occurred during the 17th century in Gilsland was brought about through the purchase of customary land by the Howard family.

A similar argument applies to the later purchases of Fellend (1654)[25] and Nook (1756),[26] for which much the same supportive evidence exists as elaborated above. However, several purchases remain unaccounted for. Priorflatts,[27] Tenterbank[28] and Watchill[29] are recorded as being bought by the Howards during the period 1608 - 40, Craythorp and 'a parcell of land in Brampton during the late 17th century',[30] and Trough and 'a messuage in Brampton' in 1756'.[31] None of these appear in the later comprehensive accounts of leasehold farms within the Gilsland estate, yet neither do they re-appear in any of the customary rentals for the period post-dating their sale. While this is a problem, it does not seem unlikely that these ex-customary units may have been bought-up and then amalgamated into leasehold farms which had already been established. Certainly, such a process could account for both the purchase of small parcels of land and the disappearance of named customary farms.

The material discussed thus far concerns only the contraction in the customary sector achieved through the direct purchase of customary farms by the Howard family and their subsequent incorporation into the

leasehold sector. The failure of peasant inheritance is another process through which we might anticipate land to have been transferred from customary to leasehold sectors. Certainly, Brenner (1976) sees this as being of major importance,

> 'In this way a great deal of land was simply removed from the customary sector and added to the leasehold sector, thus thwarting in advance a possible evolution toward(s) (peasant) freehold, and substantially reducing the potential area of land for essentially peasant proprietorship'. (pp 61-2)

However, the validity of this argument does not appear to stand up in the Gilsland area of North-west England.

Table 6.5, based upon call roll books, records the stability in the numbers (expressed as percentages for comparative purposes) of customary tenants found within selected manors within the Gilsland estate over the period 1674 - 1740, the 1674 values being taken as 100 per cent.[32] The choice of manors reflects nothing more than an attempt to cover the northern (Askerton, Denton), central (Irthington, Farlam) and southern (Cumwhitton) areas of the estate. Assuming these percentages to be fairly accurate approximations of tenant numbers, it is evident that, at an extremely crude level, in the cases of Farlam, the Dentons and Askerton, overall contraction in tenant numbers has occurred, the largest being the 36.4 per cent associated with Farlam. In contrast, both Cumwhitton and Irthington register an overall increase in the numbers of customary tenants.

Such crude scale analysis, however, masks considerable periodic fluctuations. As may be seen in Table 6.5, few manors demonstrate a constant increase or decrease in the numbers of customary tenants; Irthington is the one exception. Instead, most reveal a pattern of considerable oscillation marked by years of contraction followed by years of expansion.[33] For instance, taking the example of Askerton,

Table 6.5: Customary tenant stability (percentage): Gilsland, 1674 - 1740

Manors	1674	1676	1677	1679	1684	1679	1702	1704	1714	1715/ 7	1718/ 9	1720/ 2	1723/ 4	1734	1735	1736	1737	1740
Farlam	100	100	100	100	100	104.5	104.5	100	100	100	122.7	118.2	118.2	86.4	77.3	77.3	63.6	63.6
Upper Denton	100	106.6	106.6	120	120	120	93.4	73.3	80	93.4	100	93.4	93.4	100	100	100	100	93.4
Nether Denton	100	100	87.5	87.5	91.7	91.7	91.7	75	70.8	100	100	112.5	91.7	91.7	91.7	91.7	91.7	91.7
Cumwhitton	100	102	104	98	108	108	106	124	88	102	102	100	92	112	112	112	112	112
Askerton	100	97.1	97.1	91.4	88.6	82.9	88.6	88.6	77.1	82.9	85.7	82.9	82.9	108.6	91.4	91.4	91.4	91.4
Irthington	100	109.1	109.1	109.1	109.1	104.5	109.1	109.1	118.2	109.1	122.7	122.7	127.3	127.3	127.3	127.3	127.3	127.3

Source: D.P/D. H of N C 180.

the years 1674 - 1714 appear to be ones of decreasing tenant numbers, those of 1715 - 40 years of moderate increase.

The manors in which overall contraction apparently occurs are, of course, those which are of particular interest here, for it may be the case that this contraction coincided with the vacation of a number of customary tenements which could, in turn, have been incorporated within the leasehold sector (Brenner, 1976). However, using the example of Askerton - and reverting to the basic data from which Table 6.5 was constructed (see Appendix 6.2), it is possible to see that the failure of inheritance did not result in the automatic transfer of land from customary to leasehold sectors. A tenement called Kirkcamock - apparently unoccupied between 1674 and 1684 - remained a customary holding although unoccupied. Similarly, Floweryhurst, in the occupation of Thomas Graham until 1679, was not occupied again until 1735, at which date it is recorded as being a customary unit in the hands of John Lennox.[34]

In contrast, within Farlam, customary units begin to disappear post 1723/4 and fail to re-appear, at least before 1740. Of these, only one - Bowbank - is recorded as being a definite leasehold farm in 1756;[35] although, if we may equate Beaconside with Brakenside, the number of customary to leasehold transfers increases to two.

The latter examples are the only illustrations of the process of incorporating vacant customary units within the leasehold sector to occur within the six sample manors. Of course, it is possible that other cases could exist in those manors excluded from consideration but evidence contained in Table 6.1 suggests otherwise. The manors chosen here, as well as being characteristic of different areas within the Gilsland estate, are also those which, by 1828, contained the greatest percentage acreages of leasehold land. It is, therefore,

within the areas covered by these manors that we would anticipate the process of appropriation of customary farm units to the leasehold sector to have occurred in most profusion. Furthermore, not only were these the manors in which sizeable areas of leasehold land were to appear, but they were also the areas of individually held, spatially compact customary farms (4.3.3). Such farms could be transferred to the leasehold sector fairly simply. They were not - like the farms within the manors of South Gilsland - characterised by common field agricultural practices; neither were they composed of scattered holdings - both features totally unsuited to the piecemeal expansion of leasehold farms. Instead, they could be converted into leasehold farms without effecting - or being closely effected by - adjacent farming activities.[36]

The fact that this process of incorporating former customary farms within the leasehold sector was not apparently common within these areas is also confirmed in Appendix 6.1.3, in which it is shown that only 17 leasehold farms (15.8 per cent of the leasehold sector) covering 7,808 acres (3,162 ha) originated in the customary sector. In addition, two further points can be made. First, regarding Brenner's arguments concerning the automatic appropriation of vacant customary units to the leasehold sector, we can see that this is a far from necessary link: vacant customary units were not always transferred to the leasehold sector within the Gilsland estate. A second point provides a possible explanation for this particular situation. There can be little doubt that, in general, Brenner is right to suggest that the failure of peasant inheritance offered landlords the opportunity to convert customary farms to leasehold: the difference with Gilsland is that an alternative source existed from which leasehold farms could quite easily be created. This was the extensive area of common pasture and waste and it is the creation of leasehold farms via the enclosure

of this resource which is considered in the following section.

Three points can be made to conclude this section. First, it has been shown that the Howard family undoubtedly purchased customary farms, much as the main body of customary tenants did (4.5.2). Moreover, the farms which they acquired in this manner certainly became part of the leasehold sector, either exactly as they had been when customary farms or as part of a new, amalgamated farm. This was accompanied by a second process, namely the small but detectable contraction of customary tenants and the amount of land within the customary sector. However, this contraction, at least insofar as it can be inferred from the appearance of vacant customary holdings, did not lead to the automatic transfer of such customary land to the leasehold sector. Unless purchased directly by the Howards, customary land remained customary land: the leasehold sector appears, in the main, to have been a completely separate creation. It is this process which is examined in the next section.

6.3.5: Piecemeal and Parliamentary Enclosure

The creation of leasehold farms through the enclosure of the commons and wastes in Gilsland occurred in two phases. Piecemeal enclosure was ubiquitous throughout the estate and, indeed throughout Cumbria during the 17th and 18th centuries (Bouch and Jones, 1961; Elliott, 1959, 1973; Graham, 1934): parliamentary enclosure occupied the period 1777 to 1821 (Charnley, 1974).

Not only do these stages coincide with what was happening elsewhere in Cumbria, but they are also broadly compatible with Hodgshon's (1979) work in Durham, in which two major periods of enclosure were detected. The first, occurring between 1630 and 1680, was characterised

by piecemeal enclosure; the second, covering the years 1750 to 1820, is primarily associated with parliamentary enclosure.[37]

This section considers both of these phases as they occurred in Gilsland in some detail. However, since parliamentary enclosure occurred, in the main, beyond the period of study of this thesis, comments on this issue are less extensive.

Piecemeal enclosure was a process carried out by landlord and tenantry alike - usually with a minimum of both conflict and official agreement - throughout the period of the 16th to 18th centuries. However, it was the 18th century, and particularly the 1730s onwards, which witnessed the major period of this activity by the Howard family and thus the initiation of one of the main phases of leasehold farm creation from the commons and waste. This is made clear in Appendix 6.1.3, in which phases D and E (covering the period 1696 - 1828) are dominated by the creation of leasehold farms from the commons and waste. 77.8 per cent of new leasehold farms created between 1696 and 1769 were formed in this way, 90.8 per cent of those created between 1770 and 1828.

Additional confirmation of this pattern of 18th century farm creation is provided by the regular appearance from this point onwards of assessments regarding 'the state of the commons in Gilsland', of which the following statement, referring to the case of Brampton is typical,

> 'there be 1800 acres of common of which 1500 may be clean of moss, one third of which the tenants are willing to give the lord'.[38]

Table 6.6 summarises these earliest assessments, along with those made in 1770, and compares them with the acreages of common recorded in 1603. Obviously, piecemeal enclosure during the 17th century occurred mainly in Askerton and Castle Carrock, where 570 and 475 acres (256 and 214 ha)

respectively were enclosed. However, judging from the 1770 figures, it would seem that the process of intaking and farm creation from the waste had not in fact proceeded much further by the late 18th century: acreages of common (excluding moss) - with the exception of Askerton, Farlam and Cumwhitton - are extremely similar in both 1737 and 1770.

This, in itself, is not only surprising but somewhat questionable, particularly since the estate correspondence between John Nowell - estate agent for the Howards c.1730 - 50 - and the Earl of Carlisle is littered with references to estate improvements and specifically enclosure from the waste. As early as 1731, Nowell writes,

> 'I shall take all ye care that I can to improve all your lordships estate to the best advantage I am able to do both here and in Northumberland and for which purpose shall lay a scheme before your lordship at my comeing up'.[39]

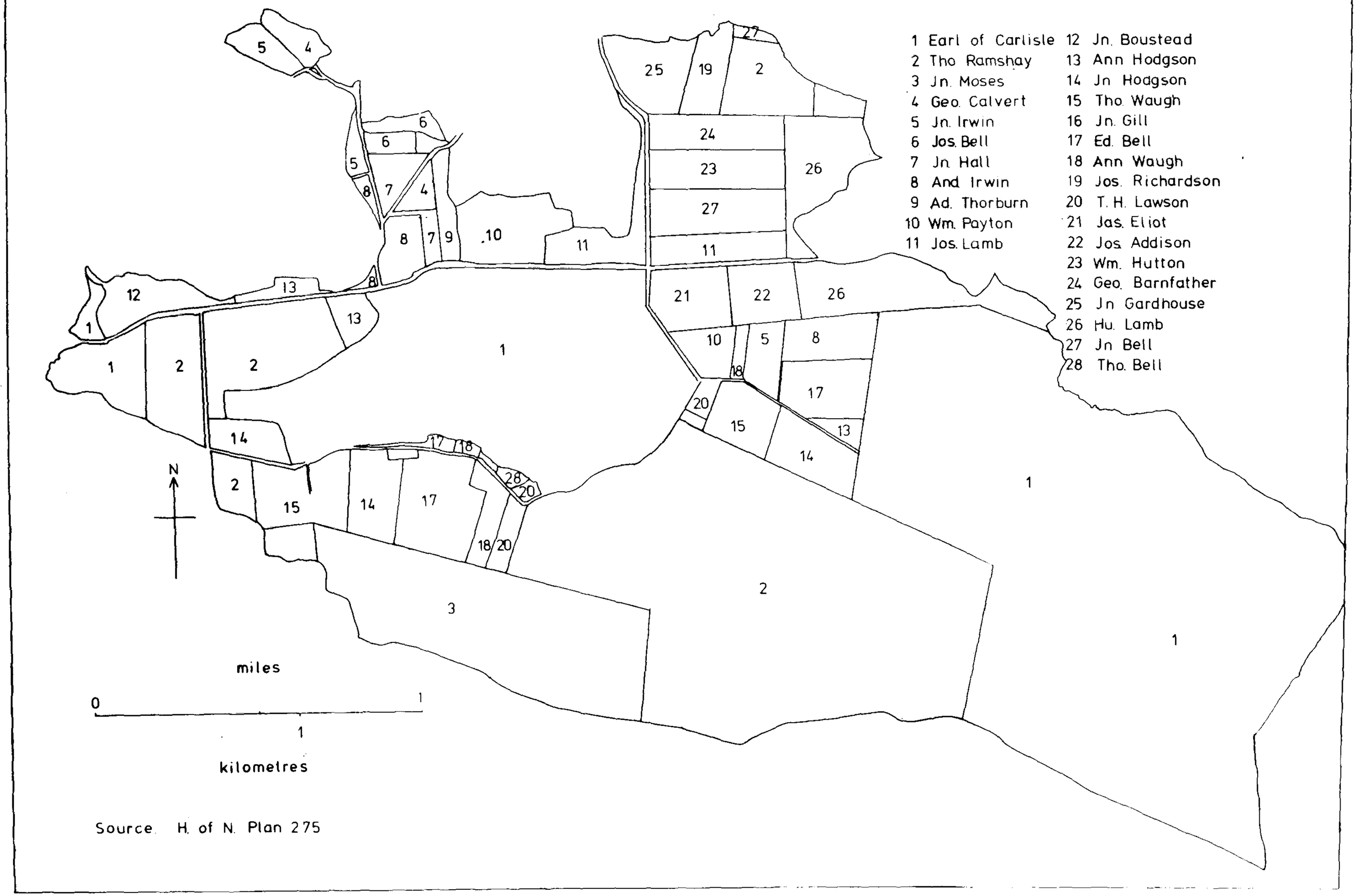
By 1734, Nowell is writing,

> '... The wastes before any other inclosure may be made must be fenced off from ye tenants which will cost a considerable sum... and if your lordship proposes to take ye wastes into your own hands publicacion must be made at Carlisle for stints to be taken in'.[40]

Later on, in 1756, reference is made to the raising of hedges and ditches at Spadeadam, 'inclosing a parcel of ground aforesaid at Spadeadam called Blackshaw Farm'.[41] The point is obvious: leasehold farms were created by enclosure from the waste prior to 1770 and not solely post 1770, as Table 6.6 may suggest.

Piecemeal enclosure of the waste, however, was not just a process carried out by the Howard family. In passing we can see that the tenantry also engaged in this activity. Figure 6.6, although showing primarily the division of Upper and Nether Denton following

FIGURE 6.6: ENCLOSURE, DENTON C18th



Source H. of N. Plan 275

Table 6.6: Common suitable for enclosure: Gilsland 1737 v 1770

	Common						Common, less moss			
	1603		1737		1770		1737		1770	
Manor	Acreage	ha	Acreage	ha	Acreage	ha	Acreage	ha	Acreage	ha
Brampton	1762	714	1800	810	?		1500	607	?	
Farlam	?		2985	1209	2200	891	2485	1006	1700	688
Irthington	-		1500	607	1505	609	1500	607	1205	488
Askerton*	6275	2541	5705	2310	3260	1320	3000	1215	2960	1199
Laversdale	1563	633	1500	607	1554	629	1500	607	1554	629
Triermain	4114	1666	4114	1666	4114	1666	3000	1215	3114	1261
Walton Wood	824	334	655	265	655	265	518	210	518	210
Cumwhitton	?		4218	1708	2507	1015	3500	1417	2000	810
Talkin	1390	563	1390	563	1390	563	Unimprovable			
Castle Carrock	1934	783	1459	591	1559	631	Unimprovable		400	162
Cumrew	1849	749	1800	810	1800	810	Unimprovable			
Denton	2936	1189	3212	1301	3100	1255	2200	891	1800	729
Hayton	3071	1244	?		'Commons mostly enclosed about 60 years ago'					
Ainstable	-		?		1200	486	?		800	324
Newby	-		?		?		?		400	162

Source: CH. MS. F1/5/16
D. P/D. H of N C565.

*This figure for Askerton does not include the acreage of Spadeadam Waste and the North Moor. The lord's share of these acreages amounted to one-third.

enclosure in 1800,[42] indicates that considerable encroachment by the tenantry had occurred on the common prior to official parliamentary enclosure. A similar process was obviously occurring in Tiermain prior to 1750, at which point an agreement was made between landlord and tenants to prosecute those tenants encroaching upon the common there.[43] Such examples, coupled with the illustrations of squatting given by Appleby (1975) and Charnley (1974) in Cumwhitton, indicate that the waste during the 17th and early 18th centuries was not just an area where leasehold farms could be created fairly easily. It was also an area where customary tenants could add land to their holdings and where those without a customary holding could manage to scrape an existence.

In contrast to piecemeal enclosure, parliamentary enclosure within the Gilsland estate occupied a fairly short duration of 45 years, beginning in the manors of Brampton and Farlam in 1777 and ending in Ainstable in 1821. This, however, was the only major dissimilarity between the two phases of enclosure. Both phases - but particularly parliamentary enclosure - were conducted through agreement between landlord and tenants; both involved sizeable but not total inputs of land into the leasehold sector. This we can see using the example of Farlam.

The importance of agreement is made abundantly clear in this case by Thomas Ramshay, the then estate agent,

'... if the common was to be divided by the yearly value Lord Carlisle would get near one half for his estate. The purvey for the whole parish is 6/6½d and my lord pays to the purvey 2/6 so, if the common is divided by the purvey, my lord will only have about 5/13 which is considerably short of ½ but the tenants say that Mr. Nowell divided the purvey... so

> if it was divided by the value this would cause a dispute; but if its divided by the purvey (which we think my lord had better agree to for we believe the tenants will not agree otherwise) my lord as lord of the manor and in right of his whole estate will get about ½ of the whole common'.[44]

Clearly, tradition - in the form of previous methods of division - exerted a considerable influence upon the eventual course of enclosure, hence the use of the purvey rate, as opposed to yearly value, in the final enclosure award which states,

> '... the said commissioners are hereby authorised and required to divide and apportion the allotments in respect of the said purvey between the proprietors of messuages... and in case there are any messuages, lands or tenements for which a purvey is not now nor ever has been paid... then the commissioners are authorised and required to allot unto their respective owners... such share of the said moss, commons and waste grounds as in their judgement shall be reasonable'.[45]

Parliamentary enclosure obviously involved agreement between landlord and tenant: it also involved a considerable input of land into the customary sector as well as into the leasehold sector. Whether the customary tenantry actually benefitted from this, in an economic sense, is a moot point. Charnley (1974, 112), considering the case of Cumwhitton, suggests that they did not. Noting the substantial increase in farm conveyance between 1800 and 1830, she argues that this process was the manifestation of a situation in which farmer's new allotments lay at too great a distance from their initial farm units to enable them to reap the full benefits from the increase in acreage which enclosure had brought about. Indeed, she goes on to maintain that the increased acreage itself was ultimately responsible for the decline of the family run farm in Cumwhitton.[46]

Since the point at which this process apparently occurred falls outside the main period of this study, these suggestions are not considered fully. However, there are certainly grounds which indicate that these proposals contain substance. Returning to Figure 6.6, we can see that, within Denton, the portions of common allotted to the Earl of Carlisle (the Howards) formed large, consolidated blocks of land. In contrast, the shares allotted to the tenantry are often at a considerable distance from the original customary farm unit. At the very least this would have created immense organisational problems for a tenant-run enterprise, reliant upon the labour of one family, and there can be little doubt that such a situation could, as Charnley has suggested, have led to either the sale or sub-letting of blocks of customary land.

6.3.6: Summary

In this section the six main courses by which leasehold farms could be created have been considered. Eviction and the exploitation of the fine system - both processes which Brenner necessarily stresses as of crucial importance in the emergence of leasehold farms - have been shown to be inconsequential to the growth of a leasehold sector on the Gilsland estate. In contrast, the leasing of ex-demesne farms, the purchase of customary estates and, the creation of leasehold farms from the commons and waste, in particular, have been shown to be key processes, central to the emergence of a leasehold sector within this area; accounting for 13.2 per cent, 15.8 per cent and 71 per cent of all leasehold farms respectively (Appendix 6.1.3).

This emphasises, indeed, reinforces, a major theme of this thesis: that the contextual circumstances provided by the rules binding landlord - tenant relations within the Gilsland estate were vital to the actual course of the emergence of agrarian capitalism therein. Whilst

eviction and the exploitation of the fine system may have been used elsewhere to create leasehold farms, they were two courses which, quite definitely, were not open to the landlords within Gilsland: the rules defining the landlord - tenant relationship (4.5.2) saw to this. Nevertheless, opportunities for the creation of leasehold estates did exist within this same network of rules. Customary estates could be bought and sold, thus there was no reason why these could not be purchased by landlords. Similarly, former demesne farms could be converted into leasehold farms at the landlord's whim, since customary tenants had no rights or legal interest in demesne land. Common and waste land was a different matter since both landlord and tenants had rights to this land. However, there was nothing in the existing set of rules to prevent the landlord (or tenants) from enclosing areas of waste provided that agreement was reached between all interested parties. At times, for example in the instance of squatting or the enclosure of small parcels of land, there is little doubt that agreement was not sought. In other cases, where the landlord was attempting to enclose sizeable tracts of common - as during parliamentary enclosure - official agreement was reached.[47]

We can see then that the creation of leasehold farms in Gilsland was very much a process which went on within the constraints provided by the existing set of rules defining landlord - tenant interaction. Why it should have been the commons and waste, and not the customary sector which provided the main source of land for leasehold farms is a question which is more open-ended. However, an abundance of common land almost certainly meant that disputes between landlord and tenants over piecemeal, if not parliamentary, enclosure were unlikely. It seems, therefore, as if the leasehold farms within the Gilsland estate were created primarily from the area where there was least chance of

landlord - tenant conflict - from the enclosure of the waste - and that this was supplemented by other, more irregular, sources, such as the sale of customary estates. Thus two distinct phases of lease-hold farm creation were produced: one, a gradual period of expansion, covering the 17th and 18th centuries and characterised by the purchase of customary farms and the creation of farms through piecemeal enclosure of the commons and waste; and a second, more concentrated phase of activity, occurring post 1770 and characterised by parliamentary enclosure (Appendix 6.1.3).

6.4: Conclusions

In conclusion, we can return to the three main themes of this chapter. First, it has been shown that the verdict of the 1625 Gilsland 'tenant-right' case was not implemented either immediately or in the longer term. Customary estates were at no time simply converted into leasehold farms in the sense implied by the 'tenant-right' dispute. In the absence of any documentary evidence concerning this, any attempt to explain this phenomenon can only be speculative. However, it does not seem entirely implausible to suggest that this situation was itself reflective of the practical, day to day importance of the contextual rules which the tenantry themselves had tried - albeit unsuccessfully - to defend in the 'tenant-right' dispute. Regardless of the fact that these could not be upheld in court of law (5.3.3), it still remained the case that, in terms of the practical realities of everyday life, the Gilsland tenantry possessed customary estates of inheritance which they bought and sold and which they continued to buy and sell. Even with the force of the 'tenant-right' verdict behind them, it had proved impossible for the Howard family to effect any real change in the rules which defined the landlord - tenant relationship and

interaction within this estate.

Such findings indicate a second point - one which has been stressed continually in this chapter - namely the far reaching effect of context on the emergence of the leasehold sector in Gilsland from the 16th to 18th centuries. Thus it has been argued that the development of leasehold farming in Gilsland was not a process achieved - as Brenner maintains - at the expense of the customary sector. Instead it was a process which resulted in the creation of a leasehold sector alongside and with the co-operation of those within the customary sector. Whilst the rules defining landlord - customary tenant interaction had not been altered to any degree, they had, at the same time, been extended to include another separate dimension, that of landlord - leasehold tenant interaction.

The implications of this statement will be pointed to in the following chapter. It remains however, to consider the above conclusions in relation to the third theme of this chapter, and a major theme of this thesis, namely the value of adopting a structurationist approach to the problem of the transition towards agrarian capitalism. What has emerged here is confirmation not only of the validity, indeed, necessity of appreciating the contextual circumstances framing landlord - tenant interaction, but an insight into the usefulness of Giddens's concept of the <u>duality of structure</u> as well. Not only has the importance of context, defined in terms of institutions, their rules and resources been demonstrated, and the connection between these and the actual process of emergence of the leasehold sector within the Gilsland estate shown, but it can also be seen that this very process itself resulted in the reproduction of the same set of rules which influenced the nature of this process in the first place. Moreover, we have also seen that the continual and recursive interplay between contextual rules, action and contextual rules could also result in a slight change

in these rules: leasehold farms and, by implication, leasehold tenants were created alongside a customary sector. This was a process which, as we shall see in the following chapter, led to considerable alterations in the overall circumstances surrounding landlord - tenant interaction. Thus, in Giddens's terms, we have seen that structure (in the form of the institutional rules associated with the Gilsland estate) has produced certain types of action (the processes involved in the creation of leasehold farms); been reproduced by this action (in that the short term landlord - customary tenant relationship remained unchanged by this action) and changed by this action (in that a leasehold tenant dimension had been added to this social structure). The concept of the duality of structure has been illustrated in its entirety.

Used in combination the concepts of contextuality and duality of structure provide us with an interpretation of part of the transition towards agrarian capitalism which obviously points to two major inadequacies in Brenner's arguments as applied to the development of leasehold farming within Gilsland. Furthermore, we can suggest that both of these - a failure to appreciate that the creation of a leasehold sector did not automatically occur at the expense of the customary sector, and an emphasis upon the eviction of customary tenants and the manipulation of fine levels as the major processes by which leasehold farms were developed - were brought about through a disregard of the contextual circumstances within which these developments occurred. It is, therefore, evident that, in adopting a structurationist approach to this type of analysis, we end up with an interpretation which is not only richer in content than Brenner's overall generalisations but also more accurate in terms of what actually happened.

These themes are taken up and extended in the following chapter

in which we consider the degree to which agricultural practice in general and the contextual circumstances surrounding it had altered between the 16th and 18th centuries.

CHAPTER SEVEN: SUBSTANTIVE STRUCTURE: SOCIAL STRUCTURE AND AGRARIAN ORGANISATION IN GILSLAND, 1750 - 1828

7.1: Introduction

This chapter has one major aim: to complete the assessment of Brenner's (1976, 1977, 1982) characterisation of the features associated with the transition towards agrarian capitalism in relation specifically to the Gilsland area of North-east Cumbria. In Chapters Five and Six one of the features considered diagnostic of this transition - the emergence and development of leasehold farms during the 16th, 17th and 18th centuries - was discussed in depth. In this chapter three additional aspects are considered, namely, farm size, technological innovation and the question of changing social structure over the same time period. Together these comprise the subject-matter of Section 7.3, from which two main conclusions are drawn. First, a considerable degree of spatial variation in these characteristics existed over the Gilsland estate. Secondly, and relating to a major theme of this thesis, this spatial variation may be interpreted as indicative of the contextual framework provided by the institutions existing within the Gilsland area (3.3.3; 4.5; 5.3; 5.4; 6.3; 6.4). Thus, not only did the traditional rules associated with the estate prevent the development of leasehold farming within certain areas (6.3) but, as we shall see, they also exerted an influence upon the issues of farm size, technological innovation and changing social structure in particular. Section 7.4 takes these ideas further, considering, by way of conclusion, the degree to which these all important contextual circumstances had altered between the 16th and 18th centuries and the implications which these changes had for both the institutions associated with agricultural organisation and for the spatial organisation of agricultural production itself. We begin, however, at a point somewhat removed from this, with an examination of the

general characteristics of agricultural production within the Gilsland area during the mid-18th century.

7.2: 18th century agricultural production: the probate inventory evidence

Probate inventory evidence for the periods 1589 - 1621 and 1660 - 1695 showed the Gilsland area to be one in which pastoral activity, and particularly the farming of beef cattle and sheep, predominated. Arable cultivation performed a supportive role, providing the fodder to see stock through the winter months and to feed the human population (4.3.2). To what extent was the picture the same in the mid-18th century?

In this section a sample of 24 inventories covering the years 1730-1750 and the parishes of Lanercost, Denton, Brampton, Irthington, Farlam, Cumwhitton, Castle Carrock and Cumrew (an area roughly comparable with the Gilsland estate)[1] are examined with this question in mind. It should, however, be recognised at the outset that the numerical difference in sample sizes between the 16th/17th century and 18th century analysis (126) is considerable, although unavoidable owing to the fewer number of inventories surviving after c.1700. Any discrepancies - and particularly minor ones - between the earlier and later periods may, therefore, be simply reflective of differences in sample size rather than actual changes in agricultural production.

Fortunately this problem does not occur to any real extent. Livestock values, expressed as a percentage of total stock-crop values give a mean stock value of 69.3 per cent and a median value of 75.7 per cent. The conclusion is that, by 1750, Gilsland was still an area dominated by pastoral activity, even if the massive values of 85 per cent and 95 per cent for the 16th and 17th centuries respectively are not replicated (Yelling, 1966). This inference is further confirmed by total arable values expressed as a percentage of the total stock-crop

value, in which a median arable value of 25.8 per cent again suggests the secondary importance of arable farming within this area.

Table 7.1 presents a preliminary breakdown of the percentage occurrence of livestock types within the 18th century sample period, with the percentages recorded from the 16th and 17th centuries being given for comparative purposes. This provides us with a point of departure from which to analyse the major emphases within the livestock sector.

Table 7.1: Percentage occurrence of livestock types, 1589 - 1621,[A] 1660 - 1695,[B] 1730 - 1750[C]

Study period	Horses	Female cattle	Black cattle/ stirks	Oxen	Sheep	Pigs
A	58	88	45	55	65	7
B	57	87	45	13	59	8
C	75	45.8	54	8	58	12

Of the six livestock types recorded only one - sheep - shows a strong degree of comparability over the entire study period, occurring in 65 per cent, 59 per cent and 58 per cent of inventories respectively. The three categories of cattle, horses and pigs are more variable, with female cattle in particular declining from a value of 85 per cent in the 16th and 17th centuries to 46 per cent in the mid-18th century. Notwithstanding the smaller sample size of the later period, it would appear that a reduction did occur in the number of female cattle within the Gilsland area between 1730 and 1750. The most likely explanation for this is not a change in agricultural emphasis, but the cattle plague of the 1720s to which Nowell refers,

> '... there is a great death amongst cattle with us. 10 dyed on one day at Spadeadam and Thomas Bell of Burtholm and John Bell of Abey had each 2 dead on one day which makes me afraid of my lord's oxen'.[2]

Black cattle and stirks - the beef cattle sector - appear to have been less susceptible to plague than the female breeding stock, increasing from a 45 per cent to 54 per cent occurrence from the 17th to 18th centuries. Finally, two further features can be pointed out:- a considerable increase in the percentage occurrence of horses and pigs respectively, which, by the mid-18th century, were occurring in 75 per cent and 12 per cent of all inventories. The main elements within the livestock sector, however, were still cattle and sheep and it is to an analysis of these sectors which we now turn.

Table 7.2 provides a breakdown of the percentage occurrence of different cattle types throughout the entire study period.

Table 7.2: Percentage occurrence of cattle 1589 - 1750

Cattle Type	% 1589-1621		% 1660-1695		% 1730-1750
Kine	51	74	34	59	68
Cows					
Quyes (Heifers)	41		32		32
Calves	30		17		0
Stirks (Black cattle)	43		45		84
Oxen	55		13		10
Bulls	0		0		16

The striking point to emerge from this is the extremely high percentage of cattle farmers owning beef stock by the mid-18th century. From a situation in the 16th/17th centuries in which roughly 50 per cent of

those involved in cattle farming also kept beef cattle, we find, by 1730 - 50, an 84 per cent level of involvement with beef cattle.

Table 7.3 provides us with more detailed information on this. Of the 18 farms with cattle, six (33 per cent) were exclusively concerned with 'black cattle'. Thus, James Bell (1741) of Banks, Lanercost died with black cattle worth £11 10/- in his possession. Similarly, Joseph Bird (1735) of Cumrew owned black cattle valued at £25. These black cattle we can take to be, without doubt, Scottish beef store cattle (Hutchinson, 1794; Trow-Smith, 1966).

Table 7.3: Percentage value of cattle types: Gilsland: 1730 - 1750

Parish	Cows/ Kine	Oxen/ Bulls	Quyes/ Heifers	'Black cattle'/ Stirks
Lanercost				100
				100
	63.4		36.6	
	51			49
Farlam	100			
	40.2	29.1		31.1
Brampton		59.2		40.8
	58.3			41.7
Irthington	100			
Cumwhitton		60.5		39.5
	9.5	33.3	57.1	
	21.4			78.6
	55.1		44.8	
				100
Cumrew	41.7		58.3	
				100
Castle Carrock				100

Source: Probate Inventories, 1730-1750 (C.R.O.).

In comparison, other farmers not only brought in Scottish store cattle but were obviously producing their own beef stock to sell on. For instance, Adam Bird of Cumwhitton - whose will was proved in 1730 - had in his possession,

Black cattle, heifers and steers £15
9 cows and 1 bull £25

whilst Robert Briggs (1748) - the leaseholder of Cumcatch, Brampton - had,

21 cows and a bull £50
6 stirks £8
20 young horned cattle £25
young horned cattle ..... £1 10/-.

In terms of this sample, however, these latter two examples were very much the exception to the general pattern, which exhibited a differentiation between those farmers dealing with only Scottish beef store cattle and those involved solely in breeding beef stores. More characteristic of the latter were Thomas Dixon (1731) of Cumwhitton with,

(a) pair of oxen £7
4 heiffers £12
1 cow £2,

and William Bell (1748) of Silverside, Brampton with

9 cows and heiffers £15 15/-
11 young beasts ..... £11 5/-.

To conclude this discussion of the main emphases within the cattle sector of mid-18th century Gilsland we can make two points. First, by this period beef cattle were occurring in a higher percentage of inventories than during the 16th and 17th centuries. Secondly, in 33 per cent of this sample of 18th century inventories, those farmers involved with cattle were concerned exclusively with imported Scotch cattle (a figure which compares with 7 per cent for the earlier period). Even allowing for the discrepancy in sample sizes between the 16th/17th

and 18th centuries, these points suggest two further conclusions, namely, that by the mid 18th century Gilsland was becoming not only an area in which the farming of beef cattle was increasing in importance but also an area in which individual farmers were increasingly prepared to specialise solely in imported store cattle. Such conclusions of course beg certain questions and these will be considered briefly at the end of this section.

As during the 16th and 17th centuries, sheep farming comprised the second main component of livestock farming within the Gilsland area during the mid-18th century, although, as before, it is evident that sheep were not as widespread in occurrence as cattle. Indeed, only 14 out of 24 farmers (58.3 per cent) kept flocks. Of these, 93 per cent (13) also kept cattle, thus as in the 16th and 17th centuries, sheep farming was obviously closely associated with cattle production. In most of these cases, too, it was a subsidiary activity - certainly from the financial angle, as Table 7.4 indicates.

Table 7.4: Sheep value as a percentage of total stock value (excluding horses)

Parish	Percentage values				
Brampton	34.1	37.4			
Castle Carrock	53.2				
Cumrew	51	61.5	100		
Cumwhitton	13	21.6	25	26.3	45.7
Farlam	27.3	34.3			
Lanercost	33.8				

Here only four out of 14 flocks (29 per cent) represented over 50 per cent of their farmer's total stock value (a figure which compares

favourably with the 24 per cent of the earlier period) and - as Table 7.4 shows - these were concentrated in the southern parishes of Cumrew and Castle Carrock. These two parishes are also, along with Brampton, the areas in which - not surprisingly - large flocks were concentrated. For example, John Moses (1749) of Cumrew had 100 sheep, whilst William Bell (1748) of Silverside, Brampton owned 81.

Such a pattern confirms that revealed in the earlier inventory analysis and thus the suggestion made in Section 4.3.2 concerning the spatial concentration of sheep farming appears to have been a reasonable one. In contrast to the more ubiquitous cattle farming, sheep farming was a spatially concentrated activity within Gilsland, confined to the southern and central areas of the estate and not the wet, upland areas characteristic of the North of the estate (Ramm et al., 1970; cf. Kerridge, 1973).

Unfortunately, we can only speculate upon the overall purpose of sheep farming during the 18th century. Whereas in the 16th and 17th centuries, inventories occasionally recorded sheep types, by the mid-18th century the only differentiation made is between 'sheep' and 'lambs'. Indeed, the only evidence which we have to shed any light on this issue is the inventory of John Henderson (1731) of Castle Carrock, in which wool is valued at £2. In the face of such an evidence blank we can only suggest that, in a period when the production of sheep for mutton was increasing (Holderness, 1976), the likelihood is that these large flocks were being kept not only for their wool but also for their meat.[3]

Arable farming, as during the 16th and 17th centuries, formed an important yet secondary element in agricultural activity within the Gilsland estate. Thus, although occurring in 87 per cent of the sampled inventories, it accounts for only 25.8 per cent of the total stock-crop value. Since inventories only generally recorded total crop values at

Table 7.5: Percentage occurrence of crop types: 1730-1750

'Corn'	Hay	Wheat	Bigg	Oats	Rye	Peas	Potatoes
45.8	20.8	8.3	8.3	4.2	8.3	4.2	4.2

this period it is impossible to attempt inter-crop comparisons at the individual farm level; however, Table 7.5 presents the percentage occurrence of particular crops for farms other than those where the all-embracing term 'crop' is used.

'Corn' is a somewhat ambiguous term which may refer to either wheat or barley in this context and, as such, it is probably inadvisable to base any wider generalisations on this percentage figure. More important, however, is the diversification of crop types away from the basic rye-bigg-oats mixture of the 16th and 17th centuries. Not only are other cereal crops such as wheat being grown but peas and potatoes were also being cultivated on Cumcatch by 1748 (see also Beckett, 1975; Hodgson 1979; cf. Jones, 1974). Indeed, the arable section of Robert Brigg's inventory is worth repeating in full since it represents evidence for the most technologically 'advanced' rotation on any farm in Gilsland over the entire study period.

Hay	£1 10/-	(6.1%)
Wheat	£5 10/-	(22.4%)
Rye	£3 12/-	(14.6%)
Barley	£6	(24.4%)
Oats	£7	(28.4%)
Peas	14/-	(2.8%)
Potatoes	6/-	(1.2%)

Clearly, oats, barley, wheat and rye comprised the four most valuable crops on this farm but the occurrence of root crops, particularly in the form of potatoes, suggests that more complex rotations were being

introduced into this area during the mid-18th century.

Inferring beyond the level of individual cases is, of course, dangerous, but it is tempting to go beyond this one example and see the mid-18th century as a period in which crop diversification and improved rotations began to occur on farms in the Gilsland area. Nevertheless, financially, cultivation still remained very much a secondary activity in comparison to pastoralism, as is suggested at the individual scale by the 18.2 per cent arable value of Robert Brigg's inventory.

In summary, three basic generalisations can be made concerning the characteristics of agricultural production within the Gilsland area during the mid-18th century. First, and of fundamental importance, beef cattle and sheep still dominated the area as they had done in the 16th and 17th centuries and before (Fraser, 1971; Thirsk, 1967). Gilsland was then, as now, an area in which pastoralism constituted the major agricultural activity. However, two points of difference between the earlier and later periods need to be stressed:- an increased specialisation in beef cattle - often to the exclusion of all other forms of livestock production - and a diversification in crop cultivation. Both have been considered to be diagnostic features of the 'agrarian revolution' or agrarian capitalism by non-Marxist and Marxist historians respectively (Chambers and Mingay, 1966; Holderness, 1976; Kerridge, 1967, 1973; cf. Brenner, 1976; Saville, 1969). For some Marxist historians, however, both - and particularly the former - signal the growth in the social division of labour and the development of an economy dependent upon trade and the market (3.2.1). This, however, is not an issue which concerns Brenner directly; his focus being, instead, upon the social relations of production involved in the transition towards agrarian capitalism (3.2.2). Since one of the primary aims of this thesis

is an evaluation of Brenner's arguments, such issues must remain peripheral to discussion. Thus, instead of turning towards an examination of exchange and marketing within Gilsland, Cumbria and Cumbria in relation to the national economy, the following section considers the issues of farm size, technological innovation and changes in social structure - the features which Brenner considers to be indicative of capitalist relations in the countryside.

7.3: Farm size, technological innovation and changing social structure: Gilsland, 1750 - 1828

Before discussing each of these issues in depth it is necessary to re-state the three main points of Brenner's argument (3.2.2). First, and most importantly, the major feature considered to be diagnostic of agrarian capitalism is a social structure based upon the three-fold division of landlord - leasehold tenant - free wage labour. 'Peasant proprietorship'[4], quite definitely, does not figure within this structure and any area exhibiting this is not considered to be truly capitalist (Brenner, 1976). Thus, for Brenner, as for Saville (1969), the slow disappearance of the peasantry over the period 1500 - 1750 (1800) becomes of central importance. The second and third points both relate to the change in social structure. The growth of the large farm - particularly in the hands of the leasehold tenant - is argued as giving the latter a greater market advantage over the farmer dealing with a smaller acreage. Furthermore, the technological improvements in farming during the 17th and 18th centuries are seen to be incorporated within these larger farms rather than their smaller counterparts; a process which, again, is considered to have increased the market competitiveness of large farms and to have hastened the disappearance of the small scale farmer (cf. Croot and Parker, 1978).

The main aim of this section is to assess the applicability of these arguments within the area of the Gilsland estate over the period 1750 - 1828, the latter date being determined by the existence of a comprehensive survey of the area. However, an important rider needs to be added to this. A major criticism levelled at Brenner throughout this thesis is his failure to appreciate that the transition towards agrarian capitalism took place within a series of specific contexts which, as we have seen already, exerted a considerable influence upon the course of the transition itself (3.3.3; 5.3; 6.3). The material discussed in this section further attests to the importance of this factor. Sections 7.3.1 and 7.3.2 cover the issues of farm size and technological innovation respectively, whilst in Section 7.3.3 the question of changing social structure is discussed at length.

7.3.1: Farm size: Gilsland, 1750 - 1828

Table 7.6 provides a numerical breakdown of all customary freehold and leasehold farms over five acres in size recorded within a survey of Gilsland in 1828.[5] The tenurial breakdown of these farms is as follows:-

Customary	242	(39.2%)
Freehold	257	(41.6%)
Leasehold	119	(19.2%)
	618	

Thus we can see immediately that, far from being a period in which 'peasant proprietorship' disappeared, the years 1603 - 1828 in this area were characterised by the emergence of a leasehold sector alongside the pre-existing customary units of cultivation (6.3; 6.4). Contrary to what Brenner has argued, customary farms still existed in the early 19th century; indeed, they accounted for approximately 40 per cent of all farms. Furthermore, many former customary tenants had - as

Table 7.6: Frequency distribution of customary, freehold and leasehold farms: Gilsland, 1828

Class Range acres	ha	No. Customary Farms	No. Freehold Farms	No. Leasehold Farms	Total
(5)- 20	8.1	78	85	16	179
21- 40	16.2	58	42	9	109
41- 60	24.3	32	28	11	71
61- 80	32.4	31	18	8	57
81-100	40.5	11	24	5	40
101-120	48.6	7	12	3	22
121-140	56.7	5	12	4	21
141-160	64.8	5	6	3	14
161-180	72.9	4	6	4	14
181-200	81	2	3	4	9
201-220	89.1	3	2	3	8
221-240	97.2	3	5	2	10
241-260	105.3	0	4	2	6
261-280	113.4	0	1	2	3
281-300	121.5	0	1	2	3
301	121.9	3	8	41	52
		242	257	119	618

Source: D. P/D. H of N C 201/24-5.

a result of the enfranchisement which preceded enclosure - converted their tenancies from customary to freehold (7.3.3). The percentage of farms falling within what had formerly been the customary sector therefore was approximately 81 per cent even by 1828: leasehold units, even at this date, accounted for only 19 per cent of the total number of farms.

The full implications of these preliminary findings, as they relate to Brenner's arguments, are explored in depth in Sections 7.3.3 and 7.4. For the moment, however, attention is switched exclusively to farm size, and to the differences between customary, freehold and leasehold sectors at both the general scale of the entire estate and at the manorial level.[6]

Tables 7.7 and 7.8 provide the basic information concerning farm size both within and across tenurial groups for the entire 618 farms within the Gilsland estate. Indeed, the main conclusion which we can draw from these two tables is a partial confirmation of Brenner's argument: the largest farms found within Gilsland tended to be concentrated within the leasehold sector. To be more specific: 56.1 per cent of all customary farms were between 5 and 40 acres (2 - 16.2 ha) in 1828; 87 per cent were less than 100 acres (40.5 ha) whilst only 13.2 per cent were over 101 acres (40.9 ha), of which only 1.2 per cent exceeded 301 acres (121.9 ha). A similar picture characterised the freehold sector: 49 per cent of farms were under 40 acres in size (16.2 ha); 23 per cent were greater than 101 acres (40.9 ha) and 3.1 per cent above 301 acres (121.9 ha). In contrast, only 21 per cent of leasehold farms were smaller than 40 acres (16.2 ha); 38 per cent were less than 100 acres (40.5 ha) and 62 per cent were larger than 101 acres (40.9 ha), 34 per cent of these exceeding 301 acres (121.9 ha). The general conclusion which has to be reached from Table 7.7 is that large farms in Gilsland (those exceeding 300 acres (121.5 ha))[7] were

Table 7.7: Percentage distribution of farm sizes within customary, freehold and leasehold sectors: Gilsland, 1828

Class Range acres	ha	Customary	Freehold	Leasehold
(5)- 20	8.1	32.2	33.1	13.4
21- 40	16.2	23.9	16.3	7.6
41- 60	24.3	13.2	10.9	9.2
61- 80	32.4	12.8	7.0	6.7
81-100	40.5	4.5	9.3	4.2
101-120	48.6	2.9	4.6	2.5
121-140	56.7	2.1	4.6	3.4
141-160	64.8	2.1	1.9	2.5
161-180	72.9	1.6	1.9	3.4
181-200	81	0.8	1.2	3.4
201-220	89.1	1.2	0.8	2.5
221-240	97.2	1.2	1.9	1.7
241-260	105.3	-	1.6	1.7
261-280	113.4	-	0.4	1.7
281-300	121.5	-	0.4	1.7
301	121.9	1.2	3.1	34.5

Table 7.8: Percentage distribution of farm sizes by class intervals: Gilsland, 1828

Class Range acres	ha	Customary	Freehold	Leasehold
(5)- 20	8.1	43.6	47.5	8.9
21- 40	16.2	53.2	38.5	8.3
41- 60	24.3	45.1	39.4	10.5
61- 80	32.4	54.4	31.6	10.4
81-100	40.5	27.5	60.0	13.5
101-120	48.6	31.8	54.5	13.7
121-140	56.7	23.8	57.1	10.1
141-160	64.8	35.7	42.9	21.3
161-180	72.9	28.6	42.8	28.6
181-200	81	22.2	35.4	44.4
201-220	89.1	27.5	25.0	37.5
221-240	97.2	20.0	50.0	30.0
241-260	105.3	-	66.7	33.3
261-280	113.4	-	33.3	66.7
281-300	121.5	-	33.3	66.7
301	121.9	5.8	15.4	78.8

Source: D. P/D. H of N C 201/24-5.

predominantly associated with the leasehold sector.

These findings are confirmed and supplemented by the data presented in Table 7.8. Customary farms dominate the 5 - 80 acreage (2 - 32.4 ha) classes; freehold farms form the major component of the mid-size range farms of 81 - 180 acres (32.8 - 72.9 ha), whilst leasehold farms are concentrated heavily in the large farm categories of over 261 acres (105.7 ha) and particularly over 301 acres (121.9 ha).

Whilst this general distinction between small customary and freehold farms and large leasehold units conforms to the essentials of Brenner's argument there were, of course, a few exceptions to the norm, particularly amongst the freeholders of Gilsland. Four of the most noticeable of these are mentioned here, if only to indicate that large farms were not confined exclusively to the leasehold sector.

Rev. Thomas Ramshay:	
6 farms (Brampton)	762 acres (309 ha)
4 farms (Denton)	665 acres (269 ha)
4 farms (Triermain)	585 acres (237 ha)
	2012 acres (815 ha)
Rowland Fawcett:	
4 farms (Askerton)	2092 acres (847 ha)
Misses Blackburn:	
3 farms (Askerton)	178 acres (72 ha)
3 farms (Triermain)	375 acres (152 ha)
	563 acres 224 ha
Thomas Henry Graham:	
11 units[8] (Hayton)	713 acres (283 ha)
3 units (Talkin)	87 acres (35 ha)
	800 318

Whether these were worked as one unit, as a combination of these, or sub-let, it is impossible to say. However, to focus upon this issue would be to miss the main point slightly, for, even allowing for sub-letting, these were, quite clearly, large farms with acreages comparable to many leasehold units. Furthermore, if market competitiveness is to

be argued solely on the basis of farm size - as Brenner at times appears to do[9] - then some freeholders obviously were on an equal footing with leaseholders. Moreover, in view of the fact that they did not have to meet the high rent demands associated with leasehold farms (7.3.3), freeholders may have enjoyed an even greater market advantage than leasehold tenants.

Having established the general pattern of farming within the Gilsland area as being one dominated numerically by small to mid-range customary and freehold farms, with large farms concentrated primarily in the numerically smaller leasehold sector, we can move on to analyse two issues: the size differences between customary, freehold and leasehold farms at the level of the individual manor, and the change in customary farm sizes between 1603 and 1828, also at the same scale.

In Table 7.9 the median values of leasehold, freehold and customary farms are recorded for each of the constituent manors of the Gilsland estate; median values are used owing to skewness in the original data set (Appendix 7.1). The same data is presented visually in Figure 7.1, from which a straightforward pattern emerges. In Askerton, Walton Wood and Farlam leasehold farms dwarf customary and freehold units. Indeed, in the case of Askerton, the difference is an order of magnitude greater than anywhere else. These three areas, however, are the only areas where there is a considerable size difference between leasehold and freehold and customary farms. Elsewhere in Gilsland, and especially in Triermain, Denton, Brampton, Irthington and Talkin, median leasehold and freehold farm sizes are roughly comparable, indeed, median freehold farm size exceeds the leasehold value in both Irthington and Talkin. Furthermore, even in the cases of Hayton, Cumwhitton and Castle Carrock the size difference between tenurial categories is not immense, ranging from +41.5 acres in favour of leasehold farms in the case of Cumwhitton to -39.5 acres in favour of freehold

FIGURE 7 1: MEDIAN FARM SIZES: GILSLAND, 1828

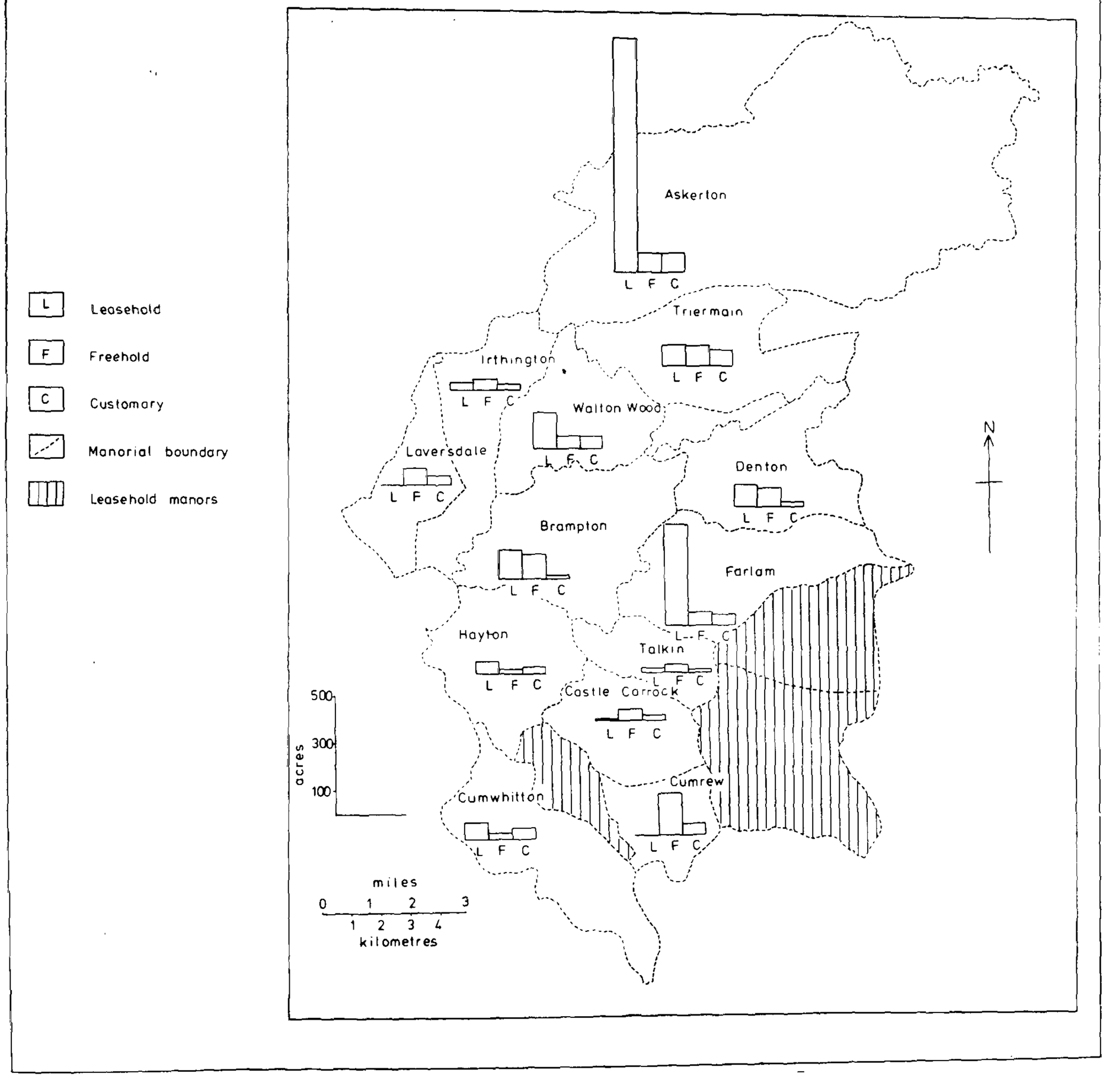


Table 7.9: Median Farm Sizes: leasehold, freehold and customary farms: Gilsland, 1828

Manor	Median Leasehold (L) Fm. size acres	ha	Median Freehold (F) Fm. size acres	ha	Median Customary (C) Fm. size acres	ha	L-F	L-C	F-C
Askerton	991	(401)	78	(32)	78	(32)	913	913	0
Triermain	89	(36)	88.5	(36)	68	(27)	0.5	21	20.5
Denton	96	(39)	81.5	(330	21	(8)	14.5	75	60.5
Walton Wood	155	(63)	55	(22)	55	(22)	100	100	0
Brampton	122	(49)	106	(43)	16	(6)	16	106	90
Farlam	427	(173)	56	(23)	44	(18)	371	383	12
Irthington	31	(12)	43	(17)	23	(9)	-12	8	20
Laversdale	-		70	(28)	38	(15)	-	-	32
Hayton	51	(20)	18	(7)	27	(11)	33	24	-9
Talkin	22	(9)	37.5	(15)	16	(6)	-15.5	6	21.5
Cumwhitton	70	(28)	28.5	(11)	45	(18)	41.5	25	-16.5
Castle Carrock	8.5	(3)	48	(19)	23.5	(9)	-39.5	-15.5	24.5
Cumrew	-		178	(72)	45	(18)	-	-	133
(Lanercost)	100	(40)	-		-		-	-	-
(Geltdale)	5648	(2287)	-		-		-	-	-
(Bruthwaite)	4252	(1722)	-		-		-	-	-
Carlatton	124	(50)	-		-		-	-	-

Source: D. P/D. H of N C 201/24-25.

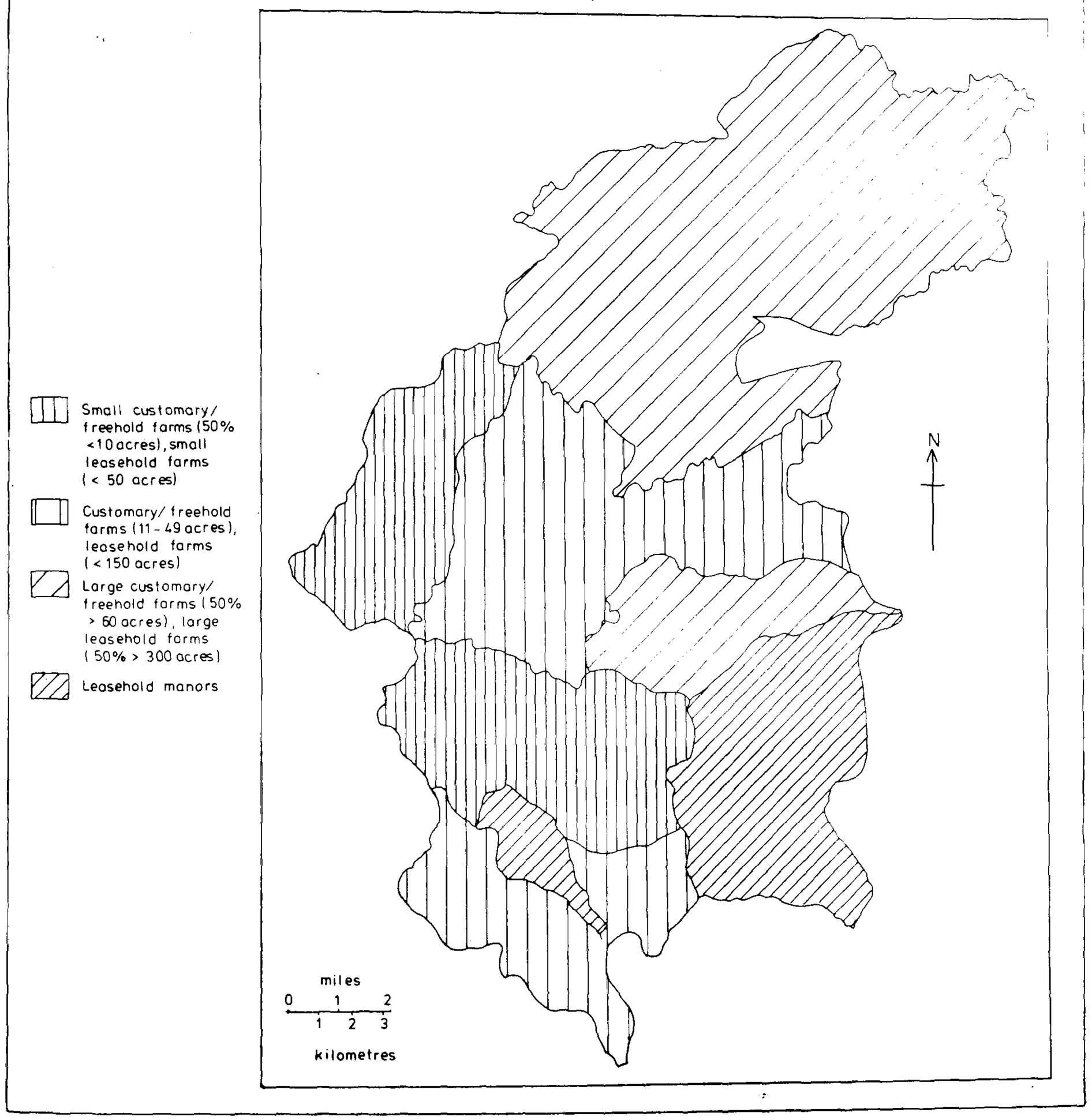
farms in Castle Carrock.

A clear spatial pattern therefore exists within the estate which is summarised in Figure 7.2: areas where leasehold farms are orders of magnitude larger than customary and freehold units are confined to the far-north and centre-north of the estate. In contrast, central and southern Gilsland are areas where tenure does not appear to be connected with farm size.

The ramifications of these findings are, of course, considerable, not simply because they cast doubt on the overall validity of the general pattern of large leasehold farms and smaller customary/freehold farms established at the level of the estate, but because they question the validity of assuming this type of association at the national scale. If the general pattern within the Gilsland estate masks such an intensely spatial division, could it not also be the case that the same could be true elsewhere? Clearly, only further analysis at the sub-estate level can answer such a question.

To revert back to the Gilsland estate, we can make a further but equally telling point. As demonstrated in Chapter Six, the process by which the leasehold sector emerged was very much one which reflected the rules defining landlord - tenant interaction, that is to say, the contextual circumstances provided by the institutions associated with the Gilsland area, notably the estate and the community (6.3). Leasehold farms, consequently, were shown to be created primarily from ex-demesne areas (6.3.3) or from areas of common pasture and waste (6.3.5). The importance of this fact in terms of farm size cannot be under-estimated. Quite simply, in creating new farms from the waste, the Howards - or their estate agents - were free to establish large farms. Provided that they obtained the agreement of the tenantry who had communal rights to these extensive areas of waste and common pasture, they encountered no

FIGURE 7.2: FARM SIZE AND TENURE : GILSLAND, 1828



barrier to the creation of large agricultural units. Elsewhere in Gilsland the constraints to such a process were obvious: the existing pattern of customary tenant cultivation made the task of establishing large farms either an extremely long term one, involving both purchase and engrossing, or it proved to be virtually impossible. In view of this, the fact that by far the largest leasehold farms are to be found in the ex-waste areas of Askerton is hardly surprising.

Similarly, ex-demesne areas had provided another source of leasehold land. Furthermore, since the demesne farms of this area during the 16th century were considerably larger than their customary counterparts (Table 4.7), it is obvious that such farms would simply become large leasehold units. Such, at least, appears to have been the case in both Walton Wood and Farlam; these are the only areas apart from Askerton where leasehold farms were substantially bigger than farms in the other tenurial categories.

In summary: the occurrence of large leasehold farms within the Gilsland estate not only exhibited a strong spatial pattern in 1828, but this spatial pattern itself can only be interpreted as a reflection of the contextual circumstances surrounding the creation of leasehold farms themselves and, in particular, the rules surrounding landlord - tenant interaction which exerted a determining influence on their emergence.

The material presented in Table 7.10 enables us to consider briefly two final issues concerning the question of farm size: a comparison of customary farm sizes between 1603 and 1828 at the manorial scale and the difference between freehold and customary farm sizes by the end of the 16th century.[10]

In the first instance, it is evident that - with the exception of Denton - customary farm sizes increased over the study period throughout

Table 7.10: Customary and Freehold Sector comparison: Gilsland, 1603 x 1828

Manors	$\bar{x}$ Cust. fm size: 1603 acres	ha	$\bar{x}$ Cust. fm size: 1828 acres	ha	Difference acres	ha	No. C Tents 1603	No. C Tents 1828	Difference	$\bar{x}$ Free fm size 1828 acres	ha	$\bar{x}$F-$\bar{x}$C fm size 1828 acres	ha	Median F-C: 1828 acres
Askerton	71.8	(29)	95.1	(38)	23.3	(9)	55	30	-25	241.9	(98)	146.8	(60)	0
Triermain	41.8	(17)	92.1	(37)	50.3	(20)	39	20	-19	105.6	(43)	13.5	(6)	20.5
Denton	37	(15)	26.7	(11)	-10.3	(-4)	26	19	- 7	138	(56)	113.3	(45)	60.5
Walton Wood	40.2	(16)	48.4	(20)	8.2	(4)	11	7	- 4	54.3	(22)	5.9	(2)	0
Brampton	24	(10)	59.6	(24)	35.6	(14)	50	19	-31	113.3	(49)	53.7	(25)	90
Farlam	34	(14)	62.6	(25)	28.6	(11)	19	3	-16	68.5	(28)	5.9	(3)	12
Irthington	-		41.7	(17)	-		-	32	-	41.9	(17)	0.2	-	20
Laversdale	59.5	(24)	68.4	(28)	8.9	(4)	22	23	1	81.3	(33)	12.9	(5)	32
Hayton	18.4	(7)	37.9	(15)	19.5	(8)	64	74	10	33.3	(13)	- 4.6	(-2)	- 9
Talkin	26.2	(11)	28.6	(12)	2.4	(1)	21	35	14	40	(16)	11.4	(4)	21.5
Cumwhitton	23.1	(9)	51.7	(21)	28.6	(12)	51	41	-10	40.1	(16)	-11.6	(-5)	-16.5
Castle Carrock	24.5	(10)	44.5	(18)	20	(10)	36	24	-12	86	(35)	41.5	(17)	24.5
Cumrew	27.2	(11)	72.2	(29)	45	(18)	39	13	-26	154.3	(62)	82.1	(33)	133

Sources: Graham, T.H.B. (1934) The Barony of Gilsland, Lord William Howard's Survey taken in 1603.
D. P/D. H of N C 201/24-25.

the Gilsland area. This increase ranged from a mean of 50.3 acres (20.4 ha) and 45 acres (18.2 ha) in the cases of Triermain and Cumwhitton to 2.4 acres (0.97 ha) in the case of Talkin. Undoubtedly much of this increase resulted from parliamentary enclosure at the end of the 18th century, a process which was also associated with the enfranchisement of many former customary tenants.[11]

In relation to the second issue, the difference between customary and freehold farm sizes (Table 7.10) suggests that in general those tenants who converted their estates from customary to freehold tenure may have been those whose farms were initially larger, indeed, of the 13 manors within Gilsland, only two - Hayton and Cumwhitton - have mean freehold farms sizes less than their customary counterparts in 1828. In some cases, as, for example, in Cumrew, the difference is considerable: in most cases, however, the difference is only of the order of 11-40 acres (4.45-16.2 ha) - figures which support the general level material presented in Table 7.7 and 7.8, from which it was concluded that customary and freehold farms primarily occurred within the small to mid-range farm size categories within the Gilsland estate.

To conclude this section we can make two fundamental points. First, it has been shown that, whilst at the scale of the estate, Brenner is undoubtedly correct in his association of large farms with leasehold farming, at the finer mesh of the constituent manors of this particular estate this association has been shown to be over-simplistic. Not only were large farms not confined exclusively to the leasehold sector but many areas of Gilsland exhibited little or no size variation between leasehold and customary and freehold farm categories. The interpretation offered here for this situation is one which reflects one of the main themes of this thesis. The spatial pattern of farm size

differentiation within Gilsland is seen to be reflective of the contextual circumstances which influenced and channelled the emergence of the leasehold sector itself, namely, the rules framing landlord-tenant interaction (4.5.2; 5.3; 6.3).

7.3.2: Technological innovation: Gilsland, 1750 - 1828

A lack of information concerning the level of agricultural technology on freehold and customary farms hinders considerably any attempt to compare the respective merits of the Croot - Parker - Brenner argument concerning changing methods of agricultural production in this particular area. Material on the leasehold farm side of the argument, however, is fairly abundant and, consequently, is considered here in some detail. Nevertheless, in view of the data blank for non-leasehold farms no general conclusions are drawn on this issue: instead, only a few tentative suggestions are made regarding possible differences in technological innovation.

Many of the technological innovations - both major and minor - current in the 18th century and before had been, or were in the course of being, introduced onto leasehold farms within Gilsland during the 18th century. Manuring and liming were all common stipulations recorded in the leases of the early 18th century,[12] whilst, by 1750, evidence for more sophisticated crop rotations begins to appear. Thus, not only are there inventories such as those of Robert Brigg (7.2) suggesting innovation, but leases themselves are beginning to register crop rotations as specific clauses. For example, the lessee of Wilyford, Denton, agreed to follow a rotation of two years of arable cropping, one year of fallow and one year of grass (ie. alternate husbandry) in 1752.[13]

On a larger scale, evidence for drainage improvements occurs extensively from the 1770s onwards: 1779 saw the construction of drains and conduits in Brampton, whilst in 1781 58 roods of drains were cast

at Newby Holme with other drainage work being performed in Irthington and in Naward Park.[14] Nor was this the only activity requiring considerable financial outlay to occur in these areas; enclosure and heavy liming were both being carried out. Thus, in 1779, common land was enclosed in Naward Park, and, in 1780, 600 bushels of lime were applied to land in tillage there.[15] It is probably a fair assumption therefore that the drainage referred to above applied to this area of newly enclosed land.

Such activity suggests at the very least that many farms within the leasehold sector required a substantial degree of capital investment to make them productive units in the first place. Given the spatial location of these farms - primarily on recently enclosed waste or common pasture - these conclusions make considerable sense. Furthermore, projecting beyond the study period of this thesis, we can tentatively suggest that it would not have been until well into the 19th century (when such improvements would have been completed) that the return on this investment - in the form of increased profit margins - would have begun to materialise.

By way of conclusion a few speculative remarks are made concerning technological innovation on customary and freehold farms. Although we have no substantive evidence concerning this, it is possible to make some tentative inferences. Given the high level of technological input into the leasehold sector discussed above, it is possible that - should we have access to this type of information - levels of investment within the customary and freehold sectors would, in comparison, appear minimal. The straightforward conclusion to draw from this assumed situation would be that levels of technological innovation were higher on leasehold as opposed to customary and freehold farms (Brenner, 1976, 1977). In some areas this may well have been the case. However, in Gilsland such an interpretation can only be seen to be erroneous: the level of capital

outlay on many leasehold farms at this stage was primarily a reflection of their spatial location on areas of former waste or common land and their short history as separate units of agricultural production; it was not an indication of farm size or of market competitiveness. In contrast, most customary and freehold units had been in cultivation for hundreds of years. The type of technical improvements required here were not the massive, capital intensive enclosure and drainage schemes, but the less spectacular methods of crop rotation, manuring and fertilising, that is, the very features which Croot and Parker (1978) argue that the small-scale farmer had the financial resources to cope with (3.2.2). We can only conclude by saying that, as with farm sizes, technological innovation needs to be set in the context provided by both the places and the people concerned with its implementation.

7.3.3: Changing social structure: Gilsland, 1750 - 1828

Sections 7.3.1 and 7.3.2 have considered two of the features diagnosed as characteristic of the emergence of capitalist relations in the countryside: this section tackles the heart of Brenner's arguments. In this we turn to the question of whether the social relations of landlord - capitalist tenant farmer - free wage labour were found in the Gilsland area by the turn of the 19th century and, as a corollary of this, whether 'peasant proprietorship' had been eliminated by this period. Discussion is divided into two parts. In the first attention is focussed upon the relationship between landlord and tenant farmer and the issues covered here include the nature of this so-called 'partnership', leasing terms and the question of rent. Alongside this, the existence of free-wage labourers as a distinct landless and labouring class is also considered. Such themes, of course, occupy the central threads of the classical Marxist interpretation of agrarian change between 1500 and 1800 (Brenner, 1976, 1977; Dobb, 1946; Marx, 1974; Saville, 1969).

However, what the previous sub-sections of this chapter have pointed to is, even as late as 1828, that this was not the complete picture in Gilsland. Indeed, at this date over 80 per cent of farms and 40 per cent of the entire estate acreage fell within the customary and freehold sectors. The second part of this section, therefore, discusses these two sectors in some detail.

The nature of the partnership between landlord and capitalist tenant farmer is revealed quite clearly in both the stipulations recorded in leasehold agreements and in the whole issue of leasehold rents. From an analysis of the former it is apparent that landlords were, from the earliest point in the creation of leasehold farms, responsible for the provision of fixed capital - primarily in the form of the land itself, houses and buildings. Thus, in 1728, John Nowell writes to the Earl of Carlisle recording the requests of Joseph White, the incoming tenant for Barns Farm,

> '... he would have the house put into sufficient repair and a new byre built, 2nd he would have 50 coals allowed yearly for burning of lime, 3dly an allowance for the want of manure the first year; 4thly to have wood allowed for carts ( ) and other necessaries for tilling the ground'.[16]

In return for this the lessee generally agreed to maintain both premises and land in a fit state for habitation and cultivation.[17]

By the mid-18th century, however, lease clauses were being extended to include the regulation of cultivation practices. This is demonstrated particularly well in the case of Wilyford, Denton, where, from a fairly conventional situation in which rent was increased by £5 for every acre converted from pasture to tillage land (1735), the incoming tenant of 1752 had to agree to the following husbandry directives. No more than 30 acres (12.15 ha) - of a farm totalling 94 acres (38 ha)[18] -

were to be in tillage in any one year;[19] in each year one quarter of tillage land had to be in fallow whilst, after the successive cultivation of two arable crops, land had to be fallowed and then sown with grass. Thus, not only was the leasehold tenant agreeing to maintain fixed capital outlays but he was also required to carry out husbandry practices designed to improve, or at least prevent the decline of, the productivity levels of the farm.

From the landlord's side of the partnership, this undoubtedly represents an extension of influence away from the straightforward provision of fixed capital towards an interest in movable capital (livestock and crops).[20] Indeed, it is logical to interpret this as a realisation that capital investment was wasted if the resources of each farm were allowed to be run down via 'bad' husbandry practice. Not only would the productivity of units farmed in this manner decline over the long term but the future possibility of attracting new tenants at high rents would be ruled out. Certainly, such logic appears to have been behind the rigid enforcement of these clauses, which, evidently, were not mere paper agreements. This much we can see from estate correspondence. For example, Nowell, writing to the Earl of Carlisle in 1735, refers to a leasehold farmer who was failing to fallow and lime his tillage land,

> '...I was asking him why he did not fallow and lime his tillage land - he answered that he designed to plow up part of the out park next year, a close now lying ley the best in the farm called the New Rift, and would let the land now plowed up lye (fallow) until it comes into condition again. I told him your lordship expected he should execute a lease with proper covenants of husbandry as other farmers did before your lordship would allow him to tear up the fresh ground'.[21]

Later on, the penalty for failing to adhere to lease clauses was straightforward eviction, as Thomas Ramshay makes abundantly clear,

'... if he doth not paire and burn the quantity of land that he tyed too by his contract he sartenly will get notice to quitt his farm'.[22]

As well as providing tenant farmers with their fixed capital and regulating husbandry practices, the Howard family - through their estate agents - closely controlled the course of tenant selection. For example, Nowell, writing in 1731, states,

' have inquired into ye character of yt gentleman farmer you sent, And as he is a mere stranger to me I cannot consent yt you lett him ye farme you mention'.[23]

Furthermore, once having attracted 'good' tenants, estate agents were obviously loath either to let them go or to evict them during periods of agricultural depression. Nowhere is this more clearly stated than by Ramshay in a letter to the Earl of Carlisle in 1822. This is quoted here in full since it encapsulates completely the notion of the partnership between landlord and capitalist tenant farmer within the Gilsland area,

'Before I give an answer to any enquiry made by any individual farmer respecting the extent of reduction of rent - I feel it my particular duty again to trouble you with my sentiments which have varied in consequence of the greater depression in the markets now than when you were here, and also of a desire to induce the respectable farmers upon the estate to remain during the depression - our new wheat is selling at 4/8 the Winchester bushel and fat cattle and sheep can scarcely be turned into money at all and when sold are nearly the price which they were bought in at leaving nothing to the grazier... it is therefore my opinion that the whole of the 10% reduction should be made upon the Martinmas rent and a promise held out that if times grow no better their case will also be considered at the next May day rent. This you will say is leading to a reduction of double the amount we proposed but I am afraid that we shall be placed in a worse condition if we do not

> endeavour to the utmost of our power to relieve their present necessity... if the markets do not improve... it is my opinion that unless the farmers have a great reduction in rent they cannot go on'.[24]

Obviously Ramshay is describing here not only the idea of an agreed legal partnership between landlord and tenant but the classical picture of capitalist farming practice dominated by the market. A situation had developed in which the landlord's share of the profits of agriculture, expressed in the form of rent, were ultimately entirely dependent upon the level of profit which individual farmers could achieve (Brenner, 1977).

The question of leasehold rent is in itself an interesting one, particularly since it reflects in part the increasing profitability of leasehold farming and the partnership between landlord and leasehold tenant: it is also an important question in relation to Brenner's overall arguments. Since increasing rents can be taken as indicative of rising levels of profitability or, indeed a large number of potential tenants, any positive correlation between rent and farm size can be taken as evidence to support Brenner's contention that large leasehold farms were profitable units of agricultural production.

In Figure 7.3 the total rent from the Gilsland leasehold farms is plotted for the years 1723-1782,[25] over which period an increase from £1669 per annum to £4429 per annum occurs (Table 7.11). These data are reduced to the manorial scale in Figure 7.4, from which it is immediately apparent that the main contributors to this total throughout the 18th century - and the only manors to exhibit the same trend as that displayed in Figure 7.3 - are Askerton, Brampton and Denton. Indeed, by 1782, Askerton and Brampton alone account for 61 per cent of Gilsland leasehold rents.

Data at the finest scale - that of the individual farm - are presented in Figure 7.5 (Tables 7.12,7.13, 7.14, 7.15) for the manors

FIGURE 7.3: TOTAL LEASEHOLD RENT [£s]: GILSLAND: 1723 - 1782

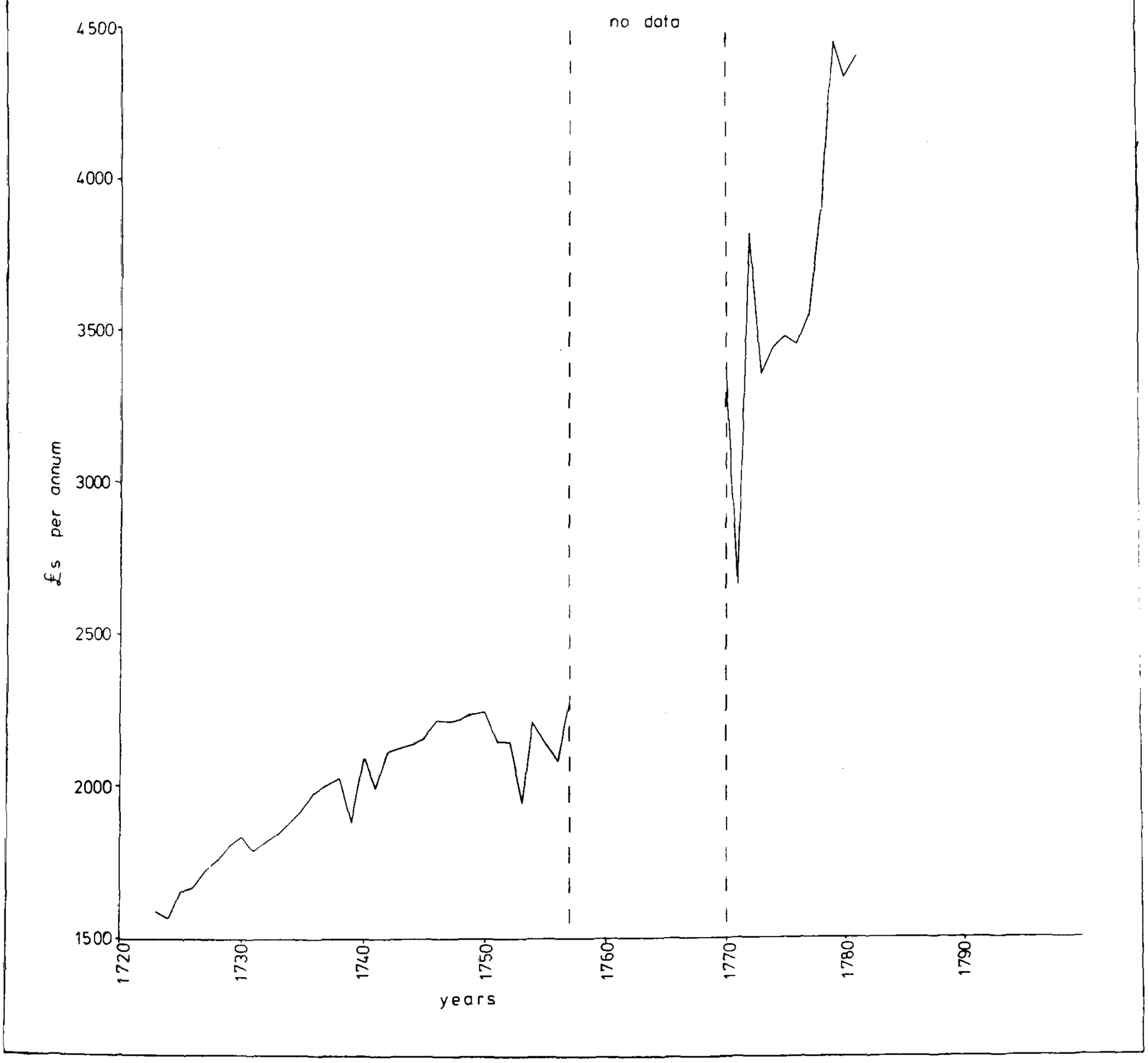


FIGURE 7.4: LEASEHOLD RENTS: GILSLAND, 1723 - 1782

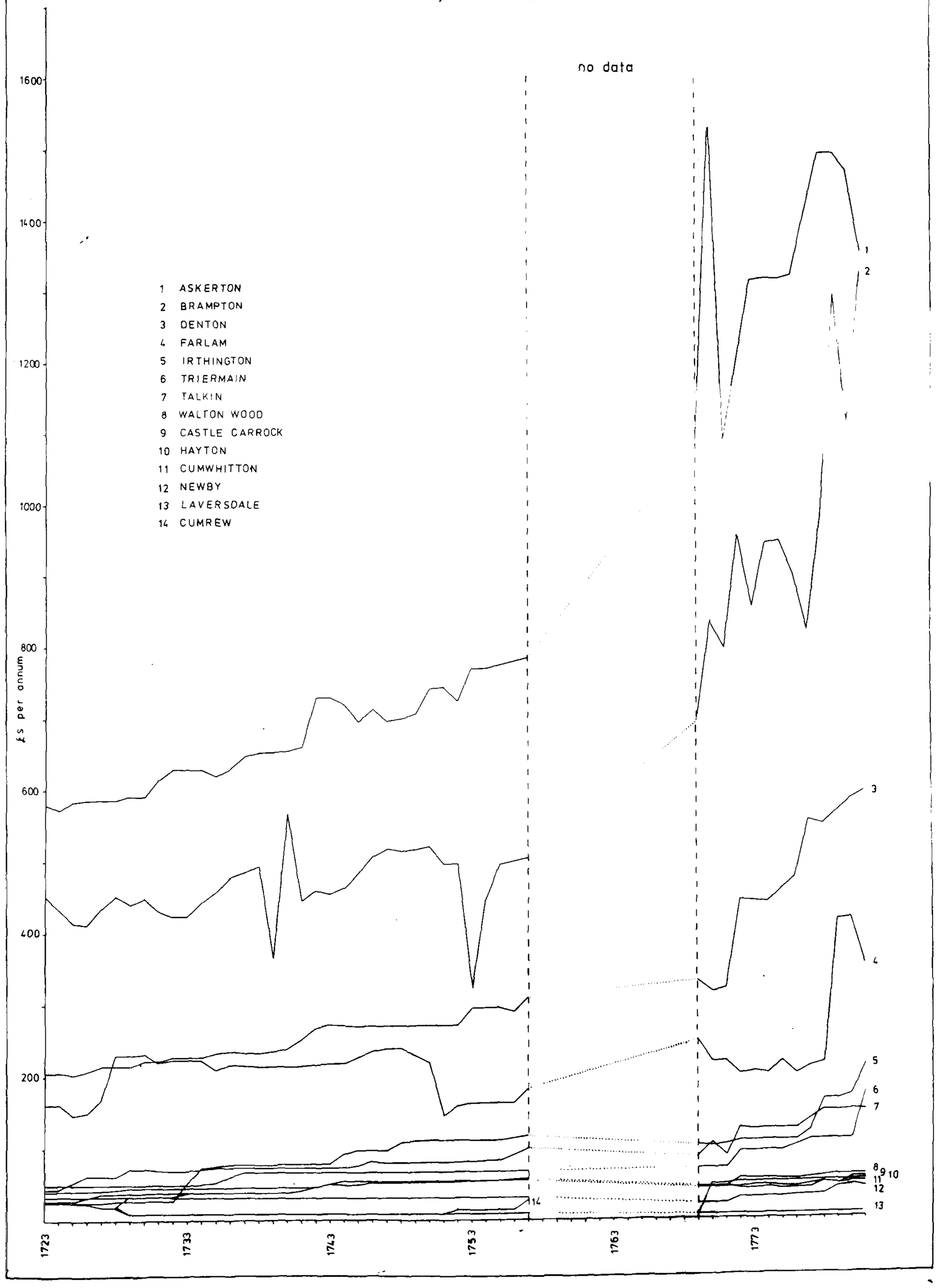
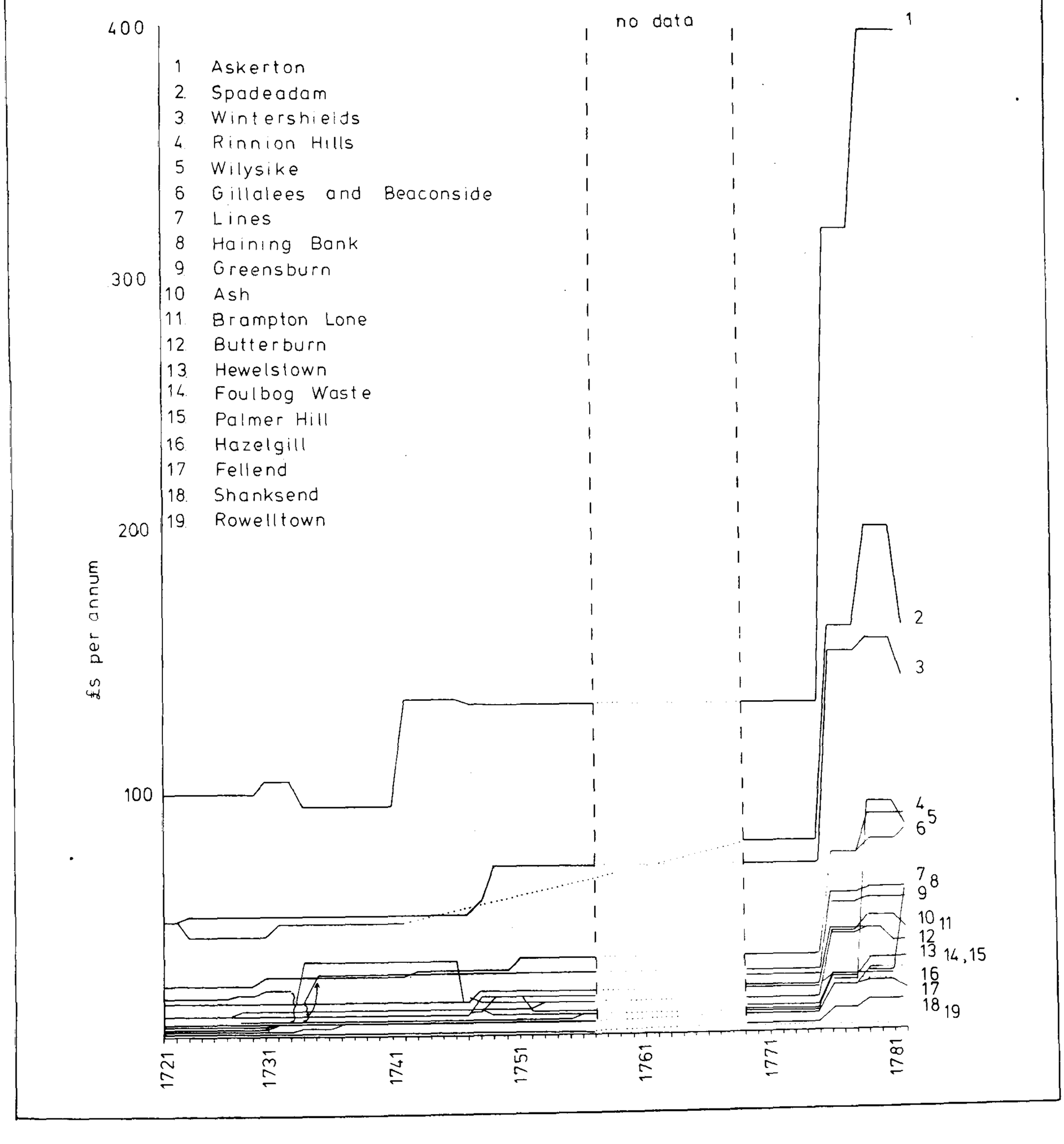
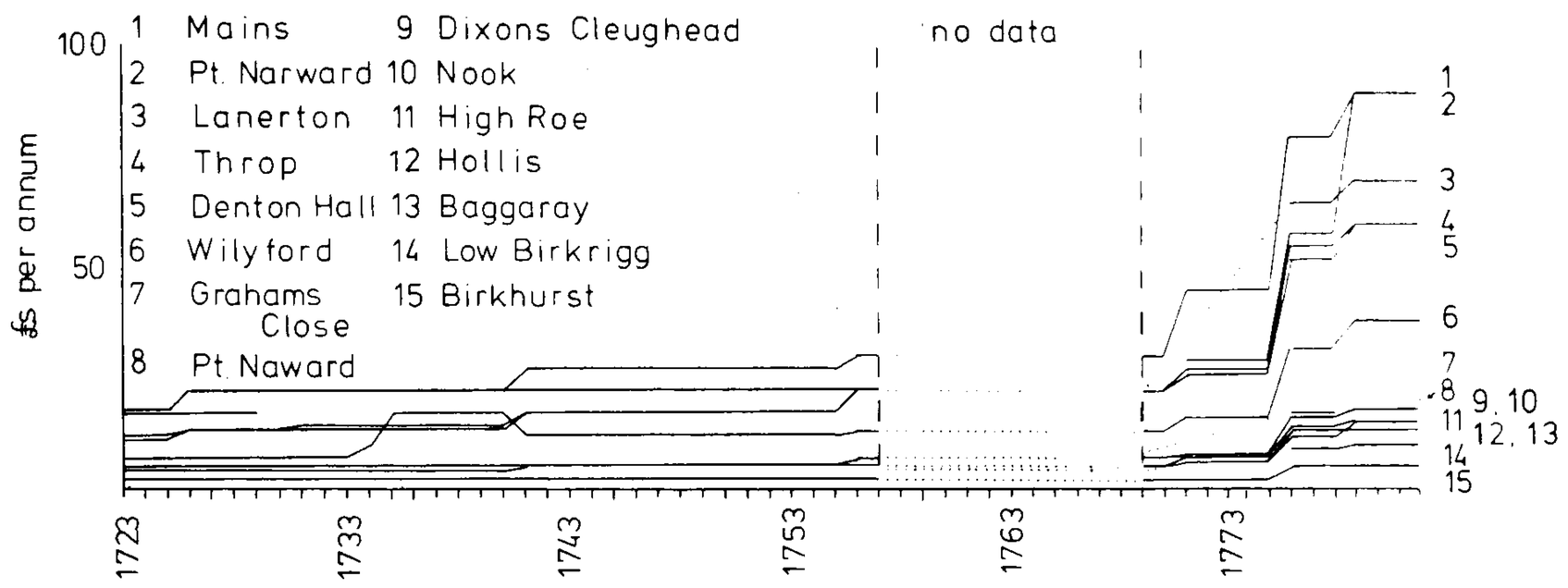


FIGURE 7. 5a: ASKERTON: LEASEHOLD RENTS: 1732 - 82



FIGURES 7.5b-c: LEASEHOLD RENTS: DENTON & FARLAM: 1723-1782



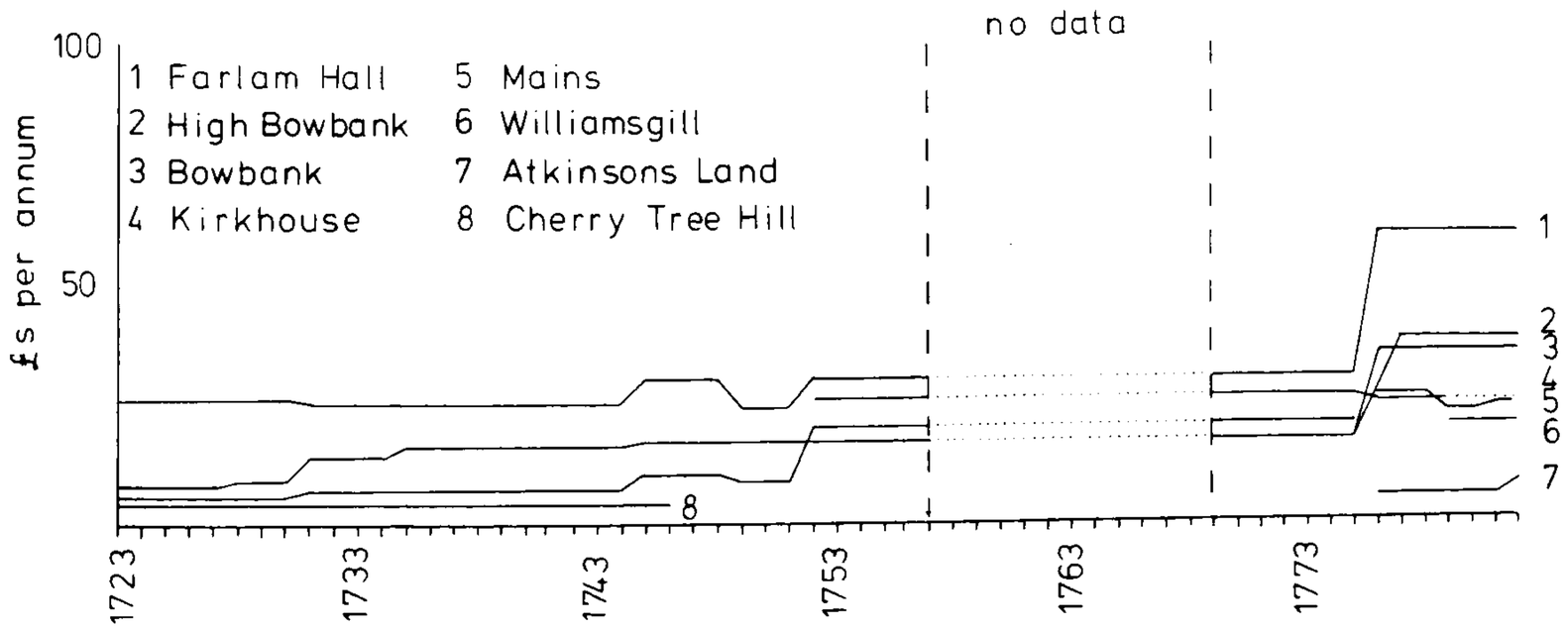


FIGURE 7.5d: IRTHINGTON: LEASEHOLD RENTS, 1723-1782

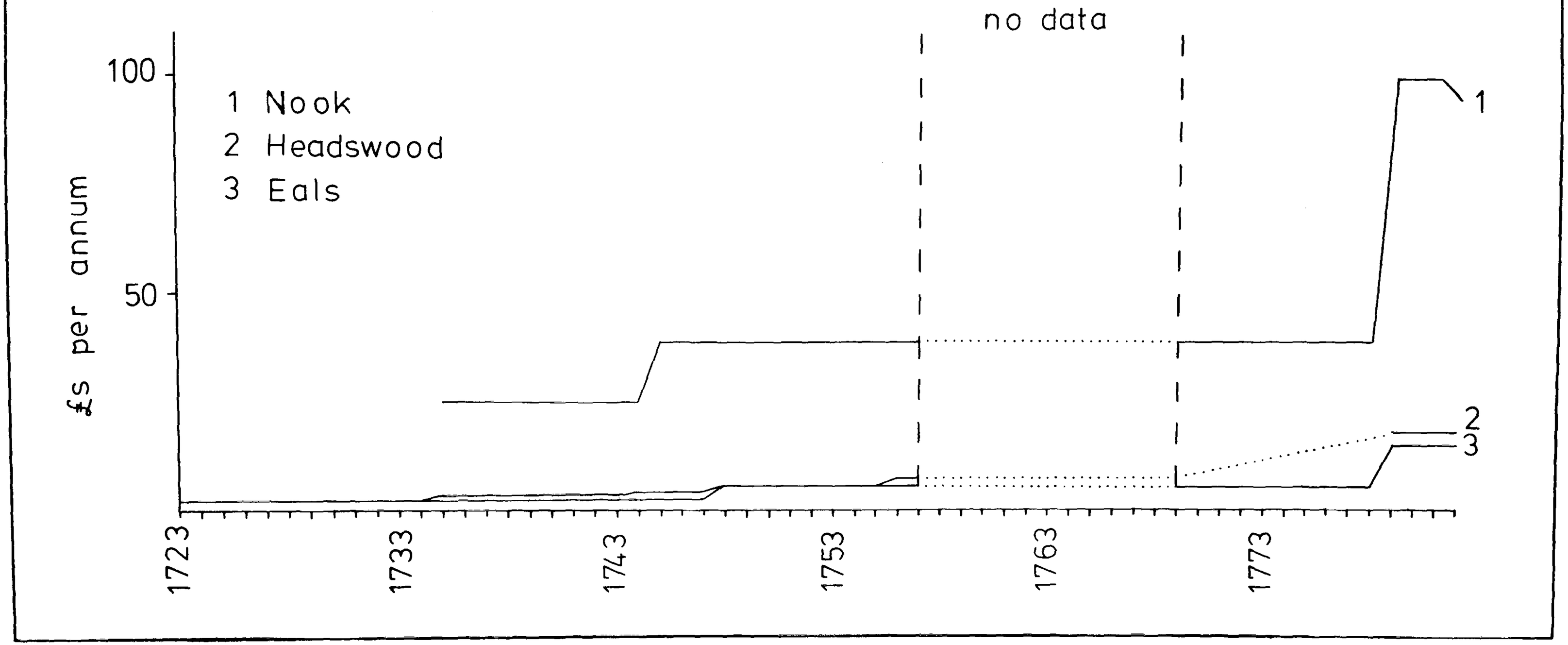


Table 7.11: Leasehold Rents (£ s): Gilsland, 1723-1782

		Askerton	Triermain	Denton	Laversdale	Walton Wood	Farlam	Talkin	Irthington	Brampton	Hayton	Cumwhitton	Cumrew	Castle Carrock	Newby
M	1723	290	25	103	13	17	81	23	13	226	21	14	-	13	10
W	1724	290	25	103	13	17	81	23	13	226	21	14	-	13	10
M	1724	282	25	103	13	17	81	23	13	206	21	14	-	13	10
W	1725	292	25	103	13	17	81	23	13	206	21	14	-	13	10
M	1725	292	25	101	13	17	66	30	13	210	21	14	-	13	10
W	1726	292	25	101	13	17	66	23	13	207	21	14	-	13	10
M	1726	293	25	108	11	17	84	32	13	215	21	19	-	10	10
W	1727	293	25	108	10	17	84	32	13	215	21	19	-	13	10
M	1727	293	25	108	10	17	85	31	13	219	21	19	-	10	10
W	1728	293	25	108	10	17	115	31	13	223	21	19	-	13	10
M	1728	293	25	108	10	17	115	31	14	229	23	19	-	10	10
W	1729	293	25	108	5	17	115	36	14	220	23	19	5	5	16
M	1729	299	25	108	5	17	115	36	14	220	23	19	5	5	16
W	1730	299	25	108	5	17	116	36	14	222	23	19	5	5	16
M	1730	302	25	113	5	17	116	36	14	227	23	19	5	5	16
W	1731	302	25	109	5	17	98	36	14	219	22	19	5	5	16
M	1731	314	25	114	5	17	102	35	14	212	23	19	5	5	16
W	1732	314	25	114	5	17	102	35	14	211	23	19	5	5	16
M	1732	315	25	114	5	17	102	35	14	214	23	19	5	5	16
W	1733	315	25	114	5	17	102	35	14	214	23	19	5	5	16
M	1733	315	25	114	5	22	102	35	37	220	23	19	5	5	16
W	1734	315	25	114	5	22	102	35	37	220	23	19	5	5	16
M	1734	305	26	114	5	22	102	37	37	224	23	19	5	5	16
W	1735	310	26	114	5	22	102	37	37	224	23	19	5	5	16
M	1735	321	26	120	5	22	109	37	39	235	23	19	5	5	16
W	1736	321	26	119	5	22	109	37	39	235	23	19	5	5	16
M	1736	327	34	117	5	22	109	37	39	239	23	19	5	5	16
W	1737	327	34	117	5	22	109	37	39	239	23	19	5	5	16
M	1737	327	34	117	5	22	108	37	39	247	23	19	5	5	16
W	1738	327	34	117	5	22	108	37	39	247	23	19	5	5	16
M	1738	327	34	117	5	22	108	37	39	247	23	19	5	5	16

Table 7.11: (continued)

		Askerton	Triermain	Denton	Laversdale	Walton Wood	Farlam	Talkin	Irthington	Brampton	Hayton	Cumwhitton	Cumrew	Castle Carrock	Newby
W	1739	327	34	117	5	22	108	37	39	175	22	19	5	5	16
M	1739	328	34	120	5	22	108	37	39	191	22	19	5	5	16
W	1740	328	34	120	5	22	108	37	40	288	23	19	5	5	16
M	1740	328	34	120	5	22	108	37	40	278	23	19	5	5	16
W	1741	332	34	120	5	22	108	37	40	223	23	21	5	5	16
M	1741	330	34	133	5	22	108	37	40	223	23	21	5	5	16
W	1742	365	34	133	5	22	108	37	40	223	23	21	5	5	16
M	1742	365	34	137	5	26	110	37	40	238	23	27	5	5	16
W	1743	365	34	137	5	26	110	37	40	228	23	28	5	5	16
M	1743	365	34	137	5	26	110	37	40	228	28	28	5	5	16
W	1744	366	34	137	5	26	110	37	40	218	28	28	5	5	16
M	1744	355	34	136	5	25	110	37	54	246	28	28	5	5	16
W	1745	366	34	136	5	25	110	37	54	236	28	28	5	5	16
M	1745	330	34	136	5	27	118	41	54	248	28	27	5	5	16
W	1746	358	34	136	5	27	117	42	54	248	28	27	5	5	16
M	1746	355	34	136	5	27	120	41	54	259	28	27	5	5	16
W	1747	355	34	136	5	27	120	41	54	259	28	27	5	5	16
M	1747	342	34	136	5	27	120	41	54	259	28	27	5	5	16
W	1748	342	34	136	5	27	120	41	54	259	28	27	5	5	16
M	1748	358	34	136	5	27	120	41	56	256	28	27	5	5	16
W	1749	358	34	136	5	27	120	41	56	256	28	27	5	5	16
M	1749	371	34	136	5	27	110	41	56	260	28	27	5	5	16
W	1750	371	34	136	5	27	110	41	56	260	28	27	5	5	16
M	1750	371	34	136	5	27	110	41	56	260	28	27	5	5	16
W	1751	372	34	136	5	27	73	41	56	248	28	27	5	5	16
M	1751	372	34	136	5	27	73	41	56	248	28	27	5	5	16
W	1752	362	34	136	5	27	80	41	56	248	28	27	8	5	16
M	1752	362	34	136	5	27	80	41	56	248	28	27	8	5	16
W	1753	385	34	148	5	28	82	42	56	161	28	28	8	5	16
M	1753	385	34	148	5	28	82	42	56	161	28	28	8	5	16
W	1754	385	34	148	5	28	82	42	56	220	28	28	8	5	16
M	1754	385	34	148	5	28	82	42	56	228	28	28	8	5	16

Table 7.11: (continued)

		Askerton	Triermain	Denton	Laversdale	Walton Wood	Farlam	Talkin	Irthington	Brampton	Hayton	Cumwhitton	Cumrew	Castle Carrock	Newby
W	1755	385	34	148	5	28	82	42	56	228	28	28	8	5	16
M	1755	390	34	148	5	28	82	42	56	228	28	28	8	5	16
W	1756	390	34	148	5	28	82	42	56	228	29	29	8	5	16
M	1756	390	34	153	5	28	82	50	59	232	29	29	8	5	16
W	1757	390	34	153	5	28	82	50	59	232	29	29	15	5	16
M	1757	395	34	157	5	28	101	50	59	232	29	28	15	5	16
	1769	547	36	167	1	22	125	44	52	348	3	22		23	11
M	1770	769	36	159	1	22	110	53	51	419	15	22		23	11
M	1771	547	36	161	1	22	110	44	52	394	15	22		23	11
M	1772	842	47	222	1	28	101	64	55	479	16	22		21	15
	1773	661	47	222	1	28	103	63	55	428	16	24		21	15
	1774	662	47	221	1	28	101	63	55	474	16	23		22	15
	1775	662	47	230	1	27	110	63	55	476	16	22		21	15
	1776	1345	95	477	1	54	202	126	110	905	32	44		42	31
	1778	1421	102	517	1	57	212	138	123	825	32	47		50	32
	1779	1515	110	551	1	59	217	150	167	972	32	50		47	33
	1780	1521	110	568	1	60	418	150	167	1302	32	47		57	45
	1781	1478	110	587	1	60	420	151	173	1195	32	50		57	46
	1782	1362	175	597	1	60	354	150	215	1334	32	50		57	42

Sources: D. P/D. H of N C 624, 625, 626, 627, 628, 629.
Temp. Listings: Rentals 1769-1782.

Table 7.12: Leasehold Rents (£s): Askerton: 1723-82

	Spadeadam	Foulbog Waste	Shanksend	Gilliliees	Ash	Wintershields	High Grains	Beaconside	Fellend	Rinnion Hills	Rowell Town	Hewestown	Brampton Lane	Greensburn	Haslegill	Butterburn	Wilysike	Palmer Hill	Askerton	S. Waste	Middleshield	Lazonby's	Lines	Haining Bank
W 1723	45	5	1	13	15	45	8	5	3	20	1	4	8	13	-	-	-	-	95	-	-	-	-	-
M 1723	45	5	1	13	15	45	8	5	3	20	1	4	8	13	-	-	-	-	95	-	-	-	-	-
W 1724	45	5	1	13	15	45	8	5	3	20	1	4	8	13	-	-	-	-	95	-	-	-	-	-
M 1724	45	5	1	13	15	45	8	5	3	20	1	4	8	13	-	-	-	-	95	-	-	-	-	-
W 1725	39	5	1	13	15	47	8	5	3	20	1	4	8	13	-	-	-	-	95	-	-	-	-	-
M 1725	39	5	1	13	15	47	8	5	3	20	1	4	8	13	-	-	-	-	95	-	-	-	-	-
W 1726	39	5	1	13	15	47	8	5	3	20	1	4	8	13	-	-	-	-	95	-	-	-	-	-
M 1726	39	5	1	13	15	47	8	5	3	20	1	4	8	13	-	-	-	-	95	-	-	-	-	-
W 1727	39	5	1	13	15	47	8	5	3	20	1	4	8	13	-	-	-	-	95	-	-	-	-	-
M 1727	39	5	1	13	15	47	8	5	3	20	1	4	8	13	-	-	-	-	95	-	-	-	-	-
W 1728	39	5	1	13	15	47	8	5	3	20	1	4	8	13	-	-	-	-	95	-	-	-	-	-
M 1728	39	5	1	13	15	47	8	5	3	20	1	4	8	13	-	-	-	-	95	-	-	-	-	-
W 1729	39	6	1	13	16	47	10	5	3	20	1	4	8	13	7	-	-	-	95	-	-	-	-	-
M 1729	39	6	1	13	16	47	10	5	3	20	1	4	8	13	7	-	-	-	95	-	-	-	-	-
W 1730	39	6	1	13	16	47	10	5	3	20	1	4	8	13	7	-	-	-	95	-	-	-	-	-
M 1730	39	6	1	13	16	47	10	5	3	20	1	4	8	13	7	-	-	-	95	-	-	-	-	-
W 1731	39	6	1	13	18	47	10	5	3	23	1	4	8	13	7	-	-	-	95	-	-	-	-	-
M 1731	44	6	1	13	18	47	10	5	3	23	1	4	8	13	7	-	-	-	100	-	-	-	-	-
W 1732	44	6	1	13	18	47	10	5	3	23	1	4	8	13	7	-	-	-	100	-	-	-	-	-
M 1732	44	6	1	13	18	47	10	5	3	23	1	4	8	13	7	-	-	-	100	-	-	-	-	-
W 1733	44	6	1	13	18	47	10	5	3	23	1	4	8	13	7	-	-	-	100	-	-	-	-	-
M 1733	44	6	1	13	18	47	10	5	3	23	1	4	8	13	7	-	-	-	100	-	-	-	-	-
W 1734	44	6	1	13	18	47	10	5	3	23	1	4	8	13	7	-	-	-	100	-	-	-	-	-
M 1734	44	29[1]	1	13	29[1]	47	10	5	4	23	1	6	8	13	7	-	-	-	90	-	-	-	-	-

Table 7.12: (continued)

	Spadeadam	Foulbog Waste Shanksend	Gillilees	Ash	Wintershields	High Grains	Beaconside	Fellend	Rinnion Hills	Rowell Town	Hewestown	Brampton Lane	Greensburn	Haslegill	Butterburn	Wilysike	Palmer Hill	Askerton	S. Waste	Middleshield	Lazonby's	Lines	Haining Bank
W 1735	44	29 1	13[2]	29	47	10	5[2]	4	23	1	6	8	13	7	-	-	-	95	-	-	-	-	-
M 1735	44	29 1	24[2]	29	47	10	-[2]	4	23	1	6	8	13	7	-	-	-	100	-	-	-	-	-
W 1736	44	29 1	24	29	47	10	-	4	23	1	6	8	13	7	-	-	-	100	-	-	-	-	-
M 1736	44	29 1	24	29	47	10	-	4	23	1	6	8	13	7	-	-	-	100	-	-	-	-	-
W 1737	44	29 1	24	29	47	10	-	4	23	1	6	8	13	7	-	-	-	100	-	-	-	-	-
W 1738	44	29 1	24	29	47	10	-	4	23	1	6	8	13	7	-	-	-	100	-	-	-	-	-
M 1738	44	29 1	24	29	47	10	-	4	23	1	6	8	13	7	-	-	-	100	-	-	-	-	-
W 1739	44	29 1	24	29	47	10	-	4	23	1	6	8	13	7	-	-	-	100	-	-	-	-	-
M 1739	44	29 1	24	29	47	10	-	4	23	1	6	8	13	7	-	-	-	100	-	-	-	-	-
W 1740	44	29 1	24	29	47	10	-	4	23	1	6	8	13	7	-	-	-	100	-	-	-	-	-
M 1740	44	29 1	24	29	47	10	-	4	23	1	6	8	13	7	-	-	-	100	-	-	-	-	-
W 1741	44	29 2	24	29	47	10	-	4	23	1	6	8	13	7	-	-	-	100	-	-	-	-	-
M 1741	44	29 2	24	29	47	10	-	4	23	1	6	8	13	7	-	-	-	100	-	-	-	-	-
W 1742	44	29 2	24	29	47	10	-	4	23	1	6	8	13	7	-	-	-	100	-	-	-	-	-
M 1742	44	29 2	24	29	47	10	-	4	25	1	6	8	13	7	-	-	-	132	-	-	-	-	-
W 1743	44	29 2	24	29	47	10	-	5	25	1	6	8	13	7	-	-	-	132	-	-	-	-	-
M 1743	44	29 2	24	29	47	10	-	5	25	1	6	8	13	7	-	-	-	132	-	-	-	-	-
W 1744	44	29 2	24	29	47	10	-	5	25	1	6	8	13	7	-	-	-	132	-	-	-	-	-
M 1744	44	29 2	24	29	47	10	-	5	25	1	6	8	13	7	-	-	-	132	-	-	-	-	-
W 1745	44	29 2	24	29	47	10	-	5	25	1	6	8	13	7	-	-	-	132	-	-	-	-	-
M 1745	44	29 2	24	29	47	10	-	5	25	1	6	8	13	7	-	-	-	132	-	-	-	-	-
W 1746	44	29 2	24	29	47	10	-	5	25	1	6	8	13	7	-	-	-	132	-	-	-	-	-
M 1746	44	29 2	24	29	47	10	-	5	25	1	6	8	13	7	-	-	-	132	-	-	-	-	-
W 1747	1d	9 2	24	15	47	10	-	5	25	1	6	15	13	7	-	-	-	132	-	-	-	-	-

Table 7.12: (continued)

	Spadeadam	Foulbog Waste	Shanksend	Gilllees	Ash	Wintershields	High Grains	Beaconside	Fellend	Rinnion Hills	Rowell Town	Hewestown	Brampton Lane	Greensburn	Haslegill	Butterburn	Wilysike	Palmer Hill	Askerton	S. Waste	Middleshield	Lazonby's	Lines	Haining Bank
M 1747	1d	9	2	24	15	47	10	-	5	25	1	6	15	17	7	15	10	7	130	-	-	-	-	-
W 1748	1d	9	2	24	15	47	10	-	5	25	1	6	15	17	7	15	10	7	130	-	-	-	-	-
M 1748	1d	9	2	24	15	52	10	-	5	25	1	6	15	17	7	13	10	7	130	-	-	-	-	-
W 1749	1d	9	2	24	15	52	10	-	5	25	1	6	15	17	7	13	10	7	130	-	-	-	-	-
M 1749	1d	15	2	24	17	66	10	-	5	25	1	6	15	17	7	13	8	7	130	-	-	-	-	-
W 1750	1d	15	2	24	17	66	10	-	5	25	1	6	15	17	7	13	8	7	130	-	-	-	-	-
M 1750	1d	15	2	24	17	66	10	-	5	25	1	6	15	17	7	13	8	7	130	-	-	-	-	-
W 1751	1d	15	2	24	17	66	10	-	5	25	1	6	15	17	7	13	8	7	130	-	-	-	-	-
M 1751	1d	15	2	24	17	66	10	-	5	25	1	6	15	17	7	13	8	7	130	-	-	-	-	-
W 1752) M 1752)	1d	18	2	48	30	132	20	-	5	60	1	14	30	34	14	26	17	14	260	-	-	-	-	-
W 1753) M 1753)	1d	18	2	48	30	132	20	-	5	60	1	14	30	34	14	26	17	14	260	-	-	-	-	-
W 1754) M 1754)	1d	18	2	48	30	132	20	-	5	60	1	14	30	34	14	26	17	14	260	-	-	-	-	-
W 1755		9	2	24	17	66	13	-	5	30	1	7	15	17	9	13	8	7	130	-	-	-	-	-
M 1755	1d	9	2	24	17	66	13	-	5	30	1	7	15	17	9	13	8	7	130	-	-	-	-	-
W 1756	1d	9	2	24	17	66	13	-	5	30	1	7	15	17	9	13	8	7	130	-	-	-	-	-
M 1756	1d	9	2	24	17	66	13	-	5	30	1	7	15	17	9	13	8	7	130	-	-	-	-	-
W 1757	1d	9	2	24	17	66	13	-	5	30	1	7	15	17	9	13	8	7	130	-	-	-	-	-
M 1757	1d	9	2	24	16	77	13	-	5	30	1	7	15	17	8	13	8	7	130					
1769	150	18	6	48	18	133	26	-	14	60	-	14	34	34	16	30	20	14	260	60	64	10	44	-

Table 7.12 (continued)

	Spadeadam	Foulbog Waste	Shanksend	Gillilees	Ash	Wintershields	High Grains	Beaconside	Fellend	Rinnion Hills	Rowell Town	Hewestown	Brampton Lane	Greensburn	Haslegill	Butterburn	Wilysike	Palmer Hill	Askerton	S. Waste	Middleshield	Lazonby's	Lines	Haining Bank
1770	150	18	6	48	18	133	26	-	14	60	-	14	34	34	16	30	20	14	260	60	64	10	44	-
1771	150	18	6	48	18	133	26	-	14	60	-	14	34	34	16	30	20	14	260	60	64	10	44	-
1772	150	18	6	48	18	133	26	-	14	60	-	14	34	34	16	30	20	14	260	60	64	10	44	-
1773	150	18	6	48	18	133	26	-	14	60	-	14	34	34	16	30	20	14	260	60	64	10	44	-
1774	150	18	6	48	18	133	26	-	14	60	-	14	34	34	16	30	20	14	260	60	64	10	44	-
1775	150	18	6	48	18	133	26	-	14	60	-	14	34	34	16	30	20	14	260	60	64	10	44	-
1776	170	20	9	70	38	150	40	-	18	70	-	21	39	50	20	34	20	18	320	60	75	10	54	18
1777	170	20	9	70	38	150	40	-	18	70	-	21	39	50	20	35	20	18	320	60	75	10	54	18
1778	170	20	9	70	38	150	40	-	18	70	-	21	39	50	20	35	20	18	320	60	75	10	54	18
1779	200	23	12	75	44	155	45	-	19	85	-	28	45	52	20	40	90	24	400	-	80	-	56	22
1780	200	23	12	75	44	155	45	-	19	85	-	28	45	52	20	40	90	24	400	-	80	-	56	22
1781	200	23	12	75	44	155	45	-	19	85	-	28	45	52	20	40	90	24	400	-	80	-	56	22
1782	160	26	6	79	-	140	40	-	16	85	3	28	40	52	-	35	80	-	400	-	63	-	56	56

1. 1734-1742: Foulbog Waste and Ash Farms are amalgamated. From 1743 they are then separately let.

2. 1735: Gillilees and Beaconside Farms are amalgamated.

Sources: D. P/D. H of N C 624-9. Temporary Listing: Rentals 1769-82.

Table 7.13: Leasehold Rents (£s): Denton: 1723-82

	Willyford	Dixons Cleugh head	High Roe	Maines	Lennerton	Throp	Baggarey	Denton Hall	Stonehouse	Birkhurst	Hollis	Bell's Tenement	Low Birkcrigg	Nook	Graham's Close	pt N'ward Park	pt N'wd Pk lately impr.	pt N'wd Pk lately impr.
W 1723	7	5	4	18	11	12	2	17	4	2	3	3	-	-	-	-	-	-
M 1723	7	5	4	18	11	12	2	17	4	2	3	3	-	-	-	-	-	-
W 1724	7	5	4	18	11	12	2	17	4	2	3	3	-	-	-	-	-	-
M 1724	7	5	4	18	11	12	2	17	4	2	3	3	-	-	-	-	-	-
W 1725	7	5	4	18	11	12	2	17	4	2	3	3	-	-	-	-	-	-
M 1725	7	5	4	18	11	12	2	17	4	2	3	3	-	-	-	-	-	-
W 1726	7	5	4	22	13	13	4	17	4	2	3	3	-	-	-	-	-	-
M 1726	7	5	4	22	13	13	4	17	4	2	3	3	-	-	-	-	-	-
W 1727	7	5	4	22	13	13	4	17	4	2	3	3	-	-	-	-	-	-
M 1727	7	5	4	22	13	13	4	17	4	2	3	3	-	-	-	-	-	-
W 1728	7	5	4	22	13	13	4	17	4	2	3	3	-	-	-	-	-	-
M 1728	7	5	4	22	13	13	4	17	4	2	3	3	-	-	-	-	-	-
W 1729	7	5	4	22	13	13	4	17	4	2	3	3	-	-	-	-	-	-
M 1729	7	5	4	22	13	13	4	17	4	2	3	3	-	-	-	-	-	-
W 1730	7	5	4	22	13	13	4	17	4	2	3	3	-	-	-	-	-	-
M 1730	7	5	4	22	13	13	4	22	4	2	3	3	-	-	-	-	-	-
W 1731	7	5	4	22	13	14	1ds	22	2	2	3	-	-	-	-	-	-	-
M 1731	7	5	4	22	13	14	4	22	2	2	3	-	-	-	-	-	-	-
W 1732	7	5	4	22	13	14	4	22	2	2	3	-	-	-	-	-	-	-
M 1732	7	5	4	22	13	14	4	22	2	2	3	-	-	-	-	-	-	-
W 1733	7	5	4	22	13	14	4	22	2	2	3	-	-	-	-	-	-	-
M 1733	7	5	4	22	13	14	4	22	2	2	3	-	-	-	-	-	-	-
W 1734	7	5	4	22	13	14	4	22	2	2	3	-	-	-	-	-	-	-
M 1734	7	5	4	22	13	14	4	22	2	2	3	-	-	-	-	-	-	-
W 1735	7	5	4	22	13	14	4	22	2	2	3	-	-	-	-	-	-	-
M 1735	17	5	4	22	13	14	4	22	2	2	3	-	-	-	-	-	-	-
W 1736	17	5	4	22	13	14	4	22	2	2	3	-	-	-	-	-	-	-
M 1736	17	5	4	22	13	14	4	22	2	2	3	-	-	-	-	-	-	-
W 1737	17	5	4	22	13	14	4	22	2	2	3	-	-	-	-	-	-	-
M 1737	17	5	4	22	13	14	4	22	2	2	3	-	-	-	-	-	-	-
W 1738	17	5	4	22	13	14	4	22	2	2	3	-	-	-	-	-	-	-
M 1738	17	5	4	22	13	14	4	22	2	2	3	-	-	-	-	-	-	-
W 1739	17	5	4	22	13	14	4	22	2	2	3	-	-	-	-	-	-	-
M 1739	17	5	4	22	13	14	4	22	2	2	3	-	-	-	-	-	-	-
W 1740	17	5	4	22	13	14	4	22	2	2	3	-	-	-	-	-	-	-
M 1740	17	5	4	22	13	14	4	22	2	2	3	-	-	-	-	-	-	-
W 1741	17	5	4	22	13	14	4	22	2	2	3	-	-	-	-	-	-	-
M 1741	12	5	5	27	17	17	4	22	2	2	5	-	-	-	-	-	-	-
W 1742	12	5	5	27	17	17	4	22	2	2	5	-	-	-	-	-	-	-
M 1742	12	5	5	27	17	17	4	22	2	2	5	-	-	-	-	-	-	-
W 1743	12	5	5	27	17	17	4	22	2	2	5	-	-	-	-	-	-	-
M 1743	12	5	5	27	17	17	4	22	2	2	5	-	-	-	-	-	-	-
W 1744	12	5	5	27	17	17	4	22	2	2	5	-	-	-	-	-	-	-
M 1744	12	5	5	27	17	17	4	22	2	2	5	-	-	-	-	-	-	-
W 1745	12	5	5	27	17	17	4	22	2	2	5	-	-	-	-	-	-	-

Table 7.13: (continued)

	Willyford	Dixons Cleugh head	High Roe	Maines	Lennerton	Throp	Baggarey	Denton Hall	Stonehouse	Birkhurst	Hollis	Bell's Tenement	Low Birkcrigg	Nook	Graham's Close	pt N'ward Park	pt N'wd Pk lately impr.	pt N'wd Pk lately impr.
M 1745	12	5	5	27	17	17	4	22	2	2	5	-	-	-	-	-	-	-
W 1746	12	5	5	27	17	17	4	22	2	2	5	-	-	-	-	-	-	-
M 1746	12	5	5	27	17	17	4	22	2	2	5	-	-	-	-	-	-	-
W 1747	12	5	5	27	17	17	4	22	2	2	5	-	-	-	-	-	-	-
M 1747	12	5	5	27	17	17	4	22	2	2	5	-	-	-	-	-	-	-
W 1748	12	5	5	27	17	17	4	22	2	2	5	-	-	-	-	-	-	-
M 1748	12	5	5	27	17	17	4	22	2	2	5	-	-	-	-	-	-	-
W 1749	12	5	5	27	17	17	4	22	2	2	5	-	-	-	-	-	-	-
M 1749	12	5	5	27	17	17	4	22	2	2	5	-	-	-	-	-	-	-
W 1750	12	5	5	27	17	17	4	22	2	2	5	-	-	-	-	-	-	-
M 1750	12	5	5	27	17	17	4	22	2	2	5	-	-	-	-	-	-	-
W 1751	12	5	5	27	17	17	4	22	2	2	5	-	-	-	-	-	-	-
M 1751	12	5	5	27	17	17	4	22	2	2	5	-	-	-	-	-	-	-
W 1752	12	5	5	27	17	17	4	22	2	2	5	-	-	-	-	-	-	-
M 1752	12	5	5	27	17	17	4	22	2	2	5	-	-	-	-	-	-	-
W 1753	12	5	5	27	17	17	4	22	2	2	5	-	-	-	-	-	-	-
M 1753	12	5	5	27	17	17	4	22	2	2	5	-	-	-	-	-	-	-
W 1754	12	5	5	27	17	17	4	22	2	2	5	-	-	-	-	-	-	-
M 1754	12	5	5	27	17	17	4	22	2	2	5	-	-	-	-	-	-	-
W 1755	12	5	5	27	17	17	4	22	2	2	5	-	-	-	-	-	-	-
M 1755	12	5	5	27	17	17	4	22	2	2	5	-	-	-	-	-	-	-
W 1756	12	5	5	27	17	17	4	22	2	2	5	-	-	-	-	-	-	-
M 1756	13	7	5	30	22	22	5	22	2	2	5	-	-	-	-	-	-	-
W 1757	13	7	5	30	22	22	5	22	2	2	5	-	-	-	-	-	-	-
M 1757	13	7	5	30	22	22	5	22	1ds	2	5	5	4	-	-	-	-	-
1769	26	14	10	60	44	44	10	44	12	4	10	-	8	10	16	-	-	-
1770	26	14	10	60	44	44	10	44	12	4	10	-	8	10	16	-	-	-
1771	32	16	14	90	-	54	12	52	16	4	12	-	-	12	-	58	-	-
1772	32	16	14	90	-	54	12	52	16	4	12	-	-	12	-	58	-	-
1773	32	16	14	90	-	54	12	52	16	4	12	-	-	12	-	58	-	-
1774	32	16	14	90	-	54	12	52	16	4	12	-	-	12	-	58	-	-
1775	32	16	14	90	-	54	12	52	16	4	12	-	-	12	-	58	-	-
1776	32	16	14	90	65	55	13	52	16	5	13	-	9	12	17	58	-	-
1777	32	16	14	90	65	55	13	52	16	5	13	-	9	12	17	58	-	-
1778	32	16	14	90	65	55	13	52	16	5	13	-	9	12	17	58	-	-
1779	38	18	15	100	70	55	13	60	16	5	15	-	10	15	17	90	-	-
1780	38	18	15	100	70	55	13	60	16	5	15	-	10	15	17	90	-	-
1781	38	18	15	100	70	55	13	60	16	5	15	-	10	15	17	90	-	-
1782	38	18	15	100	70	60	13	60	16	5	15	-	10	15	-	90	20	20

Sources: D. P/D. H of N C 624-9; Temporary Listing: Rentals 1769-82.

Table 7.14: Leasehold Rents (£s): Farlam: 1723-82

	Bowbank		Coalfell		Farlam Hall		Cherrytree Hill		Mains		Limekilns		Kirkhouse		High Bowbank		Atkinson's Land		Williamsgill	
W	1723	8	20	26	4	6	15	-	-	-	-									
M	1723	8	20	26	4	6	15	-	-	-	-									
W	1724	8	20	26	4	6	15	-	-	-	-									
M	1724	8	20	26	4	6	15	-	-	-	-									
W	1725	8	20	26	4	6	15	-	-	-	-									
M	1725	8	20	26	4	6	1d	-	-	-	-									
W	1726	8	20	26	4	6	1d	-	-	-	-									
M	1726	8	20	26	4	6	18	-	-	-	-									
W	1727	8	20	26	4	6	18	-	-	-	-									
M	1727	8	20	26	4	6	18	-	-	-	-									
W	1728	9	50	26	4	6	18	-	-	-	-									
M	1728	9	50	26	4	6	18	-	-	-	-									
W	1729	9	50	26	4	6	18	-	-	-	-									
M	1729	9	50	26	4	6	18	-	-	-	-									
W	1730	9	50	26	4	6	18	-	-	-	-									
M	1730	9	50	26	4	6	18	-	-	-	-									
W	1731	9	50	26	4	7	1d	-	-	-	-									
M	1731	14	50	25	4	7	1d	-	-	-	-									
W	1732	14	50	25	4	7	1d	-	-	-	-									
M	1732	14	50	25	4	7	1d	-	-	-	-									
W	1733	14	50	25	4	7	1d	-	-	-	-									
M	1733	14	50	25	4	7	1d	-	-	-	-									
W	1734	14	50	25	4	7	1d	-	-	-	-									
M	1734	14	50	25	4	7	1d	-	-	-	-									
W	1735	14	50	25	4	7	1d	-	-	-	-									
M	1735	16	55	25	4	7	1d	-	-	-	-									
W	1736	16	55	25	4	7	1d	-	-	-	-									
M	1736	16	55	25	4	7	1d	-	-	-	-									
W	1737	16	55	25	4	7	1d	-	-	-	-									
M	1737	16	55	25	4	7	1d	-	-	-	-									
W	1738	16	55	25	4	7	1d	-	-	-	-									
M	1738	16	55	25	4	7	1d	-	-	-	-									
W	1739	16	55	25	4	7	1d	-	-	-	-									
M	1739	16	55	25	4	7	1d	-	-	-	-									
W	1740	16	55	25	4	7	1d	-	-	-	-									
M	1740	16	55	25	4	7	1d	-	-	-	-									
W	1741	16	55	25	4	7	1d	-	-	-	-									
M	1741	16	55	25	4	7	1d	-	-	-	-									
W	1742	16	55	25	4	7	1d	-	-	-	-									
M	1742	16	55	25	4	7	1d	-	-	-	-									
W	1743	16	55	25	4	7	1d	-	-	-	-									
M	1743	16	55	25	4	7	1d	-	-	-	-									
W	1744	16	55	25	4	7	1d	-	-	-	-									
M	1744	16	55	25	4	7	1d	-	-	-	-									
W	1745	16	55	25	4	7	1d	-	-	-	-									

Table 7.14: (continued)

	Bowbank	Coalfell	Farlam Hall	Cherrytree Hill	Mains	Limekilns	Kirkhouse	High Bowbank	Atkinson's Land	Williamsgill
M 1745	17	55	30	4	10	1d	-	-	-	-
W 1746	17	55	30	4	10	1d	-	-	-	-
M 1746	17	55	30	4	10	1d	-	-	-	-
W 1747	17	55	30	4	10	1d	-	-	-	-
M 1747	17	55	30	4	10	1d	-	-	-	-
W 1748	17	55	30	4	10	1d	-	-	-	-
M 1748	17	55	30	4	10	1d	-	-	-	-
W 1749	17	55	30	4	10	1d	-	-	-	-
M 1749	17	55	24	2	9	1d	-	-	-	-
W 1750	17	55	24	2	9	1d	-	-	-	-
M 1750	17	55	24	2	9	1d	-	-	-	-
W 1751	17	55	24	2	9	1d	-	-	-	-
M 1751	17	55	24	2	9	1d	-	-	-	-
W 1752) M 1752)	34	1d	60	-	20	1d	16	-	-	-
W 1753	17	1d	30	-	10	1d	13	-	-	-
M 1753	17	1d	30	-	10	1d	13	-	-	-
W 1754	17	1d	30	-	10	1d	13	-	-	-
M 1754	17	1d	30	-	10	1d	13	-	-	-
W 1755	17	1d	30	-	10	1d	13	-	-	-
M 1755	17	1d	30	-	10	1d	13	-	-	-
W 1756	17	1d	30	-	10	1d	13	-	-	-
M 1756	17	1d	30	-	10	1d	13	-	-	-
W 1757	17	1d	30	-	10	1d	13	-	-	-
M 1757	17	1d	30	-	20	1d	13	17	-	-
1769	34	1d	60	-	40	1d	26	34	-	-
1770	34	1d	60	-	40	1d	26	34	-	-
1771	34	1d	60	-	40	1d	26	34	-	-
1772	34	1d	60	-	40	1d	26	34	-	-
1773	34	1d	60	-	40	1d	26	34	-	-
1774	34	1d	60	-	40	1d	26	34	-	-
1775	34	1d	60	-	40	1d	26	34	-	-
1776	35	-	65	-	26	-	25	38	5	-
1777	35	-	65	-	26	-	25	38	5	-
1778	35	-	65	-	26	-	25	38	5	-
1779	35	-	65	-	23	-	25	38	5	20
1780	35	-	65	-	23	-	25	38	5	20
1781	35	-	65	-	23	-	25	38	5	20
1782	35	-	64	-	24	-	-	38	8	20

Sources: D. P/D. H of N C 624-9
Temporary Listings: rentals 1769-82.

Table 7.15: Leasehold Rents (£s): Irthington: 1723-82

	Headswood	Eal's	Nook	Pt Headswood	Pt Headswood
W 1723	2	3	-	-	-
M 1723	2	3	-	-	-
W 1724	2	3	-	-	-
M 1724	2	3	-	-	-
W 1725	2	3	-	-	-
M 1725	2	3	-	-	-
W 1726	2	3	-	-	-
M 1726	2	3	-	-	-
W 1727	2	3	-	-	-
M 1727	2	3	-	-	-
W 1728	2	3	-	-	-
M 1728	2	3	-	-	-
W 1729	2	3	-	-	-
M 1729	2	3	-	-	-
W 1730	2	3	-	-	-
M 1730	2	3	-	-	-
W 1731	2	3	-	-	-
M 1731	2	3	-	-	-
W 1732	2	3	-	-	-
M 1732	2	3	-	-	-
W 1733	2	3	-	-	-
M 1733	2	3	-	-	-
W 1734	2	3	-	-	-
M 1734	2	3	-	-	-
W 1735	2	3	-	-	-
M 1735	3	3	25	-	-
W 1736	3	3	25	-	-
M 1736	3	3	25	-	-
W 1737	3	3	25	-	-
M 1737	3	3	25	-	-
W 1738	3	3	25	-	-
M 1738	3	3	25	-	-
W 1739	3	3	25	-	-
M 1739	3	3	25	-	-
W 1740	3	3	25	-	-
M 1740	3	3	25	-	-
W 1741	3	3	25	-	-
M 1741	3	3	25	-	-
W 1742	3	3	25	-	-
M 1742	3	3	25	-	-
W 1743	3	3	25	-	-
M 1743	3	3	25	-	-
W 1744	4	3	25	-	-
M 1744	4	3	39	-	-
W 1745	4	3	39	-	-

Table 7.15: Leasehold Rents (£s): Irthington: 1723-82 (continued)

	Headswood	Eal's	Nook	Pt Headswood	Pt Headswood
M 1745	4	3	39	-	-
W 1746	4	3	39	-	-
M 1746	4	3	39	-	-
W 1747	4	3	39	-	-
M 1747	4	3	39	-	-
W 1748	4	3	39	-	-
M 1748	5	5	39	-	-
W 1749	5	5	39	-	-
M 1749	5	5	39	-	-
W 1750	5	5	39	-	-
M 1750	5	5	39	-	-
W 1751	5	5	39	-	-
M 1751	5	5	39	-	-
W 1752	5	5	39	-	-
M 1752	5	5	39	-	-
W 1753	5	5	39	-	-
M 1753	5	5	39	-	-
W 1754	5	5	39	-	-
M 1754	5	5	39	-	-
W 1755	5	5	39	-	-
M 1755	5	5	39	-	-
W 1756	5	5	39	-	-
M 1756	7	5	39	-	-
W 1757	7	5	39	-	-
M 1757	7	5	39	-	-
1769	-	10	78	8	6
1770	-	10	78	8	6
1771	-	10	78	8	6
1772	-	10	78	8	6
1773	-	10	78	8	6
1774	-	10	78	8	6
1775	-	10	78	8	6
1776	-	10	78	8	6
1777	-	10	78	8	6
1778	-	10	78	8	6
1779	18	15	100	-	-
1780	18	15	100	-	-
1781	18	15	100	-	-
1782	18	15	90	-	-

Source: D. P/D. H of N C 624-9
Temporary Listings: Rentals 1769-82.

of Askerton, Denton, Farlam and Irthington. These were selected as representative of two cases of substantial and moderate rent increases, respectively. Again, as at the manorial scale, much of these individual totals are accounted for by a few farms. This is especially so in the case of Askerton (Figure 7.5a) where Askerton, Spadeadam and Wintershields account for 51.4 per cent of the entire total in 1782.

This pattern, in combination with that displayed in Figure 7.4, suggests that the major contributions to total leasehold rents were made by the large farms characteristic of Northern Gilsland and Askerton in particular. Correlation analysis between farm size (1828) and rent (1782) for the 23 leasehold farms of Askerton and Denton produces a result of $r_s = 0.83$, confirming that this association, is, indeed a strong one (Appendix 7.2).

Such findings can, of course, be related back to the more general arguments of Brenner. In fact they support these to a considerable degree: large farms have been shown in general to have a strong association with high rents. The logical extension on from this is to infer - along with Brenner - that these were the most profitable agricultural units. If they were not the tenant farmers in occupation would not have been able to meet the high rent requirements demanded of them. We can, nevertheless, note in passing that, in Askerton particularly, there are signs that rent levels were being pushed too high by the 1770s (Figure 7.5a). Certainly, in the case of both Spadeadam and Wintershields, we can see that, following a period of excessive rent increases (1775-79), rents declined. This type of trend can be interpreted not only as an indication that tenant farmers were encountering difficulties in maximising their profits but also as a measure of the importance of the partnership concept in capitalist farming. Declining or stable rents are as much a feature of Figures 7.4 and 7.5 as increasing ones, and the rent which the landlord received was, as we have already seen, very much

dependent upon the state of the Cumbrian markets.

The partnership described above between landlord and capitalist tenant represents only two-thirds of the social structure associated with agrarian capitalism: the remaining third is, of course, composed of free-wage labourers. Undoubtedly, leasehold farms within Gilsland - as elsewhere in the North-west[26] - employed labourers, both on a casual (seasonal) and permanent basis. On Spadeadam (5027 acres; 3025 ha), for example, over the two years of 1746-7, 23 labourers were employed, two of whom - John Armstrong and William Tennant - were boarded permanently.[27] Similarly, over the same period, 12 labourers were employed on Brampton Townfoot (345 acres; 140 ha).[28] What is more difficult to determine is whether these labourers really represent the classical Marxist picture of a landless class dependent entirely upon their wage labour for their survival. The remainder of the section is devoted to elaborating upon this issue.

Two features are generally assumed to be associated with the conversion of 'peasant producers' to a class of landless, free-wage labourers:- a contraction in the number of customary tenants and a reduction in the total acreage included within the customary sector, in the latter case this land being taken as transferred directly into the total leasehold acreage (Brenner, 1976; Saville, 1969). Both of these issues are considered here in relation to the Gilsland estate c.1828. Finally attention is turned to the question of whether these findings can be taken as tantamount to the elimination of small-scale direct producers.

The question of acreages is considered first. Table 7.16 shows that, superficially at least, a considerable reduction in the total customary acreage did occur within Gilsland between 1603 and 1828.[29]

Table 7.16: Acreage totals for customary, freehold and leasehold land: Gilsland 1603 x 1828

Tenurial Category	1603 Acreage	1603 Percentage	1828 Acreage	1828 Percentage
Customary	22171 (12859)*	66.5%	5610	9.5%
Freehold	-	-	18758	31.8%
Leasehold	4810 (12859)*	33.5%	34566	58.6%
	52699		58934	

*25718 acres common pasture is divided equally between tenants and demesne (leasehold) for 1603 (cf. 6.3.5).

However, the size of this reduction is reduced substantially by the addition of customary and freehold acreages - a legitimate course since these freehold tenants were created as a result of enfranchisement immediately prior to enclosure during the latter part of the 18th century.[30] Thus, instead of a reduction in the customary sector acreage from 66.5 per cent to 9.5 per cent, a more realistic estimate of the contraction involved is the 25.2%difference between the combined customary and freehold acreage of 1828 (41.3 per cent) and the customary figure of 1603.

Even this value however, may be an over-estimate of the actual amount of land lost to the leasehold sector. As has already been demonstrated, most of the leasehold acreage in Gilsland was created from ex common pasture and waste land (6.3.5). Furthermore, the combined freehold and customary acreages of 1603 and 1828 (24,368 acres; 9869 ha) is remarkably close to the 1603 customary total of 22,171 acres (8979 ha). Thus, whilst at first sight it appears that a contraction in customary and freehold acreages in favour of the leasehold sector did occur, such

an interpretation of these figures can be seen to be far from correct. Indeed, it is far from impossible that the scale of both reduction and transfer was minimal.

These findings are paralleled and given further backing by an examination of the number of tenants (excluding leaseholders) in 1603 and 1828. As Table 7.17 shows, although the number of customary tenants declines by 125 between the two dates, the overall number of customary and freehold tenants in 1828 exceeds the 1603 total by 121; major increases being confined to the central and southern manors of Laversdale, Hayton and Cumwhitton (cf. Jones, 1962).

An increase, rather than decrease, in the number of customary and freehold tenants, together with a negligible reduction in the acreage of land within the non-leasehold sector over the period 1603 - 1828, suggests that the Gilsland estate, far from conforms with the classical Marxist interpretation of these centuries. Certainly, by 1828, a numerous group of landless, free-wage labourers had not materialised. Nevertheless, analysis of the customary and freehold sectors in 1828 does indicate that certain sectors of this heterogeneous group would have been dependent upon supplementing their income through wage labour.

Table 7.18 records the percentage of customary and freehold tenants holding or owning land totalling less than 10 acres (4 ha) in 1828 and compares this with the number of cottagers recorded in the 1603 survey.[31] From this a basic three-fold spatial pattern emerges (Figure 7.6). The central part of the estate (Brampton, Irthington, Laversdale, Hayton and Talkin, together with the southern manor of Cumrew) is revealed as an area in which small scale farmers - those working between 5 and 10 acres inclusive - were concentrated. Interestingly, these are also - in the main - the areas where the increase in small-scale producers between 1603 and 1828 was greatest (Table 7.18). A second, less spatially concentrated group, comprising Cumwhitton, Castle Carrock, Walton Wood and

FIGURE 7.6: CUSTOMARY AND FREEHOLD TENANTS WITH < 10 ACRES, GILSLAND, 1828

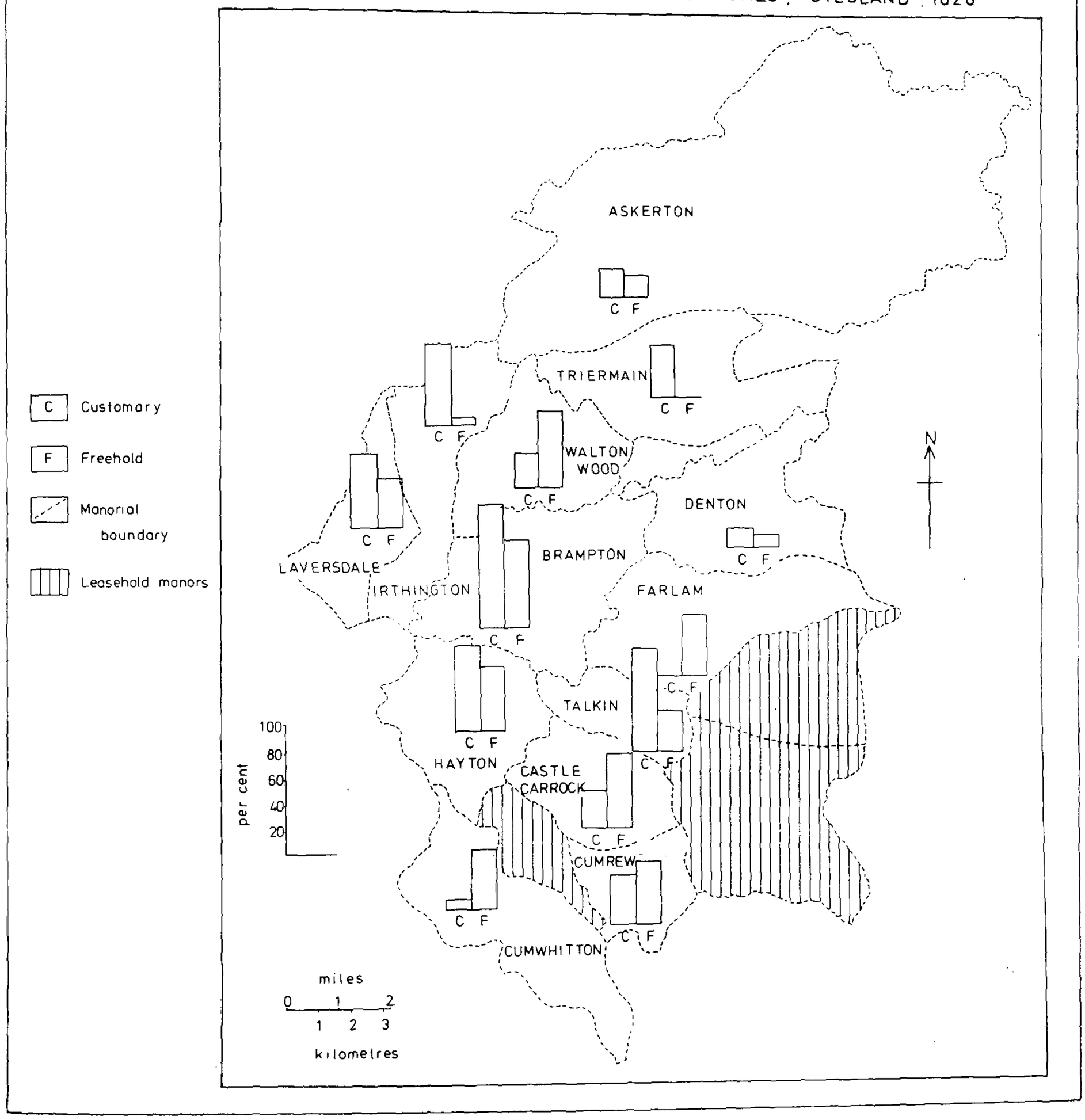


Table 7.17: Total customary and freehold tenant numbers (including those with < 5 acres): Gilsland, 1603 x 1828

Manor	No. Customary Tenants: 1603	1828	Difference	No. Customary and Freehold Tenants: 1828	Difference
Askerton	55	30	-25	50	- 5
Triermain	39	20	-19	39	0
Denton	26	19	-10	36	10
Walton Wood	11	7	- 4	12	1
Brampton	50	19	-31	37	-13
Farlam	19	3	-16	26	7
Laversdale	22	23	1	50	28
Hayton	64	74	10	119	55
Talkin	21	35	14	38	17
Cumwhitton	51	41	10	89	38
Castle Carrock	36	24	-12	41	5
Cumrew	39	13	-26	17	-22
	433	308	diff -125	554	diff 121

Sources: Graham, T.H.B. (1934) The Barony of Gilsland, Lord William Howard's Survey taken in 1603.

D. P/D. H of N C 201/24-25.

Table 7.18: Customary and Freehold Tenant Numbers: Gilsland, 1603 x 1828

Manor	No. C Tents 1828	No. F Tents 1828	No. C Tents < 10 acres	No. F Tents < 10 acres	% C Tents < 10 acres	% F Tents < 10 acres	C + F Tents < 10 acres / Total No. Tents (%)	% No. Tents < 4 acres (1603)	Percentage Difference 1603 x 1828
Askerton	30	20	6	3	20	15	18	0	18
Triermain	20	19	8	0	40	0	20.5	5.1	15.4
Denton	19	17	3	2	15.7	11.8	13.8	3.8	10.8
Walton Wood	7	5	2	3	28.6	60	41.6	0	41.6
Brampton	19	18	18	12	94.7	66.6	81.1	58	23.1
Farlam	3	23	0	11	0	47.8	42.3	15.8	34.2
Irthington	32	15	24	2	75	13.3	55.3	-	-
Laversdale	23	27	14	12	60.9	44.4	52	9.1	42.9
Hayton	74	45	49	24	66.2	53.3	61.3	26.6	34.7
Talkin	35	3	28	1	80.0	33.3	76.3	23.8	52.5
Cumwhitton	41	48	3	22	7.3	45.8	28.1	29.4	-1.3
Castle Carrock	24	17	7	10	29.2	58.8	41.5	41.7	-0.2
Cumrew	13	4	5	2	38.5	50	52.9	23.1	29.8

Farlam is composed of medium range percentages of small-scale farmers (20-49 per cent). The northern manors of Askerton, Triermain and Denton all contain minimal numbers in this small farm category. Following on from this we can speculate that many of these customary and freehold farmers in the central Gilsland area would have comprised a body of casual agricultural labourers, albeit not the permanent free-wage labourers of the type suggested in most Marxist accounts.

The data presented in Table 7.19 to some degree acts as a counterpart to that in Table 7.18, since this reveals the spatial concentrations of large scale customary and freehold tenants (those holding or owning > 60 acres; 24.7 ha (cf. Figures 7.6 and 7.7)). Again the same basic pattern is revealed with the northern areas, particularly Askerton and Triermain, recording high percentage values, and the central estate being characterised by very low figures (Talkin, Hayton, Irthington, Brampton). Thus the number of 'peasant producers' farming sizeable acreages in some areas of the Gilsland estate was minimal. In others the opposite was the case: 'peasant producers', both small and large scale, still existed in the Gilsland area at the beginning of the 19th century.

Two main points can be made to conclude this section. First, to a certain extent, these findings provide some empirical support for the general arguments of Brenner (1976; 1977). The social structure of landlord - capitalist tenant farmer - free wage labourer did exist in certain areas of the Gilsland estate by 1828 and, furthermore, a partnership between landlord and capitalist tenant had been formed. However, a second point has to be made, namely that detailed empirical work has shown these conclusions to be, at the very least, over-simplistic in their interpretation of the decline of the 'peasant producer'. Whilst the landlord - capitalist tenant farmer sphere of social structure within Gilsland conforms closely to the orthodox Marxist pattern, it is, at the same time, extremely apparent that the existence of spatially

FIGURE 7.7: CUSTOMARY AND FREEHOLD TENANTS WITH > 60 ACRES, GILSLAND, 1828

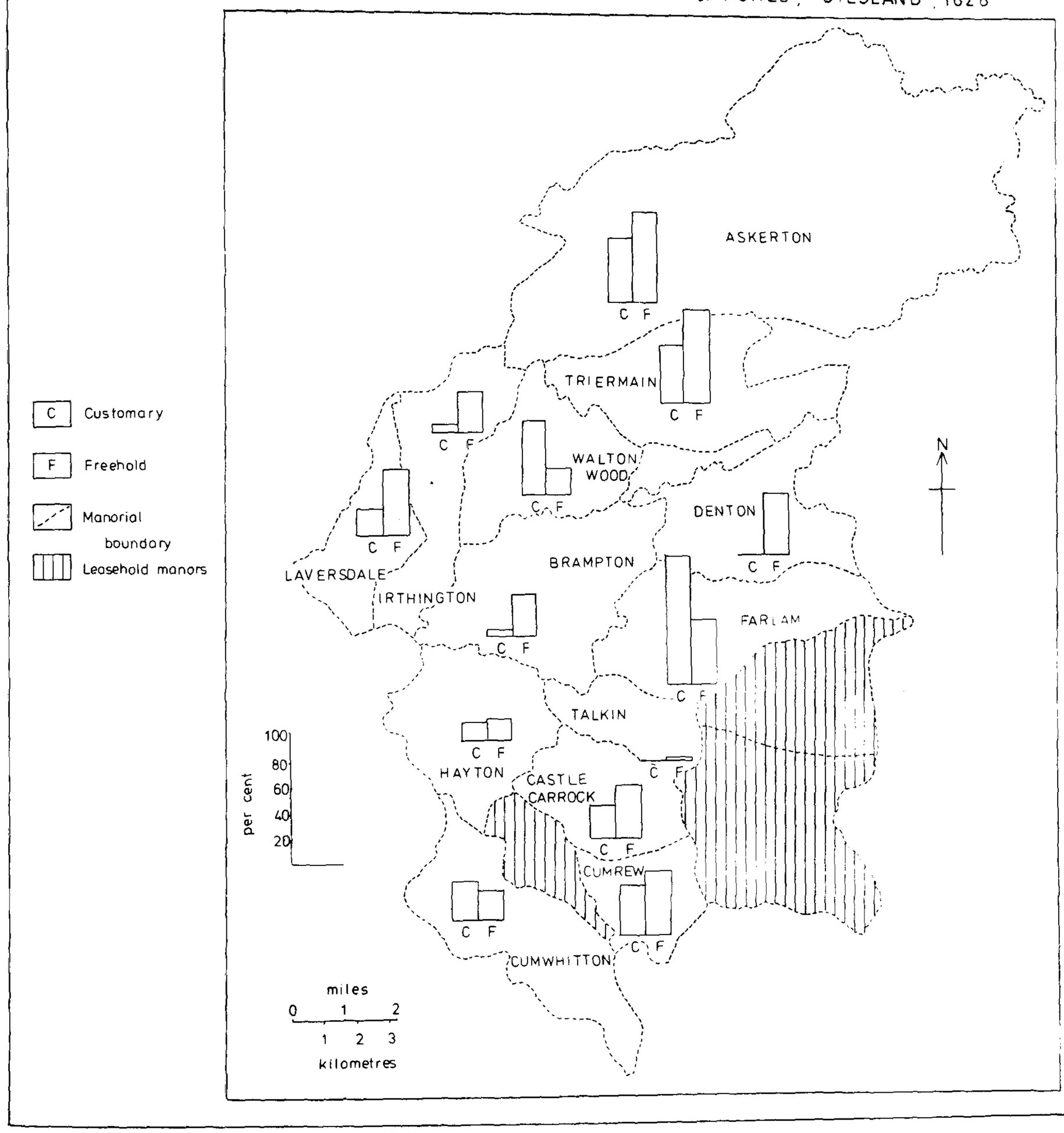


Table 7.19: Percentage customary and freehold tenants with > 60 acres (24.3ha): Gilsland, 1828

Manor	No. C. Tents >60 acres (24.3ha)	No. F. Tents >60 acres (24.3ha)	% C. Tents >60 acres (24.3ha)	% F. Tents >60 acres (24.3ha)	No. C + F. Tents / No. Tents x 100%
Askerton	15	14	50	70	58
Triermain	9	14	45	73.7	58.9
Denton	0	8	0	47	22.2
Walton Wood	4	1	57.1	20	41.7
Brampton	1	6	5.3	33	18.9
Farlam	3	11	100	47.8	53.8
Irthington	2	5	6.2	33	14.9
Laversdale	5	14	21.7	51.8	38
Hayton	11	7	14.9	15.5	15.1
Talkin	1	0	2.8	0	2.6
Cumwhitton	12	11	29.3	22.9	25.8
Castle Carrock	6	7	25.0	41.2	31.7
Cumrew	5	2	38.5	50	41.2

Source: D. P/D. H of N C 201/24-25.

concentrated groups of large and small-scale 'peasant producers' (customary and freehold tenants) alongside leasehold tenants is anomolous to the picture conveyed by straightforward materialist accounts. Instead, the Gilsland evidence suggests most strongly that little effective decline occurred within the customary and freehold sectors between the 16th and 18th centuries. In the following and final section of this chapter we consider why this may have been the case.

7.4: Evaluation and conclusions

The concluding section of this chapter is divided into three parts. In the first the validity of Brenner's overall arguments regarding farm size, technological innovation and the emergence of the social structure of landlord - capitalist tenant farmer - free wage labour is summarised in relation to the Gilsland estate. In the second case, an interpretation is offered for the discrepancies between Brenner's general arguments and the detailed empirical work conducted here. As with the three previous chapters this has much to do with an appreciation of the contextual circumstances framing landlord - tenant interaction - a perspective gained from the use of a structurationist approach. Finally, we consider to what extent these contextual circumstances had changed between the late 16th and late 18th centuries.

As regards the first of these points, it must be stated at the outset that there is nothing in this chapter which suggests that Brenner's general arguments are wrong. Large farms were found mainly within the leasehold sector on the Gilsland estate (7.3.1); major technological innovation did occur on leasehold farms (7.3.2) and at least part of the social structure associated with agrarian capitalism did materialise over the period of study (7.3.3). Instead, where conflicting evidence does appear is when the question of scale is

introduced. Thus, large leasehold farms were a spatially concentrated phenomenon within the Gilsland estate: in only one area - Askerton - was there the substantial size difference between leasehold and freehold and customary farms which Brenner maintains. Similarly, whilst major technological innovations were, according to the evidence we have, confined to leasehold farms, the point has been made that these leasehold farms were, in the main, both newly created and situated in areas which required large-scale technological investment. Finally, concerning the question of 'peasant proprietorship', this has been shown to have existed alongside leasehold farming. Indeed, only those customary and freehold tenants - again spatially concentrated - farming under 10 acres (4 ha) can be reasonably expected to have supplemented their income by labouring on large leasehold units.

In circumstances such as these it is Bois' (1978) criticism which again comes to mind. Brenner's arguments are, indeed, persuasive. They are also acceptable at a general level, but as soon as we begin to probe further than the question of generalities, difficulties begin to emerge. Nevertheless, an interpretation can be offered for the discrepancies between general theoretical argument and empirical detail and it is this which we now turn to consider.

The interpretation offered here for the continued existence throughout the study period of 'peasant production' in Gilsland; for the existence of large, spatially concentrated leasehold farms and for the concentration of major technological investment on leasehold farms is one which has formed a central thread to the argument in the second part of this thesis. Its fulcrum is the importance of the contextual circumstances within which action occurred. This is one of the fundamental concepts provided by the structurationist approach and one which has been central to the conclusions reached in the three previous chapters.

In the case of this chapter, and regarding the issue of continued 'peasant proprietorship' there can be little doubt that - as with the question of farm size and technological innovation - this was reflective of the rules surrounding landlord - tenant interaction in the 16th century (4.5.2). In spite of the verdict of the 'tenant-right' case of 1625 (5.3.3), it had proved impossible for the Howard family to convert their customary tenantry to leasehold status (6.2); thus the practical level interpretations of the position of the customary tenant current in the 16th century still held sway in the 17th century. Furthermore, it has been argued that this situation - in combination with the existence of vast tracts of common pasture land and waste - ensured that leasehold farms were created in the latter areas, that is in Northern Gilsland (6.3.5; 6.4). Therefore, far from eliminating the customary sector, the leasehold sector in Gilsland was created alongside it. Moreover, in one aspect particularly, namely in its spatial location, it was heavily influenced by it. The continued existence of 'peasant proprietorship' in the 18th century is seen, therefore, as the direct outcome of the two-tier interpretation of the position of the customary tenant in relation to the land he cultivated in the 16th century. The latter undoubtedly viewed this position in terms of ownership, and it was one which the Howards, in spite of legal backing, found impossible to alter (4.5.2; 5.3.3).

In addition to this the whole issue of customary and freehold farm sizes can be taken as indicative of the spatial pattern of agricultural activity within Gilsland during the 16th century (4.3.3). Thus the spatial concentrations of small (<10 acres; 4 ha) and large (>61 acres; 24.7 ha) customary and freehold farms in the centre-south and north of the Gilsland area respectively in 1828 are taken to reflect the basic 16th century north-centre/south farm size dichotomy revealed in

Section 4.3.3: although being farmed in severalty by 1828, the farms of central and southern Gilsland were still smaller than their northern counterparts.

Such findings equate with one side of the structurationist position - that which argues the importance of recognising the contextual structures within which action occurs (3.3.1). The other side is one which recognises that action can both reproduce and change these contextual structures. In the previous chapter it was pointed out that the creation of leasehold farms reflects both of these processes (6.4): so too does the emergence of capitalist social relations in the countryside (7.3.3). Both certainly suggest that the contextual rules surrounding landlord - tenant interaction had changed by the end of the 18th century and it is the extent of this change which forms the third and final area of concern of this concluding chapter.

In Section 4.5 the two key institutions of estate and community were discussed in detail, particularly in relation to the set of structuring rules associated with them. In the case of the former these were shown to relate specifically to relations to the land in general and to the units of agricultural production: in the case of the latter it was a matter of access to distinct sectors of agricultural land use and to the regulation of stock movement. One quite straightforward difference between the contextual circumstances of 1603 and 1828 is the disappearance of the old type of community institutional influence within the countryside following enclosure and the consolidation of the split farms of central and southern Gilsland in the mid-18th century.

The implications of this are two-fold. First, in terms of the spatial organisation of production, the integration of livestock movement and cultivation was from this point onwards a matter of concern for the individual farmer alone; it was no longer a communal decision (4.5.1). We would anticipate, therefore, that unless agreements were reached

between farmers, the annual movement of stock became confined to the scale of the single farm. Important as this change in the spatial organisation of agricultural production undoubtedly was, the second implication of the decline of the community was probably of more far-reaching significance, for this decline left the estate as the major institutional influence within the Gilsland area.

The ramifications of this can be expressed quite simply and, indeed, have already been presented in Figure 4.8. With the removal of the community as an institution went the removal of the general concept of communal resources and the rules connected with their organisation: farmers primarily had access to only their own individual resources. Furthermore, we can suggest that associated with this would have been a re-enforcement of the concept of individual ownership of land - something with which we can tentatively link the enfranchisement process of the 1770s.

This latter process, along with the creation of leasehold tenants, effectively marked a major change in the rules surrounding landlord - tenant interaction towards a situation which was considerably clearer than that of the late 16th century. Freehold tenure, in that it gave the tenant a written title to his land (Pollock and Maitland, 1898; Simpson, 1961), dispensed with the problem of theoretical and practical interpretations of the relationship between tenant, land and landlord: in these new circumstances the former owned the land in both a theoretical and a practical sense. In contrast, the leaseholder's position was one of straightforward occupation or possession for a specific fixed term of years, beyond which he had no right to the land (Simpson, 1961). Thus, the leaseholder assumed the theoretical position of the customary tenant of the 17th century, in terms of his relationship to the land which he farmed, and the leasehold sector became the only sphere in which landlord - tenant relations were still significantly

important.

These changes mark the major alterations in the contextual circumstances surrounding landlord - tenant interaction in Gilsland between the 16th and 18th centuries. An equally important aspect of the structurationist position, however, is the connection of these contextual constraints with individual or group level action: in other words, it is recognised that these contextual circumstances can be both reproduced and altered in the course of interaction. Thus, some instances of landlord - tenant interaction - the 1625 'tenant-right' case for example - have been shown to be, in the long term, reproductive of existing relations. Others, for instance the creation of a leasehold sector, were in the short term reproductive, and in the long term destructive, for, whilst the process of leasehold farm creation itself was influenced by the constraints surrounding the 16th and 17th century landlord - tenant relationship, what emerged was to alter quite radically the nature of these constraining relations. Indeed, we can suggest that it was to the changing nature of these relations that the customary tenantry of Gilsland failed to adjust.

During the early part of the 17th century the customary tenants of Gilsland had struggled - albeit seemingly unsuccessfully - to uphold their perceived tenurial status against the Howard family. By the late 18th century many of them had succeeded in establishing their legal title to the absolute ownership of land through enfranchisement. However, if the letters of Thomas Ramshay - the estate agent during the early 19th century - can be relied upon, it was precisely these former 'peasant proprietors', rather than the leaseholders, who faced a greater crisis during the agricultural depression of this later period. Ownership no longer meant the security which it had implied during the transitionary years of the 16th and 17th centuries, when the major threat to 'peasant' cultivation had been posed by the landlord. Instead,

under agrarian capitalism it meant full exposure to the vagaries and fluctuations of the market - variations which the greater financial resources of the partnership between landlord and leasehold tenant were more able to withstand and survive (7.3.3). Thus, whilst what may be termed 'peasant proprietorship' still existed on a considerable scale in Gilsland at the end of the 18th century and the beginning of the 19th century (7.3.1; 7.3.3), it seems unlikely that the same picture would be revealed by the mid-19th century. Indeed, although this period lies beyond that with which we are concerned in this thesis, we can speculate that it was only during the 19th century that the complete landlord - capitalist tenant farmer - free wage labour social structure emerged in the Gilsland area and that agrarian capitalism, in Brenner's sense, arrived.

CHAPTER EIGHT: CONCLUSIONS

In this short concluding chapter two final issues are considered. First, the structurationist account of the transition towards agrarian capitalism on the Gilsland estate of North-east Cumbria is evaluated on both the methodological and empirical level and compared with Brenner's (1976, 1977, 1982) more generalised arguments relating to the transition. Directions for further research are then suggested (8.1). Secondly, both approaches to historical geography contained within this thesis are contrasted and evaluated in relation to their varying interpretations of the themes of continuity and change (8.2; cf. 1.2).

8.1: Structuration: an evaluation

Abrams (1982, 70-1) summarises the structurationist perspective in the following way,

> '(Structuration) is not aiming for a general theory of social development but it does provide us with some very powerful tools for understanding why certain things happened at certain times'.

Its value then, quite clearly, is seen by Abrams to relate to the methodological and empirical levels rather than the theoretical, and it is primarily in this sense that such arguments have been used in this thesis (1.2; 3.3; cf. Chapters 4 - 7; cf. Giddens, 1977, 1979, 1981; Gregory, 1981, 1982a, 1982b; Layder, 1981; Thrift, 1983). Thus, the main aim of Part II of this thesis has been to use structuration in two ways; first, to extend Brenner's orthodox Marxist account of the transition towards agrarian capitalism down from the level of generalisation to that of the situation within specific areas of North-west England and, secondly, to enrich it by using certain key concepts to provide an understanding of how and why the transition on one

particular Cumbrian estate - Gilsland - followed the course which it eventually took. In other words, structuration has been used methodologically to enrich an empirical account of the transition which could quite easily have been constructed solely in straightforward Marxist terms, that is, as the separation of the small-scale farmer from the means of production and the short-circuiting of 'peasant proprietorship' via the mechanism of the class struggle.

The success of the structurationist project, therefore, is something which can only be gauged in relation to the depth of additional understanding which is brought to specific empirical issues. It is not purely a theoretical tool to be evaluated in the abstract, as Giddens himself has recognised in remarking that the major test for structuration will come in the degree to which it illuminates empirical issues in the social sciences (1982, viii; 3.3.1; cf. Chapters 4 - 7). The structurationist perspective contained within this thesis must therefore be evaluated in terms of the richness or depth of interpretation which it offers of the transition towards agrarian capitalism in Gilsland over the period c.1570 - 1800.

This, as Chapters Four to Seven have demonstrated, is considerable. Not only have Brenner's arguments regarding the processes by which the features associated with agrarian capitalism emerged been shown to be over-simplistic in relation to the experience of this area, but, in part, they have to be seen as plain wrong. As we have seen, by 1828, only 60 per cent of the entire Gilsland estate was leasehold land; 40 per cent remained either customary or freehold (7.1.3). Leasehold farms had been created alongside - not at the expense of - existing customary farms (6.3.1, 6.3.2, 6.3.3, 6.4.4, 6.3.5), and - of fundamental importance - 'peasant proprietorship' (or non-leasehold farming) had not been eliminated. Indeed, by the late 1770s, most customary

tenants had succeeded in converting their tenures to freehold. Early 19th century Gilsland, although conforming to certain aspects of Brenner's account - notably the predominance of large farms within the leasehold sector (7.3.1), a concentration of technological investment on leasehold farms (7.3.2) and the partial emergence of the landlord-capitalist tenant farmer-free wage labour social structure associated with capitalist social relations in the countryside (7.3.3) - does not accord with the orthodox Marxist model of the transition towards agrarian capitalism. Indeed, it is doubtful if, in Brenner's terms, this area may be seen as 'capitalist'.

The interpretation offered for what happened in Gilsland is one which ultimately does not reduce to the orthodox version of the class struggle as depicted by Brenner. Instead, the classes involved directly in the transition - landlords and the heterogenous collection of tenant farmers - are situated within a specific empirical context and discussed purely in relation to this situation. Such an interpretation of events is reflective of the use of structuration as a methodological and empirical device within this thesis, and, in particular, the use of the two concepts of contextuality and the duality of structure. Quite simply, in focussing attention on two things - the institutions which structured social practices in specific periods and places and the connections between these practices and the structuring rules of key institutions - these concepts enable us to begin to understand not only how and why the particular spatial pattern of the features associated with agrarian capitalism in Gilsland came about, but why the transition itself took the course which it did. Explanation in this case is not just reduced to the balance of class forces.

The theme of spatial pattern will be examined first. Large leasehold farms and major technological innovations have been shown to be

spatially concentrated in the northern areas of the Gilsland estate: they were not ubiquitous throughout the area. Structuration offers a means of accounting for and understanding why such a pattern emerged. Since the customary tenantry of 16th and 17th century Gilsland not only occupied but passed-on their estates through sale and inheritance (4.5.2), any attempt to amalgamate these units in order to create large leasehold farms would have been virtually impossible. Quite apart from the existing landlord - tenant - land relationship, such a process would have necessitated both the agreement of a majority of the tenantry and the removal of many others. This was always an unlikely eventuality and one which would not have been upheld under existing customary law, for, as both Kerridge (1969) and Croot and Parker (1978) have argued, the security of tenure of the customary tenant by the 16th century, if not before, was considerable. In view of these circumstances, only three legitimate and realistic courses remained open to the Howard family for the development of a leasehold farming sector:- the conversion of demesne farms to leasehold, the purchase of customary tenements and the creation of new farms in the areas of extensive common pasture and waste land of northern Gilsland. As was shown in Chapter Six, all of these options were taken up, thus the spatial pattern associated with leasehold farming in Gilsland at the end of the 18th century is shown to reflect the limitations imposed by the contextual circumstances (structuring rules) associated with the estate.

A further aspect of the spatial pattern of the features associated with agrarian capitalism is the apparent spatial concentration of capital-intensive schemes, particularly drainage improvements, within the leasehold sector. This is seen to be indicative of nothing more than the distinctive spatial concentration of leasehold farms themselves. Furthermore, far from these farms being those where the greatest profits

were achieved and where much of the tenant farmer's profit was ploughed back into additional technological improvements in order to further increase profit margins (Brenner, 1976, 1977), these farms - at least in the initial years after their creation - would have required large concentrations of technological investment in order to convert them into productive farming units. Again, the importance of context has been emphasised.

A final point which we can make concerning the theme of spatial pattern relates to the social structure associated with agrarian capitalism. Given that the constraints framing landlord - tenant interaction led to the emergence of a spatially concentrated leasehold sector, it was inevitable that capitalist social relations themselves should mirror this pattern. Thus, far from eradicating small-scale 'peasant-production', capitalist social relations were created in parallel.

The common feature running through this summary of the distinct spatial dimension to the emergence of agrarian capitalism within Gilsland is, of course, the necessity of recognising the influence of contextual circumstances. Not only can these be seen as dictating the actual course of leasehold farm development and, therefore, the appearance and location of capitalist social relations, but, in addition, they have to be seen as central to any full understanding of the transition towards agrarian capitalism in this specific area. Without them we would have little more than a description of the features associated with agrarian capitalism: with them we have an appreciation of why and how this situation came about. Furthermore, in a different context, in a situation where a completely different set of rules may have framed landlord - tenant interaction, the transition may well have followed an entirely different course.

At the same time it is important to note that these same contextual circumstances were altered by the very action which they had initially influenced. In this case, an additional dimension comprising landlord - leasehold tenant had been established alongside and separate from the traditional one of landlord - customary tenant. Indeed, by the end of the 18th century, and with the enfranchisement of many former customary tenants, the arena of active landlord - tenant interaction in Gilsland had been reduced from that of the entire estate to just the partnership associated with the leasehold farming sector (7.4).

Such findings point to the value of adopting a structurationist perspective at the local scale of the individual estate: social structure and human agency are linked in a manner which is not only satisfactory in terms of current arguments in social theory (1.2; 3.3.1), but which is also capable of producing a rich account of historical change in which neither structure nor individual action assume deterministic primary. Structure, in the form of the structuring rules associated with the institution of the estate in particular, has been shown to exert a determining influence on the overall course towards agrarian capitalism in Gilsland. However, it has also been emphasised that these same structuring circumstances were altered in the course of landlord - tenant interaction between the 16th and 18th century. Equally, group - and, by extension, individual's - awareness of their immediate structural circumstances has been demonstrated, particularly in the case of the 17th century 'tenant-right' disputes (5.3.2, 5.3.3).

This much was the aim of the second part of this thesis and there seems little reason to doubt that both the concepts of <u>contextuality</u> and the <u>duality of structure</u> would equally enrich further materialist

based research at the micro scale. For example, it is not difficult to envisage that two possible directions in which the Gilsland work could be extended are, first, further essentially similar work at the level of the individual estate, and, secondly, a more broadly based examination of the structuring role of the institutions of the estate and the community in the North-west, or, indeed, elsewhere. In particular, it would be interesting to compare the Gilsland findings regarding the development and spatial concentration of capitalist farming activity with the experience of other areas. Indeed, if such concentrations are replicated, we would have moved some considerable way towards being able to question part of the overall property relations interpretation of the transition from feudalism to capitalism. In place of the present polarity, in which the failure of lords to prevent 'peasant proprietorship' is seen as condemning an area or region to a state of rural backwardness, and where, contrastingly, the introduction of leasehold farming is seen to indicate agrarian capitalism, it would be clear that both 'peasant proprietorship' and the social structure associated with agrarian capitalism could co-exist within an area. Furthermore, the importance of the market as a force involved in the disappearance of most small-scale owner occupiers would have to be recognised (7.4, cf. Holton, 1981). This latter point is one which is seen as central to any future work in the Gilsland area, where it is anticipated that a combination of fluctuations in market forces in the North-west and the changes in both the social relations and structuring rules of the Gilsland estate would have led to the eventual decline of 'peasant proprietorship' by the mid-19th century.

An altogether different issue is methodological and concerns the degree to which it is possible to extend such small-to-medium scale work up to that level of materialist history where, for example, such

subjects as the contradictions internal to each specific mode of production and why only European feudalism gave rise to capitalism, figure strongly. At the theoretical level these connections are stated quite clearly: the structuring rules associated with the specific institutions (substantive structure) which condition human activity are assumed to be mediations of abstract categories such as modes of production (3.3.2). Therefore, in order to study the links between formal structure and substantive structure, we must, presumably, focus upon exactly how sets of structuring rules reflect, for instance, modes of production. To do this is not only difficult but also against many of the intentions of the original structurationist programme, in which stress was placed upon the importance of individuals and groups to any analysis (1.2; 3.3). To move beyond this towards the level of the macro scale and macro scale structures is to move away from the level of individual or group analysis. 'Structure' for the latter relates quite clearly to the framework provided by those institutions which influence and condition activity: 'structure' at the macro scale relates to something very different, in which individuals and groups, at least as influential and conscious figures, are lost. It can be suggested, therefore, that, whilst the connections between macro and micro scale analysis, formal and interaction structure, can be made in the abstract, theoretical sense, these links may not transfer in their entirety to any one piece of empirical work without destroying the very concept of human agency which the whole structurationist project was designed to include (cf. Braudel, 1973). Following Abrams (1982), we can say that the structurationist perspective does provide us with some very powerful and successful tools for analysing individuals and society, agency and structure at the local and regional scales. However, the degree to which this success can be replicated at the macro scale whilst still retaining the links to small-scale analysis, must be open to

question. In more general terms, whilst the problem of the relationship between agency and structure on one level has been illuminated considerably by the structurationist argument, it can be suggested that this same argument will not circumvent the deterministic primacy of structure at the macro-scale.

8.2: Continuity and change: some final remarks

The themes of continuity and change are present in one form or another throughout this thesis and can be discussed on two levels:- in relation to the empirical content of this thesis and in connection with its theoretical arguments. These are now considered in turn.

In the first case, it has been argued that the level to which continuity and change apply in the specific context of Jones's multiple-estate model is solely that of observable and documented phenomena (2.3). This is demonstrated most clearly in Jones's own discussions of the evolution of patterns of settlement organisation, in which it is the continuities - or changes - in the constituent elements of each 'multiple-estate' which comprise the focus for discussion. A major point of criticism levelled against this type of analysis was that it failed to relate any such continuities or changes to the wider society of which the 'multiple-estate' is but a part. Nowhere in all of this is there any attempt to connect this pattern of inter-settlement organisation with the mechanisms of social control and power operating within these societies and with the institutions and rules which both reflected and implemented these power structures (2.6). Moreover, it was stressed that, in failing to consider such issues, the multiple-estate model could never do more than provide a generalised description of observed links between settlement.

In contrast, the themes of continuity and change, as considered

in Part II of this thesis, extend to cover far more than pattern and form pure and simple. Instead, whilst continuities and changes in spatial pattern were, and indeed, have to be described, the main objective here was to provide an interpretation of how and why such continuities and changes have come about and not simply an account showing that they have occurred. Inevitably, and as Chapters Four to Seven have demonstrated, this leads to a focus upon structure and, in particular the structuring rules which provided the contextual circumstances of which spatial forms and patterns are a manifestation: the interpretation of continuity and change is not confined to the observable level but penetrates down to the level of structuring processes. Thus the transition towards agrarian capitalism within Gilsland has been written not only in relation to continuities and changes at the level of the object world - for instance in terms of the spatial organisation of agricultural production - but also in relation to human activity and the contexts and constraints framing this activity (1.2).

What these differing interpretations of the themes of continuity and change reflect is nothing more than two distinct approaches to historical geography, and two distinct philosophical perspectives at that. The first - as represented herein by the multiple-estate model - has been shown to have strong associations with both Baker's characterisation of 'traditional' historical geography and with the narrower positivist tradition within the subject (1.2; 2.3). Within this, as, indeed, within an empiricist format, the themes of continuity and change can only relate to observable, or inferrable, phenomena. In contrast, the structurationist argument developed in Part II of this thesis, is specifically marxian-humanist in approach. Within such a framework the level to which the issues of continuity and change are applied is not

just that of empirically observable, or documented, patterns and forms. It extends to include the mechanisms operating within society and, particularly the structuring processes involved within social change and transformation.

In a sense further evaluative comparisons between the two approaches contained within this thesis are invidious for, in the end, what is at stake here is the grand and contentious issue of what type of historical geography we wish to produce, no more, no less. If, as Baker and Gregory, amongst others want, historical geography is to move toward an understanding of the past in which the class struggle, structure, agency and the importance of arenas of interaction are all recognised (1.1), then there is little doubt that both a structurationist and a Marxist perspective, of one form or another, are essential. If, however, the focus for historical geography is seen as being, for instance, the spatial organisation of past societies, rather than the duality between society and space, then there is, indeed, little need to employ any of the structurationist or Marxist argument: the descriptive, classificatory and explanatory tools of both positivist social science and empiricism are perfectly suited to such purposes. Perhaps the only valid conclusion which we can draw from this particular level of argument is that no one approach to historical geography is necessarily superior to any other. Both approaches considered here produce types of historical geography which differ not only in their overall framework but, inevitably, also in terms of the types of problems which they consider and the empirical work which these generate. Ultimately it can only be the totally subjective decision of what we consider the focus for historical geography to be which determines the approach which we adopt. Hopefully the chapters within the second part of this thesis go part-way towards demonstrating the rich potential offered by the marxian-humanist perspective for future historical analysis.

FOOTNOTES:

Chapter One:

1. The intention of this thesis therefore matches the arguments of Cosgrove, Duncan, Massey and Sayer (1983), who argue (pp 50-1) that theses should not attempt to cover up loose-ends, difficult problems or the fact that ideas often change radically midway through research (cf. Livingstone and Harrison, 1981; Stedman-Jones, 1984).

2. The nature of documentary evidence relating to Northern England prior to the 16th century is summarised by Barrow (1983). Three types of material characterise this period. First, a tradition of narrative history exemplified by Bede's Ecclesiastical History of the English Speaking People (731) and detectable in the later work of Symeon of Durham and Roger of Howden. Secondly, there is a body of cartulary material relating to specific monastic orders, of which the best known are those of the abbeys and priories of Hexham, Holm Cultram, Lanercost, St. Bees and Wetheral. These are mostly composed of title deeds to property, charters and writs. Finally, by the late 12th century, extensive ecclesiastical survey material - of which Bolden Book (1183) covering the Bishop of Durham estates is typical - becomes increasingly common. Such material remains characteristic of documentary evidence relating to Northern England until the 16th century.

3. This is not to say that philosophical and methodological arguments have been totally ignored by historical geographers in the past. Both Darby (1953, 1960, 1962, 1963) and Sauer (1925, 1941, 1974), for instance, concerned themselves with such issues. However, as Williams (1983, 23) points out, Sauer's maxim should be seen more in terms of,

> 'getting on with the job of investigating problems in historical geography rather than commenting on the methodology of others' (cf. Perry (1969) pp. 174-6 on Darby).

It is this stance which serves to differentiate past methodological discussions within historical geography from current debate. In the latter case, debate has been conducted primarily at the philosophical and methodological level with little attempt - at this early stage - to tie this closely to empirical work in the subject. Thus, in Baker's writing, for instance, we find an emphasis on both criticising the philosophical and methodological perspectives implicit within

'traditional' historical geography and on suggesting a different direction for the subject but little connection between these arguments and his substantive work on the French peasantry. In his 1980 paper on the peasantry in Loir-et-Cher, for example, there is recognition of the importance of the transformation of 'le paysan' to 'le francais' (p 163) but the remainder of discussion focusses primarily around a description of the rural and urban settlement pattern in Loir-et-Cher, constructed in terms of dispersion and nucleation; the development of the agricultural syndicate movement in the area and the correlation between this and the settlement pattern. It is, indeed, difficult to see what distinguishes this type of empirical work in historical geography from that which - as will be shown - Baker is so opposed to. The problems of this new type of enterprise are also well illustrated in Gregory's (1982b) Regional Transformation (cf. Hudson, 1983).

4. The chief British contributions to this debate have been made by Baker, Butlin, Gregory, Langton and Prince.

5. Although a point which is not taken up fully in this thesis in that these criticisisms are only related to the multiple-estate model, it does appear that Baker's and Gregory's general portrayal of past historical geography as concerned exclusively with pattern, landscape and form is an image which requires not only a degree of finer clarification but full historiographical analysis. The debate thus far has been constructed largely in terms of sweeping, often abstract generalisations and, certainly, the criticism which is being levelled at 'traditional' historical geography would be all the more powerful if substantive illustrations of the argument were given.

Chapter Two:

1. Joliffe considered that the bonds holding these units together were ancient royal dues.

2. See Davis (1954, xliii - xlv), where (i) vills acting as centres for the collection of socage dues in 1086 or 1186 are shown to have no place within the hundredal system and (ii) certain vills are seen to owe hundredal service to places outside the hundred in which they

lie. This discrepancy between socage and hundredal organisation, together with the scant evidence for widespread Scandinavian settlement, leads Davis to suggest that 'socage' land is not a Danish but a pre-Danish institution'.

3. Barrow (1973, 27),

> 'From Kent to Northumbria, without a break, some system of 'extensive' royal lordship, based upon a unit known variously as lathe, soke, shire or manerium cum appendiciis, had survived long enough for its main features to be traceable in the record of the 11th and 12th centuries'.

And see pp. 8-68 for examples of this.

4. 'The Yorkshire moat' is a concept created indirectly by the work of Stenton, whose emphasis on the importance of the Danish invasion led to the implicit acceptance of the fundamental differences between society to the north and south of the Tees.

5. The nature of cornage is a contentious issue, although it is generally agreed to be a pastoral render of cows. See Joliffe (1926); Rees (1963) and Kapelle (1979) for varying interpretations.

6. The geld (royal tax) was imposed upon Yorkshire c.1066, but not on Northumbria, Cumberland and Westmorland. This may reflect simply a lack of royal authority beyond the line of the Tees.

7. The 'historical' character of the debate is seen as a concern with documented units, described as 'soke', 'shire' or 'maenor' in various records. This, as will be shown later, contrasts markedly with Jones's main contribution to this area of research.

8. 'Northumbria reveals so many parallels to Celtic custom that we are justified in postulating a common origin for multiple-estate organisation' (Jones, 1971, 253).

9. There is an immense literature on this subject. Carr (1961) provides a useful introduction but the comments of Vilar (1973) and Thompson (1978) in response to Althusser, in particular, present the finest defences of the historical tradition.

10. The word 'territorial' is a difficult one, with a variety of meanings, the most common of which is the defence of an area for the

control of resources (food, population etc.), (see Altman, 1970, 1975; Edney, 1974; Esser, 1970; Halmberg, 1980; Soja, 1971; Sommer, 1969; Stokes, 1974). Sack (1981, 1983), however, uses the word in a different sense, viewing human territoriality as 'the attempt to affect, influence or control actions and interactions (of people, things and relationships) by asserting and attempting to enforce control over a geographic area' (1983, 55). In view of this confusion, and Jones's lack of development of the 'territorial' aspect of his arguments, the phrase 'territorial framework' is avoided here.

11. At this point this framework was not referred to as the 'multiple-estate' but as a 'discrete estate' or 'federal manor'.

12. Since it is based upon an example of one estate, such generalisations must, at the very least, be treated with considerable scepticism.

13. Jones's examples from Yorkshire are discussed in this manner (1965a), as is Mailing in Sussex (1976a).

14. Barrow op. cit. provides numerous examples of this cf. Jones (1971, 1976a, 1979b) and Hooke (1982).

15. The model, therefore, must be seen as unidentified (see Harvey, 1969, 152-9).

16. e.g. the Books of Iowerth, Cyfnerth and Blegywryd, all 13th century.

17. This debate revolves around the relationship between theory and observation and the growth of scientific knowledge. For Lakatos (1974), scientific research programmes contain a 'negative heuristic' of fundamental concepts and ideas. These provide a core to analysis which is protected from criticism by a 'positive heuristic', comprising a series of auxillary statements relating to the concepts within the 'negative heuristic'. This 'positive heuristic' lays down the directions for research. Whilst research continues to yield valuable empirical information, research is considered to be in a positive phase; ideas concerning the 'negative heuristic' are being verified. Once the research begins to fail, and fails consistently, research is seen to be in a negative phase and the entire research programme is eventually

abandoned. The distinction between these ideas and those of both Popper and Kuhn is that the entire research programme is not jeopardised by one failure within the programme (Lakatos, 1974; cf. Kuhn, 1962, 1970; Popper, 1934).

18. From now on the term 'multiple-estate' is used only in this sense.

19. See, for instance, Whyte (1979, 35-6) for further examples of Scottish estate organisation

20. This aspect, in fact owes much to the suggestions of Everitt, particularly since Jones himself has been less than clear about where exactly we begin to look for this type of organisation.

21. This may seem unrealistic in that the documentary record for this period is often scanty. However, we should be quite clear that what we are testing here is a model, the applicability of which is being subjected to rigorous scrutiny. This can only be achieved if - as here - we make abundantly clear those features considered to be diagnostic of the model, and check these against 'reality'.

22. Examples of the northern shires cited by Barrow (1973) include Sheffield (Hallamshire), Howdenshire, Allertonshire, Driffield, Pocklington, Cilling and Aldborough (p. 25), all in Yorkshire. Jones's examples within Yorkshire include Kirkby Moorside, Knaresborough, Pickering, Ripon and Wakefield (1965a). In fact the only lengthy attempt to apply these concepts in the North-west has been Smith's study of Blackburnshire (1961), although Barrow mentions the possible shires of Salford, West Derby, Leyland and Amounderness in South Lancashire (1973, 26-7).

23. Barrow's Scottish shires are located overwhelmingly in the eastern sector of the country (1973, 36-64). The only areas mentioned for the west are Renfrew, Strathgryfe, Cunningham, North Kyle, Douglasdale and Annandale, which are compared with Welsh cantreds and commotes, similarly granted out as units to incoming Normans (p. 37).

24. Gilsland certainly extended to over 100,000 acres (40,500 ha) whilst the 1868 O.S. First edition six inch for Dumfriesshire shows the parishes of Annandale to cover over 250,000 acres (101,250 ha),

thus these areas have greater similarities with Allendale (170,400 acres; 69,012 ha) and Copeland (275,000 acres; 111,375 ha) than the units of Norhamshire (18,810 acres; 7,524 ha) and Islandshire (26,820 acres; 10,862 ha) (see Barrow, 1975; Winchester, 1978).

25. Lawrie, E.S.C. No. CXCIX.

26. Radical changes in the affiliation of churches obviously did occur, Cowan (1975, 18), summarising early ecclesiastical foundations, stresses that 'archaeological evidence appears to suggest not only that the churches of Applegarth and Hoddom belonged initially to the period of the mission from Iona (i.e. the Columban church), but also that by c.800 they had close connections with Anglian minsters'. Despite this type of fluctuation it is considered unlikely that major shifts occurred in the location of the traditional diocesan boundaries. We may, therefore, take these diocesan units to represent fundamental territorial blocks of land.

27. This is apparently confirmed by the nature of the 19th century civil parish boundaries of Annandale, the vast majority of which are composed of natural features, primarily rivers. We can be fairly certain that these 'primary boundaries' pre-date those which follow man-made features - roads, hedges, walls and such like.

28. 'David Dei gratia Rex Scottorrum... dedisse at concessisse Roberto de Brus Estrahanent et totam terram a divisa Dunegal de Stranit usque ad divisiam Randulphi Meschin...', Lawrie, E.S.C. No. LIV.

29. Field Book of Lord William Howard (D. P/D. H of M C173).

30. i.e. at a date prior to that which provides the only documentary record of Gille (the c.1120 inquisition into the endowments of the see of Glasgow; Lawrie, E.S.C. No. XX).

31. The argument that these estates do not pre-date the 11th century is one which is difficult to support, not least because it assumes that these territorial divisions must have been created at some time during the 10th or 11th centuries, at which time we would expect some documentary confirmation. This we do not have, therefore, it is suggested that it is more likely that the Gilsland unit is a unit of considerable antiquity rather than a relatively recent creation.

32. Kirby (1962, 80-1) suggests that this event occurred by c.638, whilst Jackson (1963) puts the Anglian advance into the North-west as a 6th or 7th century event.

33. op. cit. Ref. 29.

34. CH. MS. A1.

35. This broad pattern undoubtedly existed in 1603 as the maps accompanying Lord William Howard's survey testify (D. P/D. H of N C713).

36. D. P/D. H of N C201/1, 4, 4a.

37. 'Robertus de Vallibus dedisse..., ecclesiam de Walton cum capella de Trevermain... et ecclesiam de Irthinton et ecclesiam de Brampton et ecclesiam de Karlatton et ecclesiam de Farlam cum omnibus quae ad easdem pertinent'. (Reg. Priory Wetheral, 419).

38. The reason for Carlatton's exclusion from Group I is obscure, however, this may be connected with its existence as a demesne unit (D. P/D. H of N C201/1).

39. op. cit. Ref. 34.

40. 'Henricus Secundi... Sciatus me concessisse dedisse et confimasse Huberto de Vallibus in feodo et hereditate sibi et heredibus suis totam terram quam Gilbertus filius Boet tenuit die qui fuit vivus et mortuus... in pace libere et quite et integre et honorifice cum omnibus pertinenciis in bosco in plano in pratis et pascuis in viis et semitis in aquis et molendinis et piscariis et mariscis et stagnis infra Burgum et extra in omnibus rebus locis cum thol et theam et soka et sacha et infangthief et omnibus aliis libertatibus et liberis consuetudinius quitam ab omni neutgeldo' (op. cit. Ref. 29; VCH (2), Cumberland, 319-20).

41. See Bain II, No. 208 (1281/2); Reg. Priory of Wetheral, p. 92.

42. For example, Brampton: Hugo del Tern, John de Newby, Radulf de Brerethwaite, Robert de Wodside, William de Bruncanhille; Irthington: Thomas de Bleterne; Cumshitton: Walter de Ormesby.

43. cf. Adams (1973) and Thirsk (1967), both of whom give a figure of 8 acres (3.24 ha) as the standard size of customary holdings within

Cumbria during the 16th century. If their arguments are correct, it would seem that fragmentation or fission of these holdings took place at some time during the medieval period, possibly through the mechanism of partible inheritance (Thirsk, 1967).

44. See, for example, Hilton (1969) on this subject wherein typical diagnostic features of villein or band status are taken to be the payment of dues such as heriot,merchet and tallage. With one exception (Denton, where heriots could be demanded) none of these onerous payments were required from the tenantry of Gilsland.

45. Considered to be an early form of cornage; op. cit. Ref. 5.

46. op. cit. Ref. 25.

47. Cain is the food render of Scotland, often equated with the English cornage; conveth the obligatory hospitality considered analogous to the English king's waiting (see Barrow, op. cit., pp. 35, 41, 49-50, 70; cf. Kapelle, op. cit., p. 60).

48. op. cit. Ref. 36.

49. Since the commuted bond service payment amounted to 4d. per person it could be suggested that the original services were light in nature.

50. op. cit. Ref. 36.

51. For example, the average (mode) cash rents paid by the bond tenants of Irthington, Little Cambok, Brampton, Hayton and Cumwhitton in 1424 - that is those holding messuages of two bovates - are 12/-, 6/-, 4/11, 6/3 and 6/5 per tenant per annum respectively. These are the only manors for which the number of tenants is recorded specifically but, on the basis of this evidence, it would not seem unreasonable to suggest that rents were low for most land with the exception of that nearest the estate centre.

52. Excavations at Hoddom, Applegarth and Ruthwell have all revealed 7th and 8th century Northumbrian crosses, the earliest being that at Ruthwell, dated 675 X 720 A.D. (see Radford, 1967; Reid, 1956). Cowan (1975, 18) suggests that these churches belonged initially to the period of the mission from Iona but the Northumbrian crosses emphasise close

connections with the Anglian church. This connection is evident until the early 12th century, at which time the Bishops of Durham still regarded the Archdeaconry of Teviotdale as part of the Diocese of Durham (Symeon, 138-9). Since these are the earliest recorded churches in Annandale and, given their association with the Anglian church, Cowan (1961, 43) has argued that Hoddom, Applegarth and Ruthwell acted as minster centres. Thomas (1971, 18), too, suggests that Hoddom may have been the site of one of the principal sub Roman diocesan churches of the north.

53. It is recognised that this division ignores the importance of Ruthwell, however, in the face of very scanty evidence only the most simple geographical divisions can be forwarded with any degree of certainty.

54. op. cit. Ref. 28.

55. Reid (1953, 156-7).

56. This incident revolves around the plea of St. Malachy to Bruce, requesting that a man condemned to be hanged was forgiven. Bruce granted the saint this request yet the man himself was hanged. When St. Malachy became aware of this deception he put a curse on both the Bruce family and upon the town of Annan.

57. See Bain II, 704, wherein Annan is referred to simply as a vill.

58. Lawrie, E.S.C. No. LVii.

59. R.R.S. i, 53 and n.5.

60. H/J. 374, 121.

61. H/J. 374, 121; see also Buccleugh (Drumlanrig V 86; 507).

62. Bain IV, 223 (1374/5).

63. H/J. 121.

64. The published papers from which these examples were taken reflect an attempt to sample both Jones's early and more recent work. To this end the papers examined are 1960a, 1961b, 1961c, 1975, 1976, and 1979b.

65. In which explanation takes the form:

Initial conditions + laws ⟶ events:

a set-up which is made operational by substituting theory and hypotheses for laws; these being connected by initial conditions to resultant events (Gregory, 1978a).

Chapter Three:

1. This problem, of course, is compounded by a situation in which abstract statements are made in profusion, but in which very few attempts have been made to translate such arguments into practice (cf. 1.2).

2. This Brenner traces to an acceptance of Smith's conception of the town-country division of labour.

3. Brenner's (1976) article is a direct attack on what he terms the 'secular malthusianism' of the demographic-based explanations of long term historical change found in the work of Bowden (1967), Habakkuk (1958), Le Roy Ladurie (1966) and Postan (1966). In contrast, Postan and Hatcher (1978, 29) see this criticism as misplaced, tracing the origin of these ideas to Ricardo's arguments regarding diminishing returns in agriculture, rather than to Malthus.

4. Capitalist agricultural practice is seen essentially as organised around the production of goods for exchange and profit and not for immediate consumption, although this, of course, did occur (Tribe, 1981). In order to increase profit and, ultimately, the accumulation of capital, it is assumed that capitalist agricultural enterprises are characterised by large farms and large-scale technological investment. These were aspects deemed vital to increase profitability on the market (Brenner, 1976, 1977, 1982). Whilst the importance of such major capital intensive technological innovations as the floating of water meadows and convertible husbandry cannot be doubted (Kerridge, 1967), it must be noted that relatively small-scale changes, notably in crop rotations and basic husbandry, were extremely influential in increasing yields and, therefore, profit margins (Croot and Parker, 1978, 37; Spufford, 1974, 53).

5. The underlying assumption is that small farmers did not have the capital available to undertake large-scale technological improvements. However, this takes no note of important changes which did take place on smaller farm units. Croot and Parker (1978, 38) make this point quite forcibly, stating,

> 'While important reclamation schemes and the floating of water meadows did require heavy financial resources, other improvements such as manuring, new crops and even convertible husbandry, could be undertaken on any sized holding, financed by the farmer himself either from profits or by loans'.

6. Sub-letting of customary tenements by customary tenants is an acknowledged phenomenon but one which is exceedingly difficult to deal with, for the obvious reason that estate records only document the first level in the leasing process (Croot and Parker, 1978; Raftis, 1964). We are, therefore, often faced with a problem in which we have little idea of who exactly is farming a particular unit. Although there is no direct solution to this, it is, nevertheless, possible to detect where this situation arises; it being especially likely in a situation where one tenant is recorded as occupying several farms in close proximity to one another.

7. This whole question is of central importance, not only in the argument concerning the emergence of agrarian capitalism in general, but to the transition in the specific area to be considered in this thesis, and it is inextricably bound up with the issue of fines. Brenner himself accepts Tawney's (1912) arguments here, believing that variable fines were more common than fixed fines and that the courts would not support tenant's appeals against 'unreasonable' fines unless custom prevented them (1976, 62). In contrast, Croot and Parker (1978, 40), following Simpson (1961), argue that,

> 'By the early 17th century the courts had developed principles concerning the admission of copyhold custom in common law courts, and an 'unreasonable' custom was considered void',

and that,

> 'the courts also developed their own idea of what constituted an unreasonable fine - manorial custom did not necessarily come into it'.

These issues are confronted directly in Chapters Five and Six.

8. For example, it would be unrealistic to expect individual estates to reveal all aspects of Anderson's concatenation of antiquity and feudalism in the emergence of agrarian capitalism. The role of towns, for instance, unless occurring within the specific estate, is one notable but external factor. Similarly, whilst we would anticipate being able to view the estate as an integrated political and economic unit, it is by no means certain that we would be able to detect the inherent instability between different levels in the chain of feudal tenures, which Anderson considers to have given feudalism its dynamic. To take an extreme case: obviously not every estate is going to reveal conflict between the feudal monarch as monarch and feudal lord and those lower down the tenurial chain, whose authority was confined to single estates.

9. In this thesis it is only the short-circuiting of peasant proprietorship which comes under detailed scrutiny. Whilst the abolition of serfdom is a central pivot to Brenner's argument, it is doubtful if the Gilsland tenantry were ever in the tenurial situation of serfdom. As is shown in Chapter 4.5.2, none of the traditional features associated with serdom (merchet, tallage, heriot etc.) appear in the medieval documentary record of this area. This fact, coupled with the relative paucity of the pre 16th century documentary record, makes the dissolution of serfdom a more marginal issue here than it is in the 'manorialised' Midlands and the South. An important issue which this raises, and one which is not taken-up here, is the exact nature of early medieval northern society. If not a servile tenantry, are we correct in viewing the northern 'peasants' of this period as owner-occupiers?

10. These differences revolve around differing conceptualisations of the 'mediating concepts' linking social structure and human agency. For Bourdieu (1977) this link is provided by the habitus; a third level located between social structure and organised human activity, which is equated with reason giving structures and in which, in turn, are embedded objective structures. Thus, following Thrift (1983), we can say that,

> 'each class, for example, has a particular habitus that results from a common set of material conditions and, therefore, expectations'.

In contrast, Bhaskar (1979) considers things in terms of a position-practice system; position denoting place, function, rules and the like;

activities, the practices which occur as a result of these positions. Finally, Giddens refines existing concepts of structure and social system to produce - via the duality of structure - his theory of structuration.

11. Following Giddens (1977), four major criticisms can be made against functionalist analysis. First, it allocates a limited and deficient role to intentional human action (1977, 106). Secondly, social systems are interpreted as having their own 'needs'; it not being acknowledged that 'system needs' presuppose actors' 'wants'. However, if no 'system needs' exist then the whole notion of function is superfluous: only human aims, purposes, motivations and their unintentional consequences need be recognised (1977, 111). A third criticism is the interchangeable use of the terms 'structure' and 'system'; 'structure' being used to denote no more than observable pattern which, once 'functioning', becomes 'system' (1977, 112-3). Finally, whilst suggesting that functionalism can incorporate notions of social conflict or change, if 'function' as a central concept is replaced by 'dysfunction' Giddens maintains that the above three criticisms would apply equally well to 'dysfunctionalism' (1977, 119).

12. Whether the term 'theory' is applicable here is somewhat open to question. Giddens's statements in fact amount to little more than a programmatic outline for which 'framework' is slightly more appropriate.

13. Giddens defines 'structure' in terms of 'rules' and 'resources', and together these constitute 'structuring properties'. 'Rules' are too seen as generating social activity; they form the medium through which social practices are produced and reproduced. Thus they are to be interpreted in a practical (not formal) sense; this practice at the same time enmeshing rules in human consciousness. Resources, in contrast, are interpreted in relation to both the material and the human world (1979, 67), being referred to as resources of allocation and authorisation respectively. Although mentioned only briefly in Central Problems, these become exceptionally important in Critique of Historical Materialism, in which Giddens questions the Marxist belief in the primacy of material life (allocative resources) throughout history, arguing instead that authoratitive resources have played central roles in transformation within pre-capitalist societies. Resources then provide the link to societal transformation in Giddens's

overall scheme: rules concern the level of actual interaction.

14. The contextual nature of Giddens's notion of structuration can be traced to two influences. First, his intention to re-insert the individual as a conscious and knowledgeable agent within social theory (1981, 15), and, secondly, a treatment of structure which, in trying to avoid the extremes of structuralism, apparently denies the existence of pre-given determining structures (1979; cf. Layder, 1981, 50-76).

15. Giddens, ibid Ref. 14.

16. These are the three structures which Giddens identifies (1979, 97-103). Structures of domination are connected with issues of power, involving resources of both authorisation and allocation (op. cit. Ref. 14; cf. 1981). Structures of legitimation imply the existence of a structuring process, referred to as 'normative regulation'; structures of signification concern communication and meaning - signs (including language) are taken as representing meaning, both in the nature of themselves and in their associated contexts. None of these structures are considered to be mutually exclusive,

> '... the differentiation of signification, domination and legitimation is an analytical one. If signification is fundamentally structured in and through language, language at the same time expresses aspects of domination; and the codes that are involved in signification have normative force. Authorisation and allocation are only mobilised in conjunction with signifying and normative elements...' (Giddens, 1979, 106-7).

17. op. cit. Ref. 12. The relationship between Giddens's and Layder's arguments is a strong one, the one major point of difference between them being Layder's recognition of structure outside of social interaction (his objective structure). In many other respects, however, their ideas are extremely similar. Thus, Giddens's concept of locale can be equated with Layer's interaction structure, whilst contextuality may be related to substantive structure.

18. The selection of these particular institutions for study reflects the primary aim of this thesis: to essay the course of the transition towards agrarian capitalism in one specific area in North-east Cumbria. To this end, only those institutions considered to have been directly involved in agricultural practice within this area have been analysed. Thus, institutions such as the parish have been excluded from analysis.

In addition, whilst it is recognised that the institution of the family probably represented the basic unit of agricultural production in North-west England in the 16th century (Macfarlane, 1978), this too has been excluded from consideration: the justification for this is that - in including this institution - the focus of study would shift specifically to individuals, rather than to the connections between groups and social structure.

19. Since Cumbria was exempt from the 1514, 1515 and 1524 Lay Subsidies (Schofield, 1965, 494), no comparable 16th century evidence is included in Appendix 3.1.

20. These are Askerton, Little Corby, Great Corby, Fenton, West Linton, Solpert, Houghton and Nichol Forest.

21. This being evident from a 1424 survey of the Gilsland estate (D. P/D. H of NC 201/1, 4, 41).

22. D. P/D. H of N C 176. Above Gelt covered the areas of Castle Carrock, Cumrew, Cumwhitton and Hayton; Below Gelt, Irthington, Laversdale, Newby, Walton Wood, Askerton and Triermain (see Figure 3.1).

23. Field Book of Lord William Howard (D. P/D. H of N C 173).

24. This customary land is taken to be the equivalent in the North-west to the villein land of the Midlands and South, on the grounds that customary tenants, in general, were required to perform certain light services during the year as well as yield specific food renders (cf. 2.5.2).

25. op. cit. Ref. 22.

26. D. P/D. H of N C201/9; CRO. D/6/V1.

27. op. cit. Refs. 21, 23, 25; D. P/D. H of N C217.

Chapter Four:

1. The phrase 'within which and through which' may appear to be cumbersome but it is a necessary one, designed to convey the impression of a transition which not only took place within a specific area but of an area which influenced the course of the transition, this being a simultaneous process.

2. The farm, although undeniably an important institution, cannot be considered in this light unless evidence relating to specific individuals is available. Macfarlane (1976b) has demonstrated the use to which this can be put, however, for this area, comparable material to the diary evidence which he uses does not exist. For this reason the individual farm is not considered in this chapter, nor, indeed, in the remainder of this thesis.

3. The characteristics to be discussed here are primarily general and are taken, for the most part, from secondary sources (Appleby, 1973, 1978; Bouch and Jones, 1961; Fraser, 1971; Lefebure, 1970; Rae, 1966; Ramm et al, 1970; Reinmuth, 1970; Summerson, 1982; Thirsk, 1967; Watts, 1975; Williams, 1963).

4. P.R.O. E. 164/37.

5. Percentage figures are not given here since Summerson does not make it clear if these numerical values overlap to any degree.

6. P.R.O. SP. 14/97.

7. ibid. Ref. 6.

8. op. cit. Ref. 6.

9. The theft of stock was probably indicative of the financial importance attached to animals in this area. As Summerson says (1982, 116), the bulk of wealth in medieval Cumbria consisted of livestock, and indeed, beasts were particularly easy to steal at certain periods of the year.

10. CH.MS.F1/5/3. This quotation is by no means exceptional. The manor of Irthington evidently suffered the same treatment,

> 'Et sunt in eodem manerin vi^{xx} acras terras duicas... penitus vast per distruccoem Scottoy'.

Near Camockhill, 4 messuages are recorded as lying waste which were formerly worth 22/- per annum and even Naworth Castle itself (the late medieval residence of the lords of Gilsland) was worth nothing.

11. A similar scale of devastation was wrought in the Barony of Liddel which - in 1380 - is recorded as being 'worth nothing' because it had been 'totally laid waste with all its members, towns, hamlets and parcels by the Scots' (quoted in Summerson, 1982, 116). By 1390 Appleby, Brough and Langton - all further south - had suffered an identical fate.

12. Watts (1975, 28) makes an important point here which, although difficult to assess, needs to be noted, that is, that it was often in the interests of courtiers to exaggerate the 'lawlessness' of northern society.

13. This view of disagreement and fluidity prior to 1237 and agreement and rigidity since is one developed by Holt (1961) and Dickinson (1961).

14. Barrow, therefore, disagrees quite considerably with the accepted view. Not only does he maintain that the Border was certainly established almost 100 years earlier (incidentally he suggests that there was a precedence for the Solway-Esk line in 1092 (pp. 142-8)) but he categorically denies the implication that a vague 'debateable' area existed between the two counties prior to 1237,

> 'The notion that there was ever a sizeable tract of territory... where the English and Scottish kingdoms as it were shaded off into each other is based either upon an entirely false belief that precise boundaries are a modern invention or else upon a naively charitable estimate of our early kings, whose greed for land and power was in fact determined solely by the extent of their own and their neighbours military resources... It is therefore as a march, as a boundary in the fullest sense, that I see the Border in the period before 1237' (pp. 140-2).

15. P.R.O. SP. 59/22/197.

16. The characteristic features of this in Gilsland were organisation into night watches and active military service under the supervision of the 'land sergeant'. Every tenant was to have a horse

> 'hable to beare a man 20 to 24 hours without abate or at the leste ys hable to beare a manne 20 myles within Scotland and backe again without abate'

and tenants were to provide themselves with steelcaps, swords, daggers, bows, spears and guns (D. P/D. H of N C 201/9).

Loyalty to family in this area is exemplified in a letter of John Leslie, Bishop of Ross, regarding Northumberland family feuding,

> '(Once begun a feud) is not of one against one, or of a few against a few, but of them all, how numerous soever the tribe may be, against all of the opposite name, however innocent or ignorant of the alleged injury' (Watts, 1975).

This is totally analogous to the groupings of Grahams, Armstrongs, Carletons and Giffords found in Cumberland, and, as Thomas Musgrave points out to Lord Burghley,

> 'they will make a quarrel for the death of their grandfather and they wil kill any of the name they are in feud with' (P.R.O. SP. 59/22/197).

17. (cf. Fraser, 1971, pp. 48-55; 68-101). The state, in effect, was powerless to do anything about this situation in a direct sense and relied upon intermediaries to administer to law and order insofar as this was possible. Typical of this process is an enquiry from the Privy Council to the Earl of Cumberland, Lord Walden and Lord William Howard in 1604 asking,

> 'What is the reason that, after soe manie years of peace, wherein justice either hath ben or ought to have been duly administered, there are committed in these parts... more robberies and spoyles, then in times precedent? And that there dayle growe and multiplye more outlawes and likewise that there is more breakinge of prisons and lesse execution of justice against malefactors then in former times' (D. D/P. H of N C 644/1).

18. op. cit. Ref. 4.

19. No doubt this characteristic of Cumbrian agriculture was indicative of the harsh physical environment, however, Summerson (1982, 116) relates this to the political situation as well,

> 'the endless ravages of the Scots accentuated the trend towards the rearing of sheep and cattle rather than crops - at least the sheep and cattle could be taken out of harm's way, but crops would have to be burned or trampled down'.

20. It is worth noting here that Thirsk draws a subtle distinction between the Highland and Lowland North-west, the above quotation being indicative of the former. This differentiation is more one of emphasis

than of fundamental dissimilarity. The coastal plans and riverine lowlands were areas capable of supporting higher crops acreages and a larger proportion of meadow land. Notwithstanding this, the bias in agricultural production was still heavily in favour of livestock farming (see Winchester, 1978, 120-33 on the Copeland area of South-west Cumbria).

21. These second and third limitations are of little consequence here but they are important for Overton (1980) who subjects his data to inferential statistical techniques, one of the requirements of which is, of course, a normal distribution.

22. Percentages are used in place of absolute values thereby enabling comparison between individual farm units.

23. We have to assume here that large total monetary values reflect large farm size and vice versa. This would be a meaningless assumption in the context of present day farming practice where intensive cultivation is commonplace. However, in the 16th and 17th centuries, this is less likely, particularly in an area of pastoral emphasis such as Gilsland where high stock values must be taken to reflect a large number of livestock. Such numbers, quite simply, could not be supported on the minimal acreages of arable land characteristic of small farms; thus a degree of correspondence between high monetary values and large farms at least appears probable. Whether this correspondence extended to small farms and low values is more debateable since a low monetary value could have been recorded if inventories were proved during the winter months when stock numbers were lower.

24. If more complex statistical techniques were to be used such a bias would be important. However, only crude summary measures are used here thus this problem is dismissed as of minimal importance.

25. These values can, therefore, be compared with Winchester (1978, 123) who records average stock values of 76 per cent for lowland and 86 per cent for lakeland township areas in Copeland, South-west Cumbria.

26. It is difficult to offer an explanation for this apparent decline in oxen. However, since no obvious expansion in any of the pastoral farming sectors occurs it would certainly be inadvisable to infer from this any contraction in the area of cultivated land.

27. Horses also figure in over 50 per cent of inventories sampled but only occur in ones and twos. They were, of course, vital for transport but insignificant as a sector of pastoral farming in an area where the production of cattle and sheep for sale was becoming of paramount importance.

28. Fifty-five per cent is a suspiciously high number of oxen (Table 4.2) for an area with such a small percentage of arable land. Thirteen per cent is probably a far more realistic figure and one which would not require supplementing by the production of stirks on a large scale.

29. Since breeding cattle were universal throughout 16th and 17th century Gilsland, there is every likelihood that we can take this contraction at face value. In addition, the fact that the numbers retained within the dairy/breeding sector show no pattern of seasonality makes it all the more likely that we can accept these percentages as they stand.

30. Whilst this 50 per cent is a somewhat arbitrary figure, it can be substantiated if we look at a hypothetical case based upon average values for cows and stirks in the period 1589-1621.

The following table, which uses 5 heifer cattle as its base, records a random 5 year period in which 2 major assumptions are made:- (i) that each cow breeds each year and (ii) that no cattle die during the entire 5 year period.

Base: 5 cows		Totals:
Spring Yr 1:	5 calves 3m; 2f	5 cows 5 young beasts
Spring Yr 2:	5 calves 2m; 3f	5 cows 2 heifers; 3 stirks; 5 young beasts
Spring Yr 3:	5 calves 4m; 1f	5 cows 5 heifers; 5 stirks;* 5 young beasts
Spring Yr 4:	5 calves 5m	5 cows 6 heifers; 6 stirks; 5 young beasts
Spring Yr 5:	7 calves 5f	7 cows; 4 heifers; 11 stirks;* 7 young beasts

*stirk numbers are temporarily reduced each autumn with the sale of the eldest stock to southern graziers.

By the fifth year, female stock and stirks are of equal number, however, since cows at this period had an average value of 20/- and stirks 8/-,

11 stirks only total £4 8/-. This compares with 7 cows worth £14. Obviously, there is no way that in these circumstances - unless the majority of the female stock died and were not replaced - that a farm with a stirk value of over 50 per cent is going to be anything other than the result of a buying-in process.

31. We can be quite certain that these 'beasts' are beef cattle and for two reasons. First, the inventors made a clear distinction between female cattle and the remainder. Secondly, this farmer is recorded as being of the Templegarth, an area which in the medieval period was classified as 'free chace' or 'forest'. This is not 'forest' as we understand it, but was land in which some stock grazing was allowed, albeit controlled by the keeper of the forest. It is extremely unlikely that female cattle would be occupying such an area where common pasture was available in abundance elsewhere.

32. 'Nolt', like quyes, were young female cattle i.e. heifers.

33. The numerical breakdown of inventories per parish in Table 4.4 is as follows:- Lanercost (9); Cumwhitton (13); Denton (3); Hayton (14); Irthington (5); Brampton (6); Cumrew (5); Farlam (2). Hayton and Cumwhitton parishes therefore provide 47 per cent of the inventories in which cattle sector comparisons can be made. Further analysis based on this sub-sample - particularly any which attempted to suggest spatial concentrations of beef stock farming - is, consequently, extremely likely to reflect this numerical bias in favour of Hayton and Cumwhitton.

34. Ramm et. al. (1970, 5, fn4) suggests another reason for the smaller percentage of sheep within Gilsland. This is the predominance of wet ground within the estate, which made large areas - particularly the North Moor - unsuitable for sheep grazing prior to their drainage in the 18th and 19th centuries.

35. The examples given above serve to emphasise this point. Average sheep values for the two sample periods are 2/4 and 3/6 per animal respectively (these figures have been calculated without differentiating between ewes, wethers and hoggs and lambs, largely because the broad term 'sheep' is used in most inventories). Thus, for any farmer to have over 50 per cent of his agricultural wealth tied up in sheep, implies either a large flock size or total specialisation in sheep production. That this was so can be seen if we recall cattle values; average cow values were 20/- and 33/- for the two sample periods and stirk values,

8/- and 18/-. One cow was therefore worth the equivalent of 9 sheep in both sample periods; one stirk the equivalent of 3 sheep (1589-1621) and 5 sheep (1660-95). For a farmer with 1 cow and 4 stirks the comparable financial equivalent in sheep would be 23 and 30 animals in the respective study periods.

36. For instance,

Coxen, Martin (1680), Fenton.
12 old sheep and 4 hoggs £2

Armstrong, Thomas (1673), Lanercost.
6 sheep hogges 10/-

Dixon, John (1679), Cumwhitton.
22 sheep, old and young £4
10 sheep hogs £1 10/-

37. One example of the term 'sheare sheep' is the following,

Peares, Clement (1581), Farlam.
21 ewes 43/-
24 hogges 36/-
13 sheare sheep 26/-

38. Percentages are based upon value figures owing to the variety of volumetric measurements used and to the difficulty of interpreting the phrase 'x crop sown upon the ground' in volumetric terms. Using values also allows for comparison with the livestock sector.

39. As with the sheep sector we face a problem here. Quite simply, inventors were rarely specific about the exact nature of the crop, referring to it typically as 'all his yeares crop'. This is not very illuminating but it is not a problem which can be overcome, except perhaps by using an extremely large initial sample size.

40. The demesne sector is excluded from detailed consideration since the main intention here is to build-up an impression of the overall character of agricultural production within the Gilsland area, rather than atypical specifics. However, the Household Books of Lord William Howard and estate agent correspondence reveal the 17th and 18th centuries to be periods in which 'demesne' farms were concerned principally with sheep and beef cattle stores, (CH MS F4/1; D, P/D. Hof N C 565).

41. Graham, H.B. (1934), The Barony of Gilsland, Lord William Howard's Survey taken in 1603.

42. ibid. Ref. 41.

43. Hutchinson (1794) and Whelan (1860) both refer to the soil characteristics of areas within the Gilsland estate, and, certainly for some communities the demesne sector did pose a problem in creating shortages of suitable arable land for tenants. In Brampton, with 29 per cent of land within the demesne sector, the problem could have been acute, however, since the soil quality here was reasonable, this probably was not the case. In contrast, Denton and Farlam were characterised by cold, moorish and barren soils and light gravels respectively: the only tolerably fertile areas being the land occupied by the demesne farms of Denton Hall and Farlam Hall respectively. For these areas the demesne sector did hive-off a sizeable proportion of the potentially cultivable land.

44. It is, unfortunately, impossible to shed any light on the rotation of crops within Gilsland at this period since little evidence, even of a general nature, survives regarding cropping practice.

45. op. cit. Ref. 41.

46. Charnley (1974, 141) suggests a similar situation to exist in Cumwhitton,

> 'The surveyors may be describing a system of 'ley' farming, where in one tenement a mosaic of arable alternating with pasture was encountered. The rotation of 'white' and 'ley' crops, a fairly advanced cropping pattern for the 17th century may thus be inferred'.

47. This situation is likely to have been particularly acute in the central and southern areas of the estate in which the modal farm size class was 0 - 19 acres (7.7 ha). (Table 4.7). Using Thirsk's suggestion that a typical farmer had no more than 10 acres (4 ha) in cultivation at any one point in time (1967, 25), this makes it clear that the margin between survival and dearth was a very narrow one.

48. The Gilsland evidence therefore confirms Elliott's (1959, 1973) arguments which suggest that common field farming was an important element of agricultural practice in the North-west.

49. Interestingly, only two of these tenants - Willeam Hevyside and Thomas Stoker - do not bear the name Milburne. This raises many questions as to whether Talkin itself was originally settled by one family; whether this was an area of fairly late colonisation (i.e.

medieval (post 12th century)); and whether this is an area in which partible inheritance has occurred. A similar situation also existed in Laversdale where 8 of the 10 tenants holding land in the common fields were Muncasters (1603 Survey, op. cit. Ref. 41).

50. This may well be an early example of engrossing in this area (cf. Chapter 6).

51. op. cit. Ref. 41.

52. The regularity of these holdings in terms of farm size suggests that some degre of planned division or colonisation has occurred in this area: either Dassoglin, Westhall and Leeshill were originally one unit which was subsequently divided (cf. Dodgshon, 1973, 1977; Whittington, 1973), or they could represent four planned units of a medieval period of colonisation.

53. The Howards, for example, eventually owned land in Cumbria (the Gilsland estate), Northumbria (Morpeth) and Yorkshire (Castle Howard). Between 1606 and 1609, Lord William Howard had acquired land in Cumbria, Northumbria (Plenmellor) and Yorkshire (Givendale) (CH. MS. F1/5/11).

54. The rationale behind this statement is, of course, the fact that these landlords with diverse sources of income would not necessarily be pressurised into increasing the value of their estates. Others - those with a small landed inheritance - may well have been compelled into such a course of estate rationalisation (see Stone, 1967, 135-154).

55. C.R.O. D/6/VI. Using Laslett's (1965) 4.5 multiplier, this gives population totals for cottagers and their families of 207 in 1588 and 171 in 1603.

56. Kirkoswald seems to have been a centre for large-scale sheep farming, as the accounts for 1612 show,

Jan. 23	Sauring sheep at Netherton and Kirkoswald ...	ix^{s} vi^{d}
Feb. 6	To Rob. Crosier driving sheep iii dayes from Kirkoswald	xviii^{d}
Mar. 14	Greasing sheep at Kirkoswald	xii^{d}
June 3	8 sheepclippers	ii^{s}
	4 winders and markers	xii^{d}
	3 gatherers	vi^{d}
	3 kerers	iii^{d}
Jun. 18	14 clippers	4/4$_{d}$
	4 winders and servers	xvi^{d}
	5 turners	xd

Jun. 18	3 gatherers	ix^{d}
Jun. 26	36 clippers of sheep	9/-
	14 winders	3/6
	6 wooll gatherers	xii^{d}
	10 turners	x^{d}
	24 washers	12/-
	11 turners	xxii^{d}

(Household Books of Lord William Howard).

57. Household Books of Lord William Howard.

58. That these cottagers were concentrated in the central and southern areas of Gilsland - those areas of nucleated village settlement - is probably not just coincidence. These areas are precisely those where we can anticipate that it would have been possible to supplement produce from a small holding with income derived either from casual agricultural labour or domestic industry.

59. Thirsk's examples of this include Redesdale, Waterhead in Furness and Tyndale (1967, 23-25). This situation contrasts markedly with that in the Midlands described by Howells (1976). Here primogeniture had begun to take effect from the 12th century (cf. Spufford, 1974, 1976).

60. op. cit. Ref. 55.

61. op. cit. Ref. 55.

62. The evidence which we can consult here is far from extensive and, indeed, is limited further by the wasting of the area during the medieval centuries by the Scots. This practice makes late medieval surveys and rentals unreliable sources from which to attempt to search for signs of partible inheritance (Table 4.1). Later, 16th century material, too, is far from unproblematical since tenements are often not mentioned by name. However, in some cases such as Askerton, comparison is possible. In this case, of the 25 instances where the number of tenements is recorded consecutively (1542, 1574, 1589, 1603), only 7 show an increase (possible division) in tenements: the remainder continue to be stable numerically. This suggests that, whilst partible inheritance may have been practised on some farms, on others primogeniture had been introduced by the 16th century, if not earlier. (D. P/D. H of N C 201/6; CH. MS. F1/5/6; op. cit. Ref. 55; op. cit. Ref. 41).

63. op. cit. Ref. 48. A 'normal' year is taken to be one free from cattle plague or poor harvests. On this basis 'abnormal' years can be

taken to include 1587 (typhus and famine), 1597-8 (famine) and 1623-4 (famine) (Appleby, 1973).

64. This number excludes the tenants of Irthington who are not included within the 1603 survey. Adding the overall mean number of tenants as a substitute for Irthington gives a total of 476 tenants and a total population of 2142 (4.5 multiplier). An additional source of inaccuracy may be the uncertainty involved when individuals of the same name are encountered. When this occurs within one manor it is assumed that the names are referring to the same individual: when the same names are encountered in different manors they are assumed to refer to two different people. Of course, one person could hold land in more than one manor but in that situation sub-letting is extremely likely to occur and we can anticipate that the name of the lessee might appear alongside that of the immediate landlord. We can suggest, too, that the 1603 survey is recording the actual tenants in possession and occupation of holdings; there is a very close correspondence between the names mentioned in the survey and those recorded in the accompanying maps (D. P/D. Hof N C 716). In this case, sub-letting appears minimal and it is considered that the figures calculated are probably accurate estimates of the population of Gilsland at this time.

65. op. cit. Ref. 55.

66. The number of customary tenants within this manor being 24 (P.R.O. E. 164/42).

67. Since the 1603 survey does not mention tenure in any comprehensive manner, we have to rely on one source - the 1588 survey (op. cit. Ref. 55) - here. In this only 16 free tenants are recorded; 3 of these are lords of manors, the remainder hold land without tenements in various parts of the estate. This being the case, it would seem that these free tenants were not resident within Gilsland. Indeed, of the entire 16, only one - John Middleton (who as well as being lord of the manor of Newby, leased Farlam Hall and was the land sergeant of Gilsland) - certainly lived there. Thus, not only were free tenants vastly outnumbered by customary tenants, but it is doubtful if many of them even lived in the area.

68. Non-assessed, outfield land is considered by Dodgshon (1973, 1975) to be former commonty or waste, lying outside of the original, infield (assessed) township unit.

69. op. cit. Ref. 66.

70. These ideas have now been extended to include Northern England (1975, 1980).

71. In areas of spring sowing it is only possible to achieve one crop per annum from the land. Autumn sowing was effectively ruled out by the harsh northern winters.

72. D. P/D. H of N C 176.

73. This date was obviously later in the more northerly areas of the estate, as is made apparent in those presentments quoted.

74. cf. the example given in Section 4.3.3 of apparent grass leys in Cumrew in 1603, in which this land, far from being on the edge of the area of cultivation, is quite definitely what would be termed infield land (Fig. 4.3, Furlong 7).

75. For discussions of this process in Scotland, see Gaffrey (1959), Miller (1967), Whittington (1973).

76. It would seem that the North Moor was not only used by the tenants of Gilsland, but by those of Bewcastle and Burgh as well. In this respect then it was an area of inter-commoning by several communities, (CH. MS. F1/5/9; D. P/D. H of N C201/4, 4a).

77. op. cit. Ref. 41.

78. op. cit. Ref. 55.

79. Bagot (1962, 228).

80. op. cit. Ref. 55.

81. op. cit. Ref. 55.

82. op. cit. Ref. 79.

83. op. cit. Ref. 55. The tenants of Greystoke were also required to pay heriots (P.R.O. E. LR 2/212), but this is the only other example of heriot payment in the estates considered.

84. In some cases it is possible that the term 'general custom' may have been invented by surveyors attempting to summarise briefly the many

traditions of each individual estate.

85. D. P/D. H of N. C 217.

86. op. cit. Ref. 66.

87. CH. MS. F/1/9/2.

88. op. cit. Ref. 55.

89. op. cit. Ref. 79.

90. op. cit. Ref. 79.

91. C.R.O. D/HG/4.

92. ibid. Ref. 91.

Chapter Five:

1. Batho states,

> 'many held their lands by a customary tenant right which varied from manor to manor but was in effect tantamount to freehold'.

2. Duchy of Lancaster Surveys, 25 Elizabeth. Interestingly, military service also appears in this document as a completely separate clause.

> 'The tenants shall be ready at the bidding of the Lord Warden of the West Marches to serve at their own costs, namely as horsemen in summer and footmen in winter' (Bouch and Jones, 1961, 69).

No mention is made of holding land in return for this service. Instead, the service is required by the Lord Warden and not by the tenants immediate landlord.

3. C.R.O. D/6/VI; CH. MS. F1/5/6, 31 Eliz.

4. ibid Ref. 4; D. P/D. H of N C 643/1 (1589) which records quite specifically that the tenants are,

> 'Tenentes ad voluntatem domini secundem consuctudinen maneri predicti'

Individual tenants are recorded as follows,

> 'Thomas Wilson tenet ad voluntatem domini secundum consuctudinem maneri predicti unum tenementum cum pertinentiis in Brampton...'

5. op. cit. Ref. 4. This is confirmed in D. P/D. H of N C 201/9, in which it is made clear that both freeholders and customary tenants performed border service.

6. The same conclusions may be reached from statements regarding the customs of the Barony of Kendal.

> '... the said mannor or whole Barony of Kendall had but one whole entire custom for the tenants which held by Tenantright both of the barron and of the other mean or inferior lords, by which custome the tennants held their tenements by and under certaine rents, fines, boones duties and services, with suit of court. And for the fines or gressoms which are due from the customary tenants or tenements by tenantright are by the generall rule all over these two counties... due upon death of lord and change of the tenants, whether by deathe or Alyenation... Now those fines both Generall and Speciall or Particular are in some places of those two counties certain. That is at a certaine known rate or sume of money according to their ancient rents: in other places they are uncertain or arbitrary as lord and tenant can agree pro rata' (Bagot, 1962, 228-9).

In this document (dated 1650 60) there is no mention of service upon the border. Admittedly, border service had by then been abolished but the main point here seems to be to establish the ancient customs of the barony. Obviously, these were seen as a completely separate issue from border service.

7. The appointment of the Earl of Dunbar as Border Commissioner has been seen as a symbolic gesture by Reinmuth (1970): it was symbolic because the Earl held land in both England and Scotland and was, consequently, seen as ideally suited to holding the position of governor of the new 'Middle Shire'.

8. Steele, R. (1910, 537), Tudor and Stuart Proclamations.

9. This statement is not meant to imply that leasehold tenure did not exist in the North prior to 1603, far from it. In fact much demesne land was let in Gilsland during the 16th century viz, Brampton Park, Cumcatch, Denton Hall, Netherton, Triermain, Askerton Park and Farlam Hall. However, leasehold tenure in Gilsland during the 16th century only applied to land formerly in the demesne sector. It quite definitely did not extend into the customary sector. Watts (1975, 159) confirms this picture. Looking at early 17th century surveys of Crown land in Northumberland, he provides the following tenurial breakdown:- Leasehold (13 per cent); Customary (68 per cent); Cottagers (2 per cent) and Freeholders (17 per cent).

10. Although having security of tenure for the duration of the lease, the leaseholder had no rights to the land which he occupied other than that of use. Rights of ownership and possession were entirely vested in the landlord.

11. Bouch and Jones (1961, 74-5), for instance, see the 'tenant-right' disputes as,

> '... a struggle to reap the gains or avoid the losses made possible by the steep rise in prices',

and make the point that,

> 'It was (in) the tenant's interest to pay only the old customarie rents while getting the benefit of higher prices for anything he had to sell, and the landlords interest to make the tenant share that benefit with him by paying a higher rent or holding the land on different conditions'.

Furthermore, they state that,

> 'The Union of the crowns of England and Scotland at the accession of James I gave that impecunious and not very scrupulous monarch a chance to claim that, Border defence being no longer necessary, the terms of the tenure should be altered, and great landowners too, saw in the situation an opportunity to gain at their tenant's expense'.

Obviously, they view the entire incident in terms of financial gain.

12. Watts (1975, 173) gives some examples of the increases in rental value on Northumbrian estates following a change to leasehold tenure and agricultural improvements made in the 17th century. Some of these are excessive. For instance, on the Gray estates around Chillingham, rental income increased from less than £1000 per annum in the 1590s to between £7000 and £8000 per annum in the 1620s. What proportion of this was attributable to a switch to leasehold tenure it is impossible to say. Indeed, perhaps the only means by which this question can be answered is to compare the rents of individual holdings, first, as customary units and then as leasehold. Sharp and sudden increases would, indeed, be indicative of the use of leasehold tenure by landlords for financial advantage.

13. Anderson (1974b) provides the most comprehensive Marxist treatment of the absolutist state, however, his views differ considerably from those of Marx and Engels. The latter, whilst not theorising directly about this particular state formation, tended to view it as 'a political balancing-mechanism between nobility and bourgeoisie' which

paved the way for bourgeois class rule (cf. Hill, 1976). In contrast, Anderson sees it as a strictly European state formation in which the interests of the nobility were still of paramount importance. Although absolutist monarchies were responsible for the introduction of standing armies, a permanent bureaucracy, national taxation, a codified law and the beginnings of a unified market - all capitalist characteristics - the feudal aristocracy still formed the ruling class. Kiernan (1980, 6) supports this view, seeing absolutism as 'the highest stage of feudalism ... more than the first stage of bourgeois or middle class hegomony'. For a non-Marxist appraisal of the development of the state in the 16th and 17th centuries, see Trevor-Roper (1965).

14. See Chapter 4.2 for additional evidence of the state's concern with law and order in the north during the early 17th century. Further confirmation of the importance attached to this theme may be seen in a proclamation of December 1616, declaring the use of arms and weapons forbidden in Tynedale, Redesdale, Bewcastle, Gilsland, Esk, Leswyn, Liddersdale, Ewesdale and Annandale (Steele, 1910, 142). Parker (1979, 59) suggests one possible explanation for this, stating of James I that

> 'his wish above all things was, at his death to leave one worship to God, one Kingdome entirely governed, one uniformity of law'.

Of course, this has many connections with the ideal of absolutist monarchy, in which a central maxim was the King as an incarnation of law. The ability to make laws binding therefore became one of the most important attributes of a sovereign.

15. Both the Neville and Dacre families died out in their direct male lines, whilst the Percy family was exiled from the north (James, 1966; Reinmuth, 1970; Watts, 1975).

16. Watts (1975, 59), considering Northumberland, supports Reinmuth's argument. Only one resident aristocrat remained in Northumberland in 1586. All other aristocrats who held land in Northumberland between 1586 and 1625 maintained their principal seats elsewhere in England and only fleetingly visited their Northumbrian estates when they happened to be there on other business. This argument did not apply in the Gilsland case: the Howard family - being Recusants - lived primarily on their Naworth estate.

17. He concentrates particularly on the political power exercised by Lord William Howard, concluding that,

> 'whereas Lord William Howard's Roman Catholicism prevented him from holding important office at court or on the national scale, and indeed from offices of maximum importance in his own area, it did not prevent him from exercising great political power and influence on the Borders'.

18. The dispute ran from 1618/19 - 1625 and was heard in the courts of Chancery and Star Chamber. Watts (1971, 75-8) provides the best summary.

19. P.R.O. STAC. 8 34/4.

20. ibid. Ref. 29.

21. op. cit. Ref. 19.

22. op. cit. Ref. 19.

23. op. cit. Ref. 19.

24. op. cit. Ref. 19.

25. Nicholson and Burn I, 58.

26. P.R.O. STAC. 8 161/1.

27. ibid. Ref. 26.

28. The significance of Gelt Bridge was important for the Gilsland tenants since this was the place where they had fought a battle with Leonard Dacre against the Queen's forces. For the Crown too this place was obviously symbolic: one of the questions asked of the defendants in Star Chamber was,

> 'whether was the saied assemblie then gathered at the said place where they or some of their ancestors had fought a battall with Leonard Dacre against the forces of the late Queen' (op. cit. Ref. 26).

29. op. cit. Ref. 26.

30. op. cit. Ref. 26.

31. Surtees Society, Vol. 68, pp. 425-7.

32. ibid. Ref. 31.

33. Whether the tenant was evicted would, of course, depend in practice upon whether a suitable replacement tenant existed. The situation was, therefore, more complex than the theoretical argument suggests, being connected with demographic and market forces. In Gilsland itself no evidence survives to indicate that eviction took place (6.3.1).

34. op. cit. Ref. 26.

35. Watts (1971, 75) makes this point and suggests it as one of the reasons why the tenants of Wark and Harbottle in Northumberland lost their claims to their customary estates. The solicitor retained by the Harbottle tenants - a William Suggett of Newcastle - was later called before Star Chamber to answer charges of perjury in connection with a different case (p79, fn53).

36. The Kendal estate, being an area in which tenant proprietorship of land remained a reality, would make an interesting comparative case study to the Gilsland estate. A priori we would expect the features of agrarian capitalism to have emerged more slowly - if at all - in this area. However, since this part of the thesis is concerned primarily with the emergence of agrarian capitalism, it is the Gilsland estate - where the social relations of production necessary for capitalist relations in the countryside had apparently emerged in the early 17th century - which forms the focus for further analysis.

Chapter Six:

1. C.R.O. D/6/VI; Graham, T.H.B. (1934), The Barony of Gilsland, Lord William Howard's Survey taken in 1603; D. P/D. H of N C 217.

2. D. P/D. H of N C 201/24 - 25.

3. See, for instance, Appleby (1975, 1978); Brenner (1976, 1977); Kerridge (1967, 1969); Saville (1969); Stone (1967) Tawney (1912); Watts (1971, 1975).

4. The stress which Brenner places on these two processes can be linked to his argument that it was 'the class struggle' which was ultimately responsible for the transition between feudalism and capitalism. Eviction and the manipulation of the fine system are the only processes of the six considered here in which conflict between landlord and tenants (ie. conflict on class lines) over the means of production could have occurred.

5. To this we can add Sir Henry Curwen's eviction of 12 of his tenants from their lands in Thornthwaite, near Bampton in 1576 (Bouch and Jones, 1961, 78).

6. D. P/D. H of N C 201/4, 4a; op. cit. Ref. 1.

7. Appleby's explanation for the lack of eviction in Cumbria in the 16th century is as follows,

> 'In part this may have been because the Crown opposed any reduction in the armed tenantry; in part it certainly was because there was little economic reason for large-scale evictions. As I have already pointed out upland pasture was plentiful, making eviction to convert sheep runs unnecessary. Moreover, no lords evicted their tenants to obtain lands for large-scale grain production. Most landlords stayed out of the grain market, living off rents and usually letting rather than cultivating their own demesne land' (1975, 583).

8. CH. MS. F1/9/2.

9. 'Descent fines' were due on the death of the existing tenant and were payable by the inheriting tenant; D. P/D. H of N C 660; C.R.O. D/HG/4.

10. 'Purchase fines' and 'mortgage fines' were due on the purchase and mortgaging of tenements ibid. Ref. 9.

11. It is possible that Appleby's arguments are based solely on the evidence concerning the relationship between fine levels and ancient customary rents during the 18th century: this could - on a superficial reading - suggest the random relationship for which he argues. However, the 16th century period - during which fines were assessed in relation to the customary rent - was clearly one in which a standard fine-customary rent relationship prevailed. Appleby himself does not cite

this 16th century evidence, thus it appears that his arguments are inferences drawn from a reading of later sources. It is suggested therefore that his statements regarding the fine system within the Gilsland estate are to be treated with great caution.

12. Although no evidence concerning descent, purchase and mortgage fine levels survives for the 17th century, there seems little reason to doubt that these were much the same as those of the 16th and 18th centuries. Certainly, if any change were to have occurred in the 17th century, we would expect to find evidence of landlord - tenant conflict, or the reflection of any changes in 18th century fine levels. The existence of the 'General Fine' within Gilsland did offer one potential means by which the fine system could be manipulated. This was assessed at 20 times the ancient rent and was due on the death of the lord. It appears that the possibilities of manipulating this were examined in the mid 18th century; however, since no custom of 'infant' fines existed within Gilsland these options were fore-closed. Fines were only due on the death of a lord over the age of 21 (D. P/D. H of N C 171/125; Plan No. 43).

13. C.R.O. D/Hud/1/18.

14. ibid. Ref. 13.

15. op. cit. Ref. 13.

16. op. cit. Ref. 13.

17. op. cit. Ref. 13.

18. op. cit. Refs. 1 and 6.

19. D. P/D. H of N C 3a/1.

20. D. P/D. H of N C 7.

21. D. P/D. H of N C 8.

22. This rent could possibly be freehold but, given the small number of freehold tenants and tenements within Gilsland (4.4) it is almost certain that this was a customary holding. Further proof of the tenurial status of these holdings is given in a rental for the years 1626 - 34, op. cit. Ref. 1.

23. CH. MS. F1/8.

24. CH. MS. J8/30/1.

25. D. P/D. H of N C 3a/3.

26. D. P/D. H of N C 68.

27. D. P/D. H of N C 9a/15.

28. D. P/D. H of N C 91/6.

29. D. P/D. H of N C 145.

30. D. P/D. H of N C 3a/2.

31. D. P/D. H of N C 53/3; C 43/1.

32. It should be noted that the use of call books - as opposed to court books, none of which survive for this estate - is a source of two problems. In the first case, these do not always give the name of each customary holding; in the second, they do not always show the relationship of the new tenant to the former. The second is the most considerable problem and it has been assumed here that incoming tenants with the same surname as the former tenant were of the same family. A second, and slightly more tenuous assumption, has also been made regarding women tenants: where the surname of the tenant changes but the Christian name remains the same, it is assumed that the same woman has married.

33. We can anticipate that some of this oscillation may be indicative of the slight unreliability of this data source, although, in general, we can be fairly certain that the broad trends established in Table 6.5 are accurate representations of the customary sector at this period.

34. D. P/D. H of N C 180 - 180d.

35. CH. MS. F/1/5/21.

36. Farms composed of scattered holdings and whose arable land was subject to the regulations of the institution of the community were unlikely to be purchased by the Howard family, for the simple reasons that they did not form a consolidated tract of land and could not be farmed without regard for other farmer's activities. This much is

borne-out in Table 6.1, in which all areas characterised by common field agricultural practices reveal small, or minimal, percentages of leasehold land, even in 1828. In these circumstances, it was more likely that such parcels of land would be bought-up by other customary tenants and amalgamated with their customary farms. This is further suggested by the fact that no demesne units existed in the southern part of Gilsland by 1603 (Table 4.7). Thus, no consolidated blocks of ex-demesne leasehold existed upon which to graft small parcels of customary land.

37. These phases are also broadly compatible with the course of enclosure in Northumberland (Butlin, 1967, 1973).

38. CH. MS. F1/5/16.

39. CH. MS. F4/1.

40. op. cit. Ref. 38.

41. op. cit. Ref. 38. This farm was one of the four 'designed farms' planned on Spadeadam Waste during the 1750s - Blackshaws (780 acres; 351 ha), Hoper Slack (1329 acres; 598 ha), Henhills (1378 acres; 620 ha); Robsyke (831 acres; 374 ha). Of these, only Blackshaws was in fact built (D. P/D. H of N C 201/24-25).

42. D. P/D. H of N Plan 275.

43. D. P/D. H of N C 168c/9.

44. D. P/D. H of N C 168c/3.

45. D. P/D. H of N C 168a/5.

46. For such a statement to be corroborated requires that these farms are shown to be dependent upon the labour of one family. Supportive evidence of a kind for this argument comes from Section 4.4, wherein it was shown that only a small number of cottages existed within this area. This, coupled with the fact that no marked decline in the customary sector occurred during the 17th and 18th centuries, indeed suggests that customary tenants were reliant upon family labour only.

47. Examples also exist showing agreement between landlord and tenantry over piecemeal enclosure. For instance, in 1688, the Earl of Carlisle

and the tenants of Cumwhitton agreed to the enclosure of Dale Bottom and Dale Bottom Waste (D. P/D. H of N C 66/1,2).

Chapter Seven:

1. The only areas excluded from analysis are Hayton and Walton parishes.

2. CH. MS. F4/1.

3. This suggestion is further confirmed by Ramshay, the estate agent during the latter part of the 18th century, who refers to the difficulty of selling fat-sheep at this time (D. P/D. H of N C 565).

4. This term is used within Marxist literature in relation to small-scale owner occupiers or, in this context, the customary tenantry. Thus far the term has been deliberately avoided since it introduces the contentious notion of how exactly we define the peasantry (Chayanov, 1966, Goodman and Redclift, 1981; Shanin, 1972, 1976; cf. Macfarlane, 1978) which, in this thesis, is considered to be of marginal importance to the main line of argument. However, in evaluating the accuracy of Brenner's arguments regarding the emergence of capitalist social relations, the term has to be used.

5. D. P/D. H of N C 201/24-25.

6. 'Manorial' is the term used within the 1828 survey to denote what is referred to as the local, community level in this thesis. It has no connections with classical manorial organisation by this date (cf. 3.4.2).

7. Three hundred acres is a figure which is suggested to be indicative of a large farm within Cumbria generally at this date (cf. Beckett, 1975; Grigg, 1963). From an examination of the general spread of farm sizes within the Gilsland area it is also apparent that this figure is realistic: most farms in Gilsland were less than 100 acres (Table 7.6). However, it is not suggested that this figure should be seen as a value which should be transferred automatically into other areas, for the simple reason that, in these cases, farms of no more than 50 acres may be large. Relative farm size, therefore, is considered to be something which can only be determined in a specific context.

8. In the cases of Hayton and Talkin - both areas of common field organisation in the early 17th century - it is not entirely clear whether the units of T.H. Graham were single farms or amalgamated units which together comprised individual farms. This being so they are not referred to as farms as such.

9. eg. Brenner (1976, 63-64; 1977, 75-76).

10. Direct comparison is possible here since the 1603 acreage values are recorded in statute,as opposed to customary, acres.

11. D. P/D. H of N C 615, 616.

12. D. P/D. H of N C 70; 77; 129a.

13. D. P/D. H of N C 70/4.

14. D. P/D. H of N C 601.

15. ibid. Ref. 16.

16. op. cit. Ref. 2.

17. op. cit. Ref. 12.

18. op. cit. Ref. 5.

19. If, and admittedly a big assumption, we can take this farm as indicative of the pastoral:arable ratio within Gilsland generally, we find a value of 2:1 in favour of pastoral land. Taking the 1828 acreage values of all leasehold units, this gives a total of 24,800 acres (10044 ha) under grass in any one year and 12,400 acres (5022 ha) in tillage. Such figures emphasise the massive pastoral bias within this particular area of North-east Cumbria.

20. An illustration of concern with fixed capital alone in Gilsland is provided by that from Denton Hall in 1681, in which the lessee agreed to,

> 'well and sufficiently repayre, uphold and maintain the said messuage and farmhold together with all houses, hedges and ditches thereunto belonging' (D. P/D. H of N C 70/8).

21. CH. MS. J8/28/101 - 10.

22. D. P/D. H of N C 565.

23. op. cit. Ref. 2.

24. op. cit. Ref. 22.

25. D. P/D. H of N C 624-9; Temporary Listing: Rentals 1769-82.

26. See, for instance, the Pennington estates in Cumbria (C.R.O. D/Pen/203, 204) where 'mowers', 'shearers', 'clippers' and 'hedgers' are employed on a casual basis in the late 17th century, if not before.

27. D. P/D. H of N C 629.

28. ibid. Ref. 27.

29. A discrepancy in total acreages of only 6235 acres between 1603 and 1828 is not considered to be excessive and can be attributed to either of the following: slight inaccuracies in the 1603 survey or variations in the customary and statute measures employed at this date.

30. op. cit. Ref. 11.

31. 'Cottagers' in 1603 are taken as all tenants at the will of the lord holding less than 4 acres (1.62 ha). Following enfranchisement and enclosure these acreages would have increased slightly, although it is still likely that the majority of those owning under 10 acres (4 ha) would have been supplementing their income from other sources.

Appendix 2.1:

1. Foundation Charter of the Barony of Gilsland (c.1158)

Carta Henricus secundi. Henricus Rex Anglie Dux Normannie et Aquitaine Comes Andegavie Archiepiscus Episcus Abbatibus Comitibus Baronibus... salutem. Sciatis me concessisse dedisse et confirmasse Huberto de Vallibus in feodo et hereditate sibi et heredibus suis totam terram quam Gilbertus filius Bolt tenuit die quo fuit vivus et mortuus de quocunq illam tenuisset Et de incremento de Kerkeby cum piscaria et alliis pertinenciis quam Westcubrick filius Willmis Steffanus tenuit et Kaderlenge cum molendino quem Uchtredus filius Haldani tenuit. Et totam illam terram tenebunt ipse et heredes sui de me et de heredibus meis per serviciu duor Militum. Quare volo et firmiter precepio quod ipse et heredes suis supradcas terr de me et heredibus meis habeant et teneant bene et in pace libere et quite et integre et honorifice cum omnibus pertinencis suis in bosco et plans in pratis et pascuis in viis et semitis in aquis et molendinis et piscariis et mariscis et stagnis infra Burgu et extra in omnibus rebus et locus cum thol et theam et socha et sacha et infangthief et omnibus aliis libertatibus et liberis consuetudinibus quietus ab omni neutegeldo Testibus...'

2. Foundation Charter: Annandale

David Dei gratia Rex Scottorum, omnibus baronibus suis et hominibus et amicis Francis et Anglis salutem. Sciatis me dedisse et concessisse Roberto de Brus Estrahenent et totam terram a divisa Dunegal de Stranit usque ad divisam Randulpi Meschin; et Volo et Concedo ut illam terram et suum castellum bene et hononifice cum omnibus consuetudinibus suis teneat et habeat, videlicet cum omnibus illis consuetudinibus quas Randulfus Meschin unquam habuit in Carduill et in terra sua de Cumberland, illo die in quo unquam meliores et liberiores habuit...

Appendix 2.2: Regionalisation of the Gilsland estate on the basis of customary and free service residuals

1. Table 2.3A presents the original raw data.

2. Program calculates euclidean distance coefficient for binary data (1/0):-

For two cases, i and k, a 2 x 2 matrix containing cells A, B, C and D is calculated in which

A = no. of attributes common to i and k

B = no. of attributes present in i and absent in k

C = no. of attributes present in k and absent in i

D = no. of attributes absent in both i and k.

3. Procedure HIERARCHY then reduces these 41 cases to clusters by Ward's method (based on error SS). Clusters are fused according to similiarity. Thus the similarity (S) between cluster R and P and Q (the new cluster) is obtained as follows,

$$S(R,P+Q) = AP*S(R,P) + AQ*S(R,Q) + B*S(P,Q) + G/S(R,P) - S(R,Q)$$

with AP, AQ, B and G being assigned to the chosen method of computation. Ward's method fuses those clusters which yield the minimum increase in error SS (the sum of distances from each individual within a cluster to the centre of that cluster). This produces tight minimum variance spherical clusters.

Coefficients of similarity for I. Customary and II. Customary and free service residuals are contained in Table 2.4A:-

Table 2.4A:

I			II	
No. of clusters	coeff.	coeff.	coeff.	coeff.
8	.295		.335	
7	.331	.036	.342	.007
6	.363	.032	.350	.008
5	.394	.031	.451	.101
4	.475	.081	.691	.240
3	.604	.129	.980	.490
2	.684	.080	.986	.006
1	1.95	1.26	3.216	2.23

4. Procedure PLINK then plots dendograms from these calculations. (See Figures 2.10a and 2.10b).

5. Regionalisations are produced according to the following criteria,

(i) Maximum dissimilarity between regions

(ii) Minimum dissimilarity within regions

(iii) Stability of preferred solutions.

6. Results are presented graphically in Figure 2.10 and can be interpreted as follows. In the first case, the Gilsland estate can be divided into a core area owing the majority of customary services (Vars 1 to 16) and a peripheral area where these do not occur. Where both customary and free services are considered the major division is again two-fold, but in this situation it reflects a split between areas owing customary services and fee farm cash and kind payments on the one hand, and those owing suit of court, homage and fealty on the other. This latter example then not only presents a fuller representation of the pattern of service residuals within the Gilsland estate but provides a visual portrayal of the location of 'free' and 'customary' tenants within the estate.

Table 2.3A: Gilsland: Service Residuals

Variables

Cases	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21
1. Brampton	0	1	0	0	0	0	0	0	1	1	0	0	0	0	1	1	0	0	0	0	0
2. Woodhouse	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
3. Wra	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
4. Brackenhill	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
5. Easby	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
6. Boothby	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
7. Milnton	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1	0
8. W. Farlam	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1	0
9. Rocheburn	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1	0
10. Irthington	1	0	0	0	0	0	0	0	1	1	0	0	0	0	0	1	0	0	0	0	0
11. Cambok	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
12. Laversdale	0	1	0	0	0	0	0	0	1	1	0	0	0	1	0	0	1	1	1	0	0
13. Hayton	0	1	0	0	0	0	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0
14. Fenton	0	0	0	0	0	0	0	0	1	0	0	1	1	0	0	0	1	1	1	0	0
15. Cumwhitton	0	1	0	0	0	0	0	0	1	1	0	1	0	1	0	1	0	0	0	0	0
16. Cumrew	0	1	0	0	0	0	0	0	1	1	1	1	0	0	0	0	1	1	1	1	0
17. Upp. Denton	0	0	0	0	0	0	0	0	0	1	0	0	0	0	0	0	1	1	1	0	1
18. Ne. Denton	0	0	0	0	0	0	0	0	0	1	0	1	0	0	0	0	1	1	1	1	0
19. Triermain	0	0	0	0	0	0	0	0	1	1	0	0	0	1	0	0	1	1	1	0	1
20. Walton	0	1	0	0	0	0	0	0	0	1	0	0	0	0	0	0	0	0	0	0	0
21. Askerton	0	1	1	1	1	0	0	0	0	1	0	0	0	1	0	1	0	0	0	0	0
22. Farlam	0	1	0	0	0	0	0	0	1	1	0	1	0	0	0	0	1	1	1	0	0

Variables:

1. Bond (autumn work)
2. Bond (unspecified)
3. Mowing
4. Harrowing
5. Carriage
6. Carriage (turves)
7. Carriage (wood)
8. Carriage (coal)
9. Land Sergeant fee
10. Greenhue
11. Shield rent
12. Turnsilver
13. Foster fee
14. Capons
15. Eggs
16. Brewing
17. Knights service
18. Suit of court
19. Homage and fealty
20. Fee farm (cash)
21. Fee farm (kind)

Table 2.3A: (continued)

Variables

Cases	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21
23. Talkin	0	1	0	0	0	0	0	0	0	1	0	0	0	0	0	0	1	1	1	1	0
24. Castle Carrock	0	1	0	0	0	0	0	0	1	1	0	0	0	0	0	0	1	1	1	0	0
25. Newby	0	0	0	0	1	1	1	1	0	0	0	0	0	0	0	0	1	1	1	1	0
26. Stabilton	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1	1	1	0	0
27. Tercrosset	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1	1	1	0	0
28. Warcherwck	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1	1	1	0	0
29. Scalwra 1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1	1	1	0	0
30. Scalwra 2	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1	1	1	0	0
31. Caterlen	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1	1	1	0	1
32. Romeland	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1	1	1	0	1
33. Bleatarn	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1	1	1	0	1
34. Warmersyk	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1	1	1	0	1
35. Lanerton	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1	1	1	1	0
36. Cumcatch	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1	1	1	1	0
37. Kirkcambeck	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1	0
38. Barnardhowe	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1	0
39. Silverside	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1
40. Burdoswald	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1	0
41. Cleskett	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1	0

Sources: D. P/D. H of N C 201/1, 4, 4a; C217.

Appendix 3.1: Gilsland: constituent elements c.1195-1575

Places	c.12[1]	1333[2]	1424[3]	1486[4]	1530[5]	1574/5[6]
IRTHINGTON	'manerium de'	vill-34 persons	16 messuages; 32 bovates	8 messuages-waste	16 messuages; 30 oxgangs	29 tenants
Cambok	-	-	diversis m.	5 messuages-12 acres	-	-
Pva Cambok	-	-	8 messuages; 16 bovates	diversis messuages	-	-
Laversdale	-	-	hamletun	-	12 messuages; 20 oxgangs	13 tenants
Broomhill	-	-	-	-	-	5 tenants
BRAMPTON	-	vill-54 persons	16 messuages; 31 bovates	waste	16 messuages	17 tenants
Boothby &	7 messuages	-	hamletun	-	-	8 tenants
Easby		-	hamletun	-	hamletun	4 tenants
Hornsby	-	-	hamletun	-	-	-
Woodhouse	-	-	hamletun	-	-	-
Wra	-	-	8 messuages	-	-	-
Brackenhill	-	-	hamletun	-	-	-

Appendix 3.1: (continued)

Places	c.12[1]	1333[2]	1424[3]	1486[4]	1530[5]	1574/5[6]
Milton	-	-	terras	-	-	-
Northwood	-	-	terras	2 messuages	-	-
WALTON WOOD	8 messuages	vill-56 persons	hamletun	-	6 messuages	14 tenants
HAYTON	8 messuages	vill-14 persons	23 messuages; 41 bovates	8 messuages	23 messuages	66 tenants
CUMWHITTON	12 messuages	vill-25 persons	21 messuages	9 messuages	12 messuages	15 tenants
CUMREW	2 messuages	-	tenis et tenants	1 messuage	3 messuages	25 tenants
CASTLE CARROCK	10 messuages	vill-36 persons -	-	8 messuages	13 messuages	36 tenants
FARLAM	-	vill-21 persons	12 messuages	12 messuages	12 messuages	21 tenants
ASKERTON	30 messuages (Triermain) 20 messuages (Northmoor)	vill-11 persons	-	-	9 settlements (27 tenants)	31 settlements (78 tenants)

Sources: 1. CH MS A1. 2. Lay Subsidy Returns. 3. D/P & D H of N C 201/1. 4. CH MS F1/5/3.
5. CH MS F1/5/4. 6. CH MS F1/5/6.

Appendix 6.1: Leasehold Sector Development: 1603-1828

6.1.1: Leasehold farms and acreages: 1603-1828

		Leasehold farm	Arable & pasture	Waste & pasture	Wood	Total acreage (if available)	Cumulative leasehold acreage
A.	1.	Throp (Denton)	155-2-3			155-2-3	
	2.	Farlam Hall (Farlam)	232-2-29			232-2-29	
	3.	Askerton (Askerton)	1446-2-37			1446-2-37	
	4.	Naward Park (Brampton)	683 - -			683 - -	
	5.	Cumcatch (Brampton)	364-1-31			364-1-31	
	6.	Denton Hall (Denton)	490-0-25			490-0-25	
	7.	Netherton (Talkin)	326-0-3	98-3-11	3-1-0	427-0-14	
	8.	Triermain (Triermain)	449-0-12	0-2-16		449-2-28	
	9.	Brampton Park (Brampton)	258 - -				
						Phase A:	4507-1-7
B.	10.	Wilyford (Denton)	93-3-37	8-2-0	5-1-30	107-3-27	
	11.	Esh (Irthington)	?	?	?	?	
	12.	Beckgate (Brampton	233-3-24	11-0-38		245-0-22	
	13.	Talkin Head (Talkin)	46-1-9	20-3-28	1-3-0	68-3-37	
	14.	Colthead (?)	?	?	?	?	
	15.	Cumwhitton demesne	163-3-11			163-3-11	
	16.	Burthinghurst and Walton Wood	(203-3-14 (107-0-32	222-0-25 1-1-19	9-0-0 1-2-24	) 545-0-34	
	17.	Templegarth	?	?	?	?	
	18.	Barkholm (Irthington)	42-2-16		21-2-39	64-1-10	
						Phase B:	1195-1-21
							+4507-1-7
							5702-2-28

Appendix 6.1: (continued)

Leasehold farm			Arable & pasture	Waste & pasture	Wood	Total acreage (if available)	Cumulative leasehold acreage
C.	19.	Hollas (Denton)	44-2-5		3-0-20	47-2-25	
	20.	Dixon's Cleughead (Denton)	?	?	?	?	
	21.	Mains (Denton)	292-0-0		3-2-0	295-2-0	
	22.	Lanerton (Denton)	186-2-11	24-1-6	6-2-0	217-1-17	
	23.	Baggaray (Denton)	34-1-9			34-1-9	
	24.	The Rawe (Denton)	?	?	?	?	
	25.	Cillalees (Askerton)	551-0-4			551-0-4	
	26.	Rinnion Hills (Askerton)	353-3-1			353-3-1	
	27.	Wintershields (Askerton)	928-0-33			928-0-33	
	28.	High Grains (Askerton)	1449-3-26			1449-3-26	
	29.	Beaconside	?	?	?	?	
	30.	Brampton Lone	?	?	?	?	
	31.	Snowden Close (Triermain)	?	?	?	?	
	32.	Greensburn (Askerton)	322-3-25			322-3-25	
	33.	Bowbank	?				
	34.	Craghill (Triermain)	39-1-8	3-2-12		42-3-20	
	35.	Eals (Irthington)	?				
	36.	Carlatton (6 fms)	2025 - -	17-2-36		2042-2-27	
	37.	Highstead Ash	431-0-19		3-0-0	434-0-19	
	38.	Spadeadam	5027-0-10			5027-0-10	
						Phase C:	11746-1-16
							+ 5702-2-28
							17446-0-04
D.	39.	Halton Lea	?			?	
	40.	High Bowbank	?			?	
	41.	Abbeyland	?			?	
	42.	Langdike	?			?	

Appendix 6.1: (continued)

Leasehold farm		Arable & pasture	Waste & pasture	Wood	Total acreage (if available)	Cumulative leasehold acreage
43.	Lines (Askerton)	380-0-9		1-3-16	381-3-25	
44.	Newby demesne					
45.	Hewstown (Triermain)	198-2-16		1-2-0	200-0-16	
46.	Haining Bank (Askerton)	195-0-18			195-0-18	
47.	Palmers Hill (Triermain)	106-3-6		1-0-34	108-0-0	
					Phase D:	885-0-19
						+17446-0-04
						18331-0-23
E. 48.	Red Syke (Askerton)	1366-2-16		6-0-0	1372-2-16	
49.	Butterburn (Askerton)	2193-3-0		18-0-0	2211-3-10	
50.	High Horseholm	626-1-21		10-0-0	636-1-21	
51.	Low "	702-0-30		4-2-0	706-2-30	
52.	Wilysike	2900-1-20		13-2-0	2913-3-20	
53.	Dumlerig	991-3-13			991-3-13	
54.	Moorguards	9-3-34		0-3-24	10-3-18	
55.	Waterhead Cmn	1199-1-0	25-1-16	2-0-0	1226-2-16	
56.	Wrygarth	70-2-2		0-1-10	70-3-12	
57.	Clockey Hill	1-3-12			1-3-12	
58.	Friar Waingate	38-2-25	4-3-8	1-3-8	45-1-1	
59.	Rodrehaugh	908-3-12		18-3-0	927-2-12	
60.	Farglow	616-0-24		1-0-0	617-0-24	
61.	Mospeterel	971-2-10			971-2-10	
62.	Kirkhouse	274-1-32	34-2-22		309-0-14	
63.	Mosplendhouse	22-0-2		1-2-34	12-0-4	
64.	Hyhams	10-1-10		1-2-34	12-0-4	
65.	Jockeyshield	7-2-0		0-0-16	7-2-16	

Appendix 6.1: (continued)

Leasehold farm	Arable & pasture	Waste & pasture	Wood	Total acreage (if available)	Cumulative leasehold acreage
66. Blacktortoise	34-1-34			34-1-34	
67. Nook of Irthington	188-2-30		21-0-0	209-2-30	
68. Crooked Holm	49-0-1			49-0-1	
69. Whitefield	152-3-15			152-3-15	
70. Breaks	726-3-6			726-3-6	
71. Maral Hill	31-3-2			31-3-2	
72. Kyloesyke	64-0-4			64-0-4	
73. Newtown	6-2-37			6-2-37	
74. Lee Hill	81-3-12			81-3-12	
75. Banks Head	44-1-32			44-1-32	
76. Banks	15-0-13			15-0-13	
77. Northrig Hill	96-1-9	4-0-25		100-1-34	
78. " high Farm	136-0-2	35-1-30		171-1-32	
79. " low "	162-3-2	36-3-33		199-2-35	
80. Gamekeeper's Fields	5-3-37	20-2-34		26-2-31	
81. Priest's Fields	5-1-9			5-1-9	
82. Townfoot	345-2-32			345-2-32	
83. Capontreehills	78-1-33			78-1-33	
84. Gelt Bridge	329-1-9	26-1-33	1-2-20	357-1-22	
85. Park Barn	120-1-0	2-0-19		122-1-28	
86. Hollinstone	258-2-22		9-2-0	268-0-22	
87. Warrenhouse	143-2-2			143-2-2	
88. Hemel's Gate	57-3-24			57-3-24	
89. Brampton rig	2-0-0	10-2-20		12-2-20	
90. Brampton fell	209-3-38	97-0-26	68-0-0	325-0-24	
91. Melton Townhead	94-1-34			94-1-34	
92. Barkhouse	27-2-7			27-2-7	
93. Low Birkhurst	10-2-30			10-2-30	

Appendix 6.1: (continued)

Leasehold farm		Arable & pasture	Waste & pasture	Wood	Total acreage (if available)	Cumulative leasehold acreage
94.	Scarrowhill	190-0-15			190-0-15	
95.	Middle Nook	32-1-23		0-2-0	32-3-23	
96.	Millerhill	50-0-8			50-0-8	
97.	Gap Shields	451-0-21			451-0-21	
98.	Crooks	68-2-38			68-2-38	
99.	Denton fell	1059-2-0			1059-2-0	
100.	Talkin Village	6-2-10			6-2-10	
101.	Grooms Wood	4-0-30	257-1-30	20-1-0	281-3-20	
102.	Armathwaite	5-2-23		4-0-0	9-2-23	
103.	Geltstone	5648-0-5			5648-0-5	
104.	Greenside	530-0-4	0-3-6		530-3-10	
105.	Potts Loan	1891-3-0		5-2-0	1897-1-0	
106.	Kirkcambeck Cmn	42-2-21			42-2-21	
107.	Gallowberry	473-0-3				
108.	Fell end	80-2-16			80-2-16	
109.	Coal fell	462-1-11	2-2-13		482-0-4	
110.	Barkholm	42-2-16		21-2-34	64-1-10	
111.	Roachburn	814-2-38			814-2-38	
112.	Tarnhouse	4188-0-28		64-0-0	4252-0-28	
					Phase E:	30972-1-13
						+18331-0-23
						49303-1-36

Appendix 6.1: (continued)

Summary measures:

	No. Farms	Acreages	% Leasehold acreage (of total acreage)
Phase A	9	4507-1-7	4.6%
Phase B	18	1195-1-21	5.8%
Phase C	38	11746-1-16	17.8%
Phase D	47	885-0-19	18.7%
Phase E	112	30972-1-13	50.4%

NB Phase A = pre 1603
" B = mid-C17
" C = 1694/5
" D = 1696-1769
" E = 1770-1828

Sources: D P/D H of N C 201/24-25 (Bowman's Survey, 1828); C601; C171/118; C173/80; CH.MS. F1/5/10; F1/8.

6.1.2: Ex customary farms converted to leasehold

Phase A -

Phase B Burthinghurst

Phase C Spadeadam, Greensburn, Rinnion Hills, Gillalees, Highstead Ash, Craghill, Snowden Close, Baggaray

Phase D Haining Bank, Lines

Phase E Moorguards, Wrygarth, Friar Waingate, Birkhurst, Middle Nook, Scarrowhill

6.1.3: Percentage source of leasehold farms: by source

Former status	No. of units	Acreage	% total leasehold acreage
Ex customary	17[1]	7808	15.8
Ex demesne	14	6546	13.2
Ex common or waste	81	34949	71.0

1. This customary figure may be a slight under-estimate since it is based on a comparison of the 1828 leasehold farms with the customary farms of the early 17th century (1603; 1626). Customary farms which were amalgamated into existing units and parcels of customary land, likewise purchased and incorporated within the leasehold sector have not been included. It is likely, therefore, that the actual ex-customary acreage is greater than that given.

Percentage source of leasehold farms: by phase

Phases	Ex customary units	Ex demesne units	Ex common/ waste
Phase A	-	100	0
Phase B	12.5	25	62.5[2]
Phase C	40.0	15	45.0
Phase D	22.2	-	77.8
Phase E	9.2	-	90.8

2. This figure is probably an over estimate, especially since three of the nine units (Esh, Colthead and Templegarth) have untraceable origins. Esh may have been a former customary farm, however, since Irthington is not included in the 1603 Survey, this cannot be confirmed. No information survives concerning the other two, nevertheless, even re-allocating Esh to the ex-customary units reduces the percentage of leasehold farms created in this period from the waste to 50 per cent.

Appendix 6.2: Customary Tenant Stability: Gilsland: 1674-1740

Customary Units	No. tenants over study period	No. changes within each tenant family[1] 1	2	3	4	Duration (yrs) of holding remaining with each family 1	2	3	4	Years out of cultivation in customary sector[2]	Total no. of years in cultivation within customary sector[3]	Comments
High Loning a	6	0	0	1	?	37	4	22	3	-	66	
High Loning b	4	0	2			10	56			-	66	
Low Loning a	1	0				66				-	66	
Low Loning b	2	1				60				6 (1735)	61	
Silverside a	1	0				66				-	66	
Silverside b	4	0	1	?		6	53	7		-	66	
Silverside c	1	0				43				-	43 (1697)	
High Bowbank a	2	0	?			60	6			-	66	
High Bowbank b	2	0	0			22	7			37 (1704)	29	?Leasehold
Massle-end a	3	2				29	30	7		-	66	
Massle-end b	3	0	0	?		39	6	21		-	66	
Boonhill	3	2				27	32	7		-	66	
Brackenside a	3	2				61				5 (1736)	61	?Leasehold
Brackenside b	3	0	0			29	30	2		5 (1736)	61	?Leasehold
Milton a	2	1				43	23			-	66	
Milton b	1	0				66				-	66	
Farlam a	4	3				66				-	66	
Farlam b	1	0				59				7 (1734)	59	
Farlam c	3	0	0			38	21	2		5 (1736)	61	
Farlam d	1	0				29				37 (1703)	29	
Farlam e	1	0				45				21 (1719)	45	
Farlam f	2	1				45				21 (1719)	45	
Farlam g	1	0				33				7 (1734)	33 (1697	
Farlam h	1	0				15				7 (1734)	15 (1718)	
Farlam i	1	0				15				7 (1734)	15 (1718)	
Farlam j	1	0				15				7 (1734)	15 (1718)	

Appendix 6.2: (continued)

Customary Units	No. tenants over study period	No. changes within each tenant family[1] 1	2	3	4	Duration (yrs) of holding remaining with each family 1	2	3	4	Years out of cultivation in customary sector[2]	Total no. of years in cultivation within customary sector[3]	Comments
Farlam k	1	0				15				7 (1734)	15 (1718)	
Farlam l	1	0				15				7 (1734)	15 (1718)	
Farlam m	1	0				13				7 (1734)	13 (1720)	
Farlam n	1	0				10				7 (1734)	10 (1723)	
Coalfell	1	0				22				-	23 (1718)	
Townhead	3	1	?			65	1			-	66	
Town a	3	2				66				-	66	
Town b	3	1	?			50	16			-	66	
Town c	2	1				40/6				20 (1704-34)	46	
Town d	2	0	?			60	6			-	66	
Town e	1	0				40				26 (1704)	40	
Town f	2	0	?			39	19			4 (1714-17); 4 (1737-40)	58	
Town g	2	1				40				26 (1704)	40	
Town h	4	0	0	0	0	34	4	12	1	5 (1736)	51 (1684)	
Town i	1	0				40				26 (1704)	40	
Greenhole	5	1	2			22	44			-	66	
Hatlenheap	3	2				66				-	66	
Humpsall	4	0	1	?		3	58	5		-	66	
Bankshead	2	0	?			40	26			-	66	
Crosselyke	3	2				66				-	66	
Bushnook	4	3				66				-	66	
Gapp	4	0	0	0	?	20	16	3	17	-	66	
Longhurst	4	3				66				-	66	
Raw a	3	2				66				-	66	
Raw b	3	1	?			59	7			?	66	
Raw c	2	0	?			45	21			-	66	
Highfield a	2	0	?			40	26			-	66	

Appendix 6.2: (continued)

Customary Units	No. tenants over study period	No. changes within each tenant family[1] 1	2	3	4	Duration (yrs) of holding remaining with each family 1	2	3	4	Years out of cultivation in customary sector[2]	Total no. of years in cultivation within customary sector[3]	Comments
Highfield b	1	0				66				-	66	
Highfield c	2	0	?			3	63			-	66	
Chappellburne a	3	0	1			2	27			37 (1703)	29	
Chappellburne c	2	0	?			2	64			-	66	
Closegill	3	0	0	?		39	9	18		-	66	
Dixon Cleughead a	2	1				66				-	66	
Dixon Cleughead b	2	1				66				-	66	
Nook a	1	0				66				-	66	
Nook b	2	0	?			3	5			58 (1677-1733)	8	
Nook c	3	1	?			61	5			-	66	
Nook d	1	0				66				-	66	
Lodge	1	0				66				-	66	
High Birkcrag	2	1				66				-	66	
Denton Gate	2	1				66				-	66	
Baggaray	3	0	0	?		40	9	17		-	66	
Lowhouses	4	0	0	1		39	20	7		-	66	
Broomhill	4	1	0	?		28	20	18		-	66	
Birkhurst	4	1	?			37	1			-	38 (1702)	
?	2	0	?			24	42			-	66	
?	1	0				20				7 (1734)	20 (1715)	
?	1	0				20				7 (1734)	20 (1715)	
?	2	1				20				7 (1734)	20 (1715)	
?	2	1				20				7 (1734)	20 (1715)	
?	1	0				11				7 (1734)	11 (1723)	
Cumwhitton a	2	1				66				-	66	
Cumwhitton b	2	1				66				-	66	
Cumwhitton c	2	0	?			61	5			-	66	

Appendix 6.2: (continued)

Customary Units	No. tenants over over period	No. changes within each tenant family[1] 1	2	3	4	Duration (yrs) of holding remaining with each family 1	2	3	4	Years out of cultivation in customary sector[2]	Total no. of years in cultivation within customary sector[3]	Comments
Cumwhitton d	1	0				66				-	66	
Cumwhitton e	3	0	1			39	27			-	66	
Cumwhitton f	3	2				66				-	66	
Cumwhitton g	3	0	0	0		28	11	27		-	66	
Cumwhitton h	2	0	0			39	27			-	66	
Cumwhitton i	4	0	2			39	27			-	66	
Cumwhitton j	3	2				66				-	66	
Cumwhitton k	3	2				66				-	66	
Cumwhitton l	3	2				66				-	66	
Cumwhitton m	3	0	1			10	56			-	66	
Cumwhitton n	4	1	1			30	36			-	66	
Gateshaw Holme	2	0	0			2	64			-	66	
Ormesby a	2	0	0			2	64			-	66	
Ormesby b	5	1	0	1		30	14	22		-	66	
Ormesby c	3	2				66				-	66	
Ormesby d	4	1	1			40	26			-	66	
Ormesby e	5	0	0	0	1	5	24	14	23	-	66	
Ormesby f	2	1				66				-	66	
Ormesby g	3	0	0	0		30	10	26		-	66	
Ormesby h	3	0	1			30	36			-	66	
Ormesby i	2	1				66				-	66	
Ormesby j	5	0	0	2		5	5	56		-	66	
Moorthwaite a	4	2	0			47	23			-	66	
Moorthwaite b	2	1				66				-	66	
Moorthwaite c	3	2				66				-	66	
Moorthwaite d	3	0	0	0		10	49	7		-	66	
Moorthwaite e	4	0	0	0	0	10	17	2	37	-	66	

Appendix 6.2: (continued)

Customary Units	No. tenants over study period	No. changes within each tenant family[1] 1	2	3	4	Duration (yrs) of holding remaining with each family 1	2	3	4	Years out of cultivation in customary sector[2]	Total No. of years in cultivation within customary sector[3]	Comments
Nunfield	2	1				66				-	66	
Fellend	3	1	0			60	6			-	66	
Newhouse	2	0	0			39	27			-	66	
Noscue a	4	0	0	0	0	11	7	10	39	-	66	
Noscue b	1	0				66				-	66	
Noscue c	2	0	0			62	4			-	66	
High Noscue a	4	0	0	0	0	24	2	11	29	-	66	
High Noscue b	2	0	0			29	37			-	66	
High Noscue c	1	0				66				-	66	
High Noscue d	3	0	0	0		29	32	5		-	66	
High Noscue e	1	0				66				-	66	
High Noscue f	3	0	0	0		20	6	38		-	64	(1676)
Holmwrangle	4	3				66				-	66	
Holmwrange	3	2				66				-	66	
Gudhouse	4	0	0	1		30	10	26		-	66	
Skarrowhill	3	0	0	0		30	10	26		-	66	
Hornsby Gate	4	0	0	1		10	13	43		-	66	
Canbrigg	2	0	0			30	36			-	66	
Knott a	4	0	0	0	0	5	5	20	26	10	56	(1704-14)
Knott b	4	0	0	0	0	5	5	20	26	10	56	(1704-14)
Kirk Cammock a	3	2				66				-	66	
Kirk Cammock b	1	0				66				-	66	
Kirk Cammock c	1	0				66				-	66	
Kirk Cammock d	3	0	0	0		2	11	45		8	58	(1676-84)
Kirk Cammock e	3	0	1			27	39			-	66	
Kirk Cammock f	2	0	0			43	23			-	66	
Kirk Cammock g	2	0	0			49	17			-	66	
Kirk Cammock h	4	0	1			27	21	7		11	55	(1723-33)

Appendix 6.2: (continued)

Customary Units	No. tenants over study period	No. changes within each tenant family[1] 1	2	3	4	Duration (yrs) of holding remaining with each family 1	2	3	4	Years out of cultivation in customary sector[2]	Total no. of years in cultivation within customary sector[3]	Comments
Todburne	2	1				66				-	66	
Lines a	6	1	3			23	43			-	66	
Lines b	2	1				52				14 (1704-18)	52	
Leeshill a	2	1				66				-	66	
Leeshill b	4	2	0			29	37			-	66	
Fawcett Lee	4	1	0	0		43	14	7		2 (1718-19)	64	
Beckgate	3	2				66				-	66	
Buss-side	1	0				66				-	66	
Caisbank	3	0	1			23	43			-	66	
Smithsteads	2	1				17				49 (1684-1733)	17	
Dormansteads a	4	1	1			10	56			-	66	
Dormansteads b	4	1	1			36	27			3 (1702-4)	63	
Kirkbeckmouth	4	0	0	0	0	10	19	30	7	-	66	
Side	4	0	2			30	36			-	66	
Side	3	1	0			59	7			-	66	
Caisbank	3	2				66				-	66	
Cribbs Hill	4	3				66				-	66	
Kirkcammock	2	0	0			45	7			14 (1720-33?	52	
Floweryhurst a	2	1				66				-	66	
Floweryhurst b	2	1				23	5			38 (1697-1735)	28	
Luccans	4	0	2			29	37			-	66	
Righead	4	0	0	0	0	10	20	2	7	11 (1704-14); 16 (1718-33)	39	
Allergarth	1	0				66				-	66	
Harperhill	1	0				66				-	66	
S. Moor	2	1				61				6 (1714-19)	61	
Woodhead	1	0				66				-	66	
Harperhill	2	0	0			3	63			-	66	

Appendix 6.2: (continued)

Customary Units	No. tenants over study period	No. changes within each tenant family[1] 1	2	3	4	Duration (yrs) of holding remaining with each family 1	2	3	4	Years out of cultivation in customary sector[2]	Total no. of years in cultivation within customary sector[3]	Comments
Luccans	2	1				34				5 (1736)	34 (1702)	
Roweltown a	1	0				27				-	27 (1714)	
Roweltown b	1	0				12				7 (1734)	12 (1723)	
Busley Bank	2	0	0			6	18			3 (1720-2)	24 (1714)	
Moorfoot	1	0				7				-	7 (1734)	
Bogside	1	0				5				-	5 (1736)	
Townhead a	3	2				66				-	66	
Townhead b	3	2				66				-	66	
Townhead c	2	1				66				-	66	
Townhead d	3	0	1			22	26			18 (1697-1714)	48	
Townhead e	4	0	0	0	0	23	11	3	22	7 (1697-1703)	59	
Hill a	4	1	1			45	21			-	66	
Hill b	1	0				66				-	66	
Green	2	0	0			45	21			-	66	
Old Wall	3	1	0			40	26			-	66	
Broomy Know	4	2	0			45	21			-	66	
Beanlands a	1	0				66				-	66	
Beanlands b	5	0	0	1	0	10	19	30	7	-	66	
Beanlands c	5	0	1	0	0	22	26	11	7	-	66	
Beanlands d	6	0	0	0	0	6	20	12	8 11/9	-	66	
Newtown a	3	0	2			6	47			13 (1684-96)	53	
Newtown b	3	2				66				-	66	
Newtown c	4	3				66				-	66	
Newtown d	3	2				64				-	64 (1676)	

Appendix 6.2: (continued)

Customary Units	No. tenants over study period	No. changes within each tenant family[1] 1	2	3	4	Duration (yrs) of holding remaining with each family 1	2	3	4	Years out of cultivation in customary sector[2]	Total no. of years in cultivation within customary sector[3]	Comments
Newtown e	3	0	1			25	39			-	64 (1676)	
Newtown f	3	2				57				-	57 (1684)	
Newtown g	2	1				20				-	21 (1720)	
Cammock Hill a	5	1	2			27	39			-	66	
Cammock Hill b	5	4				66				-	66	
Cammock Hill c	4	0	2			10	56			-	66	
Cammock Hill d	2	0	0			58	3			-	66	
Cammock Hill e	2	1				26				-	26 (1715)	
Headswood	1	0				6				-	6 (1735	

Notes: 1. O/? in final columns refers to inability to say anything beyond study period.

2. Bracketed year is date at which unit becomes vacant.

3. Bracketed year is date when unit first appears in documentary record.

Source: D. P/D. H. of N. C 180-C 180d (Farlam, Upper Denton, Nether Denton, Cumwhitton, Askerton and Irthington manors only).

Appendix 6.2: Customary Tenantry Stability: 1674-1740 (Basic Data)

Units:-	1674	1676	1677	1679	1684	1697	1702	1704	1714	1715/17	1718/19	1720/1/2	1723/24	1734	1735	1736	1737	1740
HIGH LONING	Wm Bell						Jo Peers		Ambrose Atkinson					Jane Atkinson			Johes Bell	
" "	Chr. Pears				Rbt Bowman						Jas Bowman	Rbt Bowman						
LOW LONING	Thos Bell																	
	Rbt Bell								Geo Bell						-	-	-	-
SILVERSIDE	Thos Palmer																	
"	Johes Dickinson				Ric Wallis				Hen Wallis					Wm Bell				
"									Wm Bowman									
HIGH BOWBANK	Jas Bowman													Thos Hodgshon				
" "	Kath Barrow								Johes Milburne	-	-	-	-	-	-	-	-	-
MASSLE END	Eliz Pears									Johes Pears				Thos Pears				
" "	Jane Nixon										Johes Baty		Johes Elliott					
BOONHILL	Kath Bell							Johes Bell						Jas Bell				
BRAKENSIDE	Thos Bell									Ric Bell				John Bell	-	-	-	
	Ann Carrock									Leond Atkinson				Wm Porter	-	-	-	
MILTON	Thos Sanderson											Johes Sanderson						
	Ed Atkinson																	

Appendix 6.2: (continued)

Units:-	1674	1676	1677	1679	1684	1697	1702	1704	1714	1715/ 17	1718/ 19	1720/ 1/2	1723/ 24	1734	1735	1736	1737	1740
FARLAM	Thos Thirlwall						P. Thirlwall			Alex Thirlwall								Jas Thirl-wall
"	Johes Thirlwall													-	-	-	-	-
"	Thos Pears								Eliz Baty					Wm Rook	-	-	-	-
"	Johes Pears							-	-	-	-	-	-	-	-	-	-	-
"	Jas Maxwell											-	-	-	-	-	-	-
"	Myles Thompson		Rog Thompson					-	-	-	-	-	-	-	-	-	-	-
"						Eliz Bell								-	-	-	-	-
"											Ric Pott			-	-	-	-	-
"											Mgt Carruthers			-	-	-	-	-
"											Mary Pears			-	-	-	-	-
"											Guls Bowhan			-	-	-	-	-
"											Johes Bell			-	-	-	-	-
"												Johes Nicholl		-	-	-	-	-
"													Si Harrison	-	-	-	-	-
COALPELL											Thos Elliott							
Actual tent nos.	22	22	22	22	22	23	23	22	22	22	27	26	26	19	17	17	14	14

Appendix 6.2: (continued) UPPER DENTON 1674-1740

Units	1674	1677	1679	1684	1697	1702	1704	1714	1715/ 17	1718/ 19	1720/ 1/2	1723/ 24	1735	1736	1737	1740
TOWNHEAD	Jan. Bell						Thos Bell									Jo Bowman
TOWN	Hugh Bell	Ed. Bell						Eliz Bell								
"	Ric Bell						Alex Bell		Jo Stephenson							
"	Thos Bell						-	-	-	-	-	-	P. Bell			
"	Ric Bell												Jane Twedell			
"	Wm Bell						-	-	-	-	-	-	-	-	-	-
"	Fran Carnock							-	-	Guls Jackson					-	-
"	Wm Carnock		Thos Carnock				-	-	-	-	-	-	-	-	-	-
"			Johes Richardson							Johes Tweddell		Jos Wilson	Thos Carrick	-	-	-
"	P. Palmer						-	-	-	-	-	-	-	-	-	-
GREENHOLE	Rbt Hoogh-tley	Fr. Hooghtley		Hen Carrock				Ed Carrock					Wm Carrick			
HARDENHEAP	Wm Thirlwall							Gus Thirlwall				Elinor Thirlwall				
HUMPSHALL	Geo Elliott	Ric Jamieson						Jos Jamieson					Mgt Teasdale			
BANKSHEAD	Johes Little							Isaac Deane								

Appendix 6.2: (continued) UPPER DENTON 1674-1740

Units:-	1674	1677	1679	1684	1697	1702	1704	1714	1715/ 17	1718/ 19	1720/ 1/2	1723/ 24	1735	1736	1737	1740
CROSSDYKE	Wm Atkinson						Amb Atkinson						Jane Atkinson			
BUSHNOOK	Wm Armstrong		Blanch Armstrong						Ric Armstrong		Johes Armstrong					
GAPP			Johes Graham				Jas Applebey				Ric Ridly	Ed Blackburn				
									Johes Blackburn							
Actual tent. nos	15	16	16	18	18	18	14	11	12	14	15	14	14	15	15	14

Appendix 6.2: (continued) NETHER DENTON (1674-1740)

Units:-	1674	1676	1677	1679	1684	1697	1702	1704	1714	1715/ 17	1720/ 1/2	1723/ 24	1734	1735	1736	1737	1740
LONGHIRST	Rbt Bowman							Jas Bowman				Guls Bowman	Wm Bowman				
RAW	Thos Lycock					Johes Lyvock						John Laverick					
"	Ric Lyvock				Jane Lyvock								John Richardson				
"	Ric Milburne										Johes Robinson						
HIGHFIELD	Wm Bell											Johes Warwick					
"	Ed Bell																
"	Hugh Bell	Ed Bell															
CHAPPELBURNE	Wm Hall	Hen. Farlam		Ric Farlam	-	-	-	-	-	-	-	-	-	-	-	-	-
"	Johes Pears												Jas Bowman				
"	Ric Tinqin	Johes Pears															
CLOSEGILL	Thos Hall										Johes Baty	Geo Bell					
DIXON CLEUGHEAD	Geo Richardson										Wm Richardson						
" "	Guls Schollik											John Schollick					
NOOK	Johes Bell																
"	Jane Poll												Ed Jackson				
"	Dav Bell				Mgt Bell								J. Nowell				
"	Geo Barnfather																

Appendix 6.2: (continued) NETHER DENTON (1674-1740)

Units:-	1674	1676	1677	1679	1684	1697	1702	1704	1714	1715/ 17	1720/ 1/2	1723/ 24	1734	1735	1736	1737	1740
LODGE	Thos Bell																
HIGH BIRKCRAG	Johes Elliott								Thos Elliott								
DENTON GATE	Thos Thirlwall		Johes Thirlwall														
BAGGARAY	Jane Scott								Geo Thomas		Wm Hutton						
LOWHOUSES	Johes Waugh								Guls Bell			Ed Hodgshon	Thos Hodgshon				
BROOMHILL	Ant Graham				Rbt Graham		Ric Gulchet				Thos Dobinson						
BIRKHURST						Geo Hutton		Petrus Hutton						Albany Hutton		Wm Irwin	
?	Wm Richardson				Wm Bell												
?										Jas Applebey							
?										Ric Hetherstone							
?										Wm Stordy		Guls Stordy					
?										Hen Carruthers		Jas Carruthers					
												Guls Holme					
Actual tent. nos	24	24	21	21	22	22	22	18	17	24	24	27	22	22	22	22	

Appendix 6.2: (continued) CUMWHITTON 1674-1740

Units:-	1674	1676	1677	1679	1684	1697	1702	1704	1714	1715/ 17	1718/ 19	1720/ 1/2	1723/ 24	1734	1735	1736	1737	1740
CUMWHITTON	Thos Langrig														Wm Langrig			
"	Thos Hall												Wm Hall					
"	Johes Atkinson jnr.															Wm Bowman		
"	Thos Thompson																	
"	Chr Earle								Ric Fisher			Johes Fisher						
"	Ric Fisher				Ed Fisher				Johes Fisher									
"	Thos Dixon							Chr Earle										
"	Johes Earle								Johes Skarow									
"	Johes Langrig								Wm Morley	Ed Morley					Thos Morley			
"	Thos Morland								Guls Morland						Johes Morley			
"	Mgt Robson	Thos Robson											Wm Robson					
"	Thos Dryden									Hump Dryden			Thos Dryden Johes Dryden					
"	Johes Morland			Johes Haslehead								Ric Haslehead						
"	Johes Skarrow			Thos Skarrow				Johes Haslehead				Ric Haslehead						
GATESHAW HOLME	Chr Earle	Johes Thompson																
ORMESBY	Chr Earle	Johes Thompson																

Appendix 6.2: (continued) CUMWHITTON 1674-1740

Units:-	1674	1676	1677	1679	1684	1697	1702	1704	1714	1715/ 17	1718/ 19	1720/ 1/2	1723/ 24	1734	1735	1736	1737	1740
ORMESBY	Mich Raylton				Jane Scott			Mat Bulman			Thos Carrick			Mary Carrick				
"	Ed Fisher							Jas Fisher					Isaac Fisher					
"	Alex Nicholson							Chr Nich- olson	Hen Newton		Jas Newton							
"	Thos Scott			Janet Scott				Mat Bulman			Thos Carrick			Mary Carrick				
"	Rbt Summerson jnr.								Johes Summerson									
"	Mary Noble							Wm Briggs	Thos Pearson									
"	Johes Ivison							Hen Fisher	Isaac Fisher									
"	Kales Nivison								Johes Nivison									
"	Johes Whitehead		Thos Mor- land		Anna Ivison			Mary Ivison						Johes Nivison				
MOORTHWAITE	Thos Gibson	Ric Gibson						Johes Gibson			Johes Bowman							
"	Rbt Skarrow													Mary Skarrow				
"	Ric Noble								Johes Noble					Fr. Noble				
"	Thos Newton				Thos Holme									Thos Milburne				
"	Hen Dixon				Johes Holme		Hen Newton	Rbt Skarrow										
NUNFIELD	Johes Pearson											Hen Pearson						

Appendix 6.2: (continued) CUMWHITTON 1674-1740

Units:-	1674	1676	1677	1679	1684	1697	1702	1704	1714	1715/ 17	1718/ 19	1720/ 1/2	1723/ 24	1734	1735	1736	1737	1740
F ELLEND	Adam Bird													Lanc Bird	Geo Lowther			
NEWHOUSE	Chr Hall								Johes Earle									
NOSCUE	Dorothy Burtholme					Mgt Burney		Geo Taylor					Leond Johes	Hall Taylor				
"	Rbt Leach																	
HIGH NOSCUE	Johes Holme						Pet Hall	Dorothy Whitehead		Johes Hall								
" "	Johes Hoggard							Johes Leach										
" "	Rbt Leach																	
" "	Rbt Holme							Chr Hewetson							Hazel Leach			
" "	Chr Dixon																	
" "	Johes Steel					Rbt Watson		Hannah Thompson										
HOLMWRANGLE	Johes Bird				Wm Bird				Jessop Bird					Johes Bird				
"	Johes Bird jnr.								Guls Bird					Wm Bird				
GADHOUSE	Johes Taylor							Lanc Simp-son	Ric Earle				Jos Earle					
SKARROW HILL	Johes Bacon							Thos Hudson	Jos Fisher									
HORMSBY GATE	Dav Earle				Wm Atkin-son	Henr Schollick							Johes Schollick					

Appendix 6.2: (continued) CUMWHITTON 1674-1740

Units:-	1674	1676	1677	1679	1684	1697	1702	1704	1714	1715/ 17	1718/ 19	1720/ 1/2	1723/ 24	1734	1735	1736	1737	1740
CARNBRIG	Ad Robinson							Ric Robson										
KNOTT	Rbt Thompson			(Jess Dixon	Rowland Thompson					Chr Ivetson								
	Johes Dixon			(Jess Dixon						Chr Nicholson								
Actual tent nos.	50	51	52	49	54	54	53	62	44	51	51	50	46	56	56	56	56	56

Appendix 6.2: (continued) ASKERTON 1674-1740

Units:-	1674	1676	1677	1679	1684	1697	1702	1704	1714	1715/ 16/17	1718/ 19	1720/ 1/2	1723/ 23	1734	1735	1736	1737	1740
KIRKCAMOCK	Thos Wilson					Johes Wilson			Thos Wilson									
"	Johes Mitchelson jnr.																	
"	Johes Mitchelson																	
"	Rbt Crow				Chs Grassby				Johes Wilson			Jac Glasby						
"	Johes Elliott					Ric Atkinson						Johes Atkinson						
"	Johes Summers										Rbt Stockbridge							
"	Johes Blackburn											John Nowell						
"	Johes Simpson					Geo Wilson				Thos Wilson			Wm Browne					
TODBURNE	Johes Blackburn				Quintin Blackburn													
LINES	Jeffrie Atkinson				Galf Atkin-son	Elia Armstrong			Ambrose Arm-strong	Guls Armstrong			Si. Armstrong					
"																		
"	Johes Pott									Leond Pott								
LEESHILL	Chr Graham					Johes Graham												
"	Hen Simpson				Johes Simpson	Mary Simp-son	Johes Railton											
FAWCETT LEE	Jeff Dryden		Galf Dry-den		Jas Moffit	Galf Dryden			-	Johes Pearson			Is Slack					

Appendix 6.2: (continued) ASKERTON 1674-1740

Units:-	1674	1676	1677	1679	1684	1697	1702	1704	1714	1715/ 16/17	1718/ 19	1720/ 1/2	1723/ 23	1734	1735	1736	1737	1740
BECKGATE	Clem Armstrong	Johes Armstrong							Geo Armstrong									
BUSS-SIDE	Thos Armstrong																	
CAISBANK	Ed Armstrong					Dav Graham	Geo Graham											
SMITHSTEADS/ HANDHILL	Rbt Scott				-	-	-	-	-	-	-	-	-	Mary & Walter Scott				
DORMANSTEADS	Mabel Armstrong		Is Armstrong	Jan. Blackburn									Johes Blackburn					
	Mgt Archibald	Geo Archibald					-	-	Johes Hetherington				Thos Hodgshon					
KIRKBECKMOUTH	Jas Routledge			Galf Crozier	Thos Summers	Galf Crosier	Rbt Ellwood						Rbt Elliott					
SIDE	Hec Foster									Johes Hen Robson Robson			Johes Robson					
"	Wm Sowerby								Guls Sowerby				Johes Robson					
CROSBANK	Arch Foster						Johes Foster						Ad Foster					
CRIBBS HILL	Art Foster						Barb Foster	Maria Foster					Geo Foster					

Appendix 6.2: (continued) ASKERTON 1674-1740

Units:-	1674	1676	1677	1679	1684	1697	1702	1704	1714	1715/ 16/17	1718/ 19	1720/ 1/2	1723/ 23	1734	1735	1736	1737	1740
KIRKCAMMOCK	Johes Blackburn													Wm Browne				
FLOWERYHURST	Geo Foster								Ant Foster									
"	Thos Graham				-	-	-	-	-	-	-	-	-	-	-	-	Johes Lennox	
LUCCANS	Ed Foster							Wm Browne	Guls Browne				Wm Browne					
RIGHEAD	Gerard Taylor				Anna Crosier			-	-	Anna Bacon	-	-		Johes Bacon				
ALLERGARTH	Jas Applebey																	
HARPERHILL	Ric Graham																	
S. MOOR	Wm Summers									-	-	-	Thos Summers					
WOODHEAD	Johes Armstrong																	
HARPERHILL	Franc Foster		Ric Graham															
LUCCANS							Wm Carruthers						Fr Carruthers					
Tent nos	35	34	34	32	31	29	31	31	27	29	30	29	29	38	32	32	32	32

Appendix 6.2: (continued) ASKERTON 1674-1740

Units:-	1674	1676	1677	1679	1684	1697	1702	1704	1714	1715/ 16/17	1718/ 19	1720/ 1/2	1723/ 23	1734	1735	1736	1737	1740
ROWELLTOWN									Johes Baty									
?													Jos Smith	-	-	-	-	
BUSLEY BANK									Leond Potts			-	Walter Allan					
MOONFOOT													Luke Slack					
BOGSIDE																		Thos Richardson

Appendix 6.2: (continued) IRTHINGTON 1674-1740

Units	1674	1676	1677	1679	1684	1697	1704	1715/16	1720/1/2	1723/24	1734	1735	1736	1737	1740
TOWNHEAD	Thos Bulman					Chr Bulman			Jac Bulman						
"	Jas Scott					Jac Scott	Cath Scott				Cath Marshall				
"	Thos Gibson										Jane Gibson				
"	Ant Harding					-	-	Johes Hitherton			Ric Hitherton				
"	Ric Harding					-	Thos Moffit	Anna Gibson	Johes Hitherton						
HILL	Car Bulman			Thos Bulman				Rbt Scott				Jas Scott			
"	Johes Harding														
GREEN	Thos Harding								Thos Bulman						
OLD WALL	Johes Gibson						Thos Graham		Thos Stables						
BROOMY KNOW	Dav Ellwood					Hump Ellwood	Guls Ellwood	Ric Hitherton							
BEANLANDS	Dav Graham														
"	Mgt Hetherton			Thos Graham			Ant Skaife		Jac Skaife		Jos Railton				
"	Jan Bulman				Jac Scott		Cath Scott			Chr Railton	Johes Railton				
"	Ric Ellwood			Thos Harding			Wm Gibson	Jas Nixon		Guls Gibson	Thos Nixon	Wm Bell			

Appendix 6.2: (continued) IRTHINGTON 1674-1740

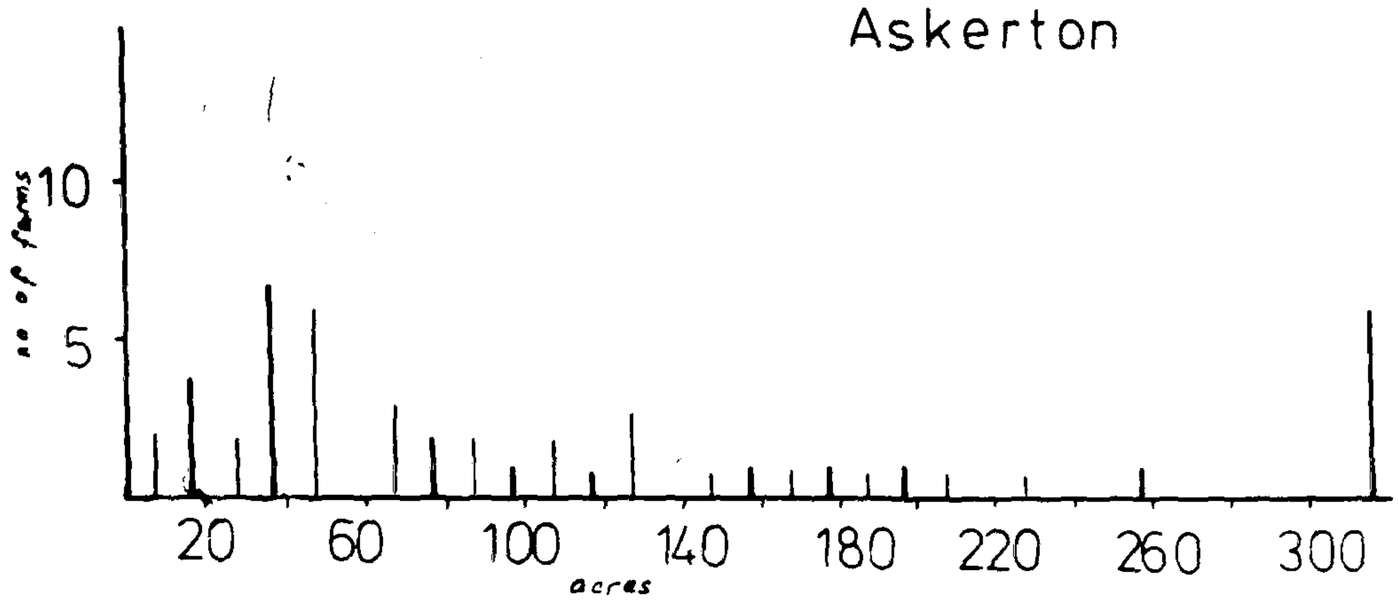
Units:-	1674	1676	1677	1679	1684	1697	1702	1704	1715/16	1720/1/2	1723/24	1734	1735	1736	1737	1740
NEWTOWN	Joh Earles				-	Jac Scott	Cath Scott					Cath Marshall				
"	Wm Blaylock								Guls Blaylock			Geo Blaylock				
"	Chr Railton	Thos Raylton			Chr Raylton				Chr Raylton jnr.							
"		Chr Hith-erton	Wm Hitherton					S. Hitherton								
"		Wm Ellwood					Johes Skarrow	Rbt Skanow								
"					Ed Calvert		Jas Calvert			Johes Calvert						
"										Guls Railton	Chr Railton					
CAMMOCK HILL	Johes Pears				Thos Peares		Chr Graham	Guls Graham			Wm Graham					
" "	Wm Hith-erton	Clem Hitherton			Wm Hitherton			Chr Hitherton		Geo Hitherton						
" "	Thos Patterson						Wm Graham	Guls Graham			Wm Graham					
" "	Jas Maxwell											Wm Hetherington Smith				
" "									Geo Hetherton				Wm Hitherton			
HEADSWOOD													Thos Railton			
Actual tent nos	22	24	24	24	24	23	24	24	26	27	27	27	28	28	28	28

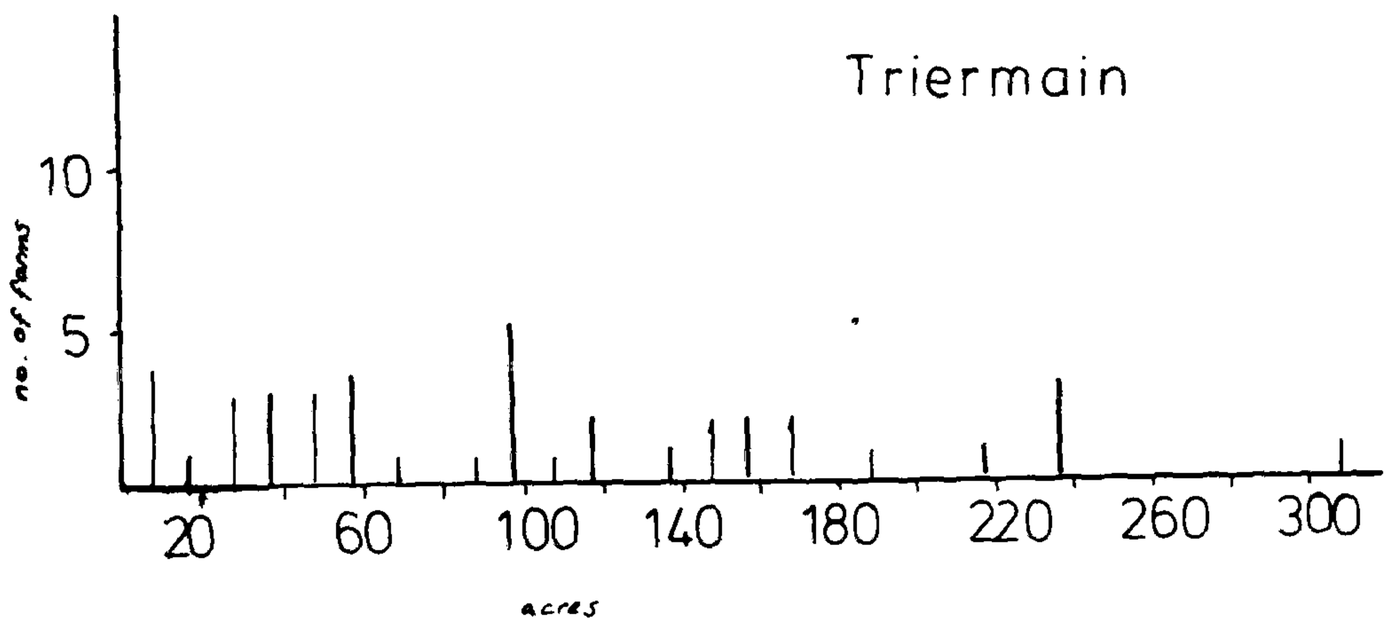
APPENDIX 7.1: CUSTOMARY AND FREEHOLD FARM SIZE DISTRIBUTION: GILSLAND 1828

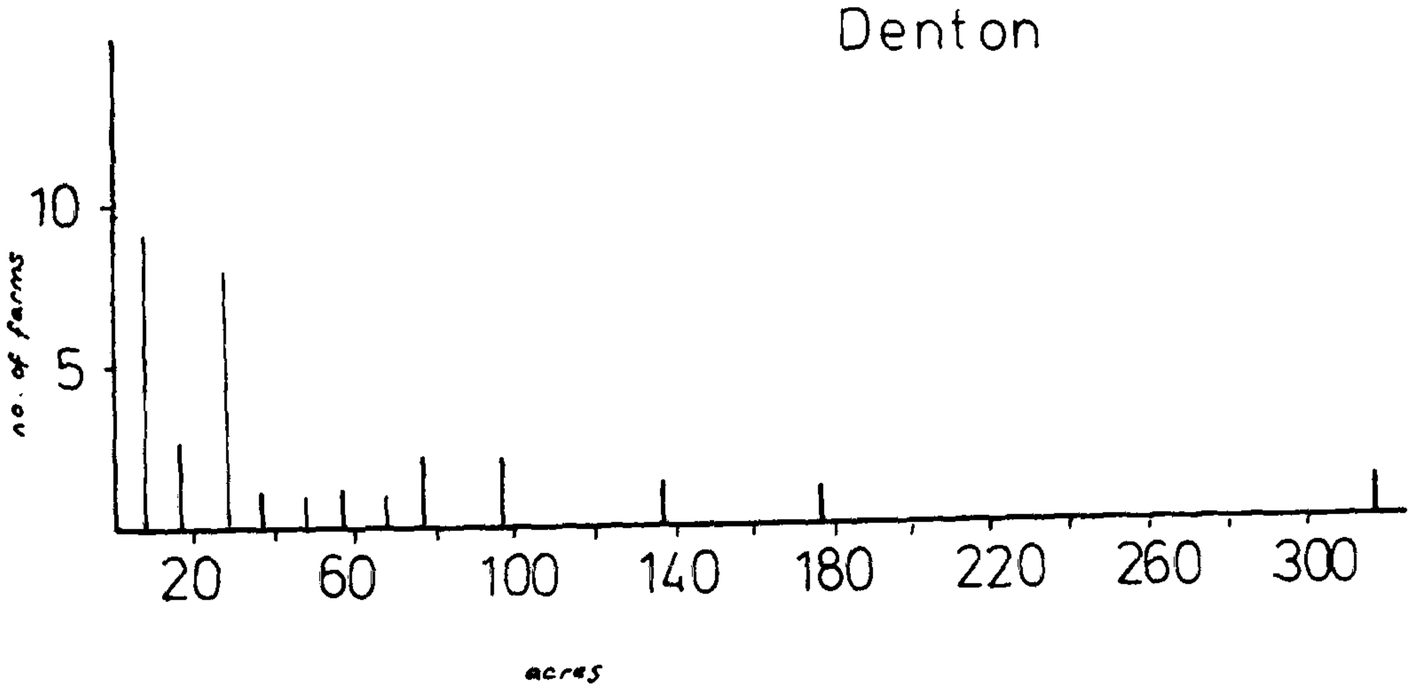
—— customary

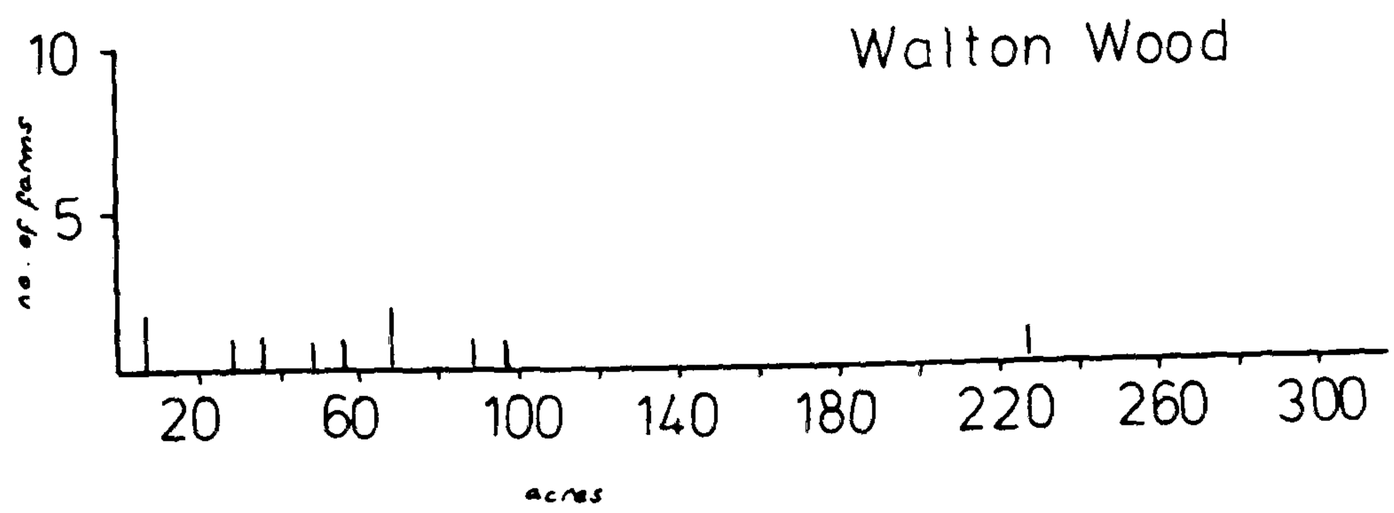
—— freehold

class interval = 20 acres

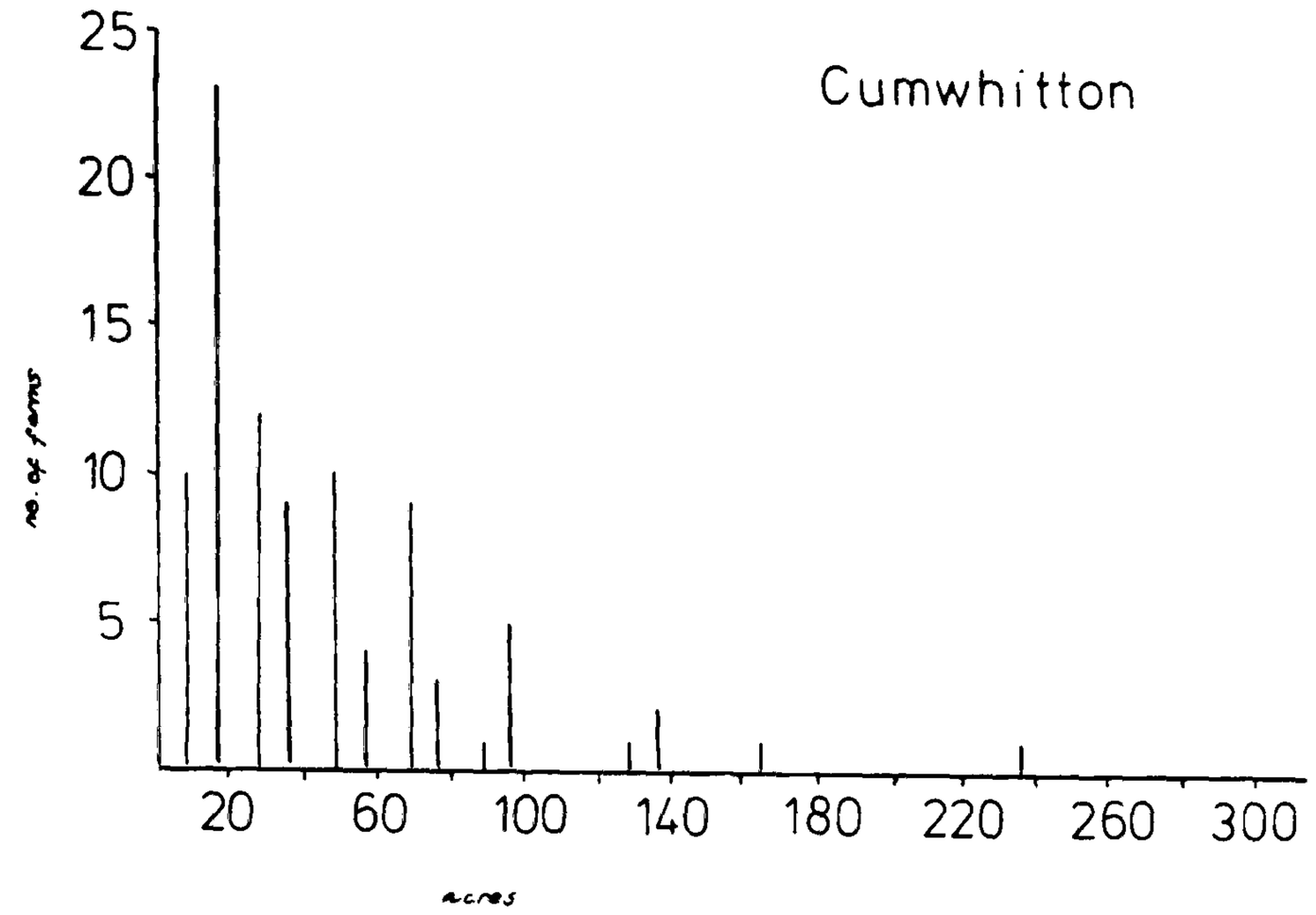


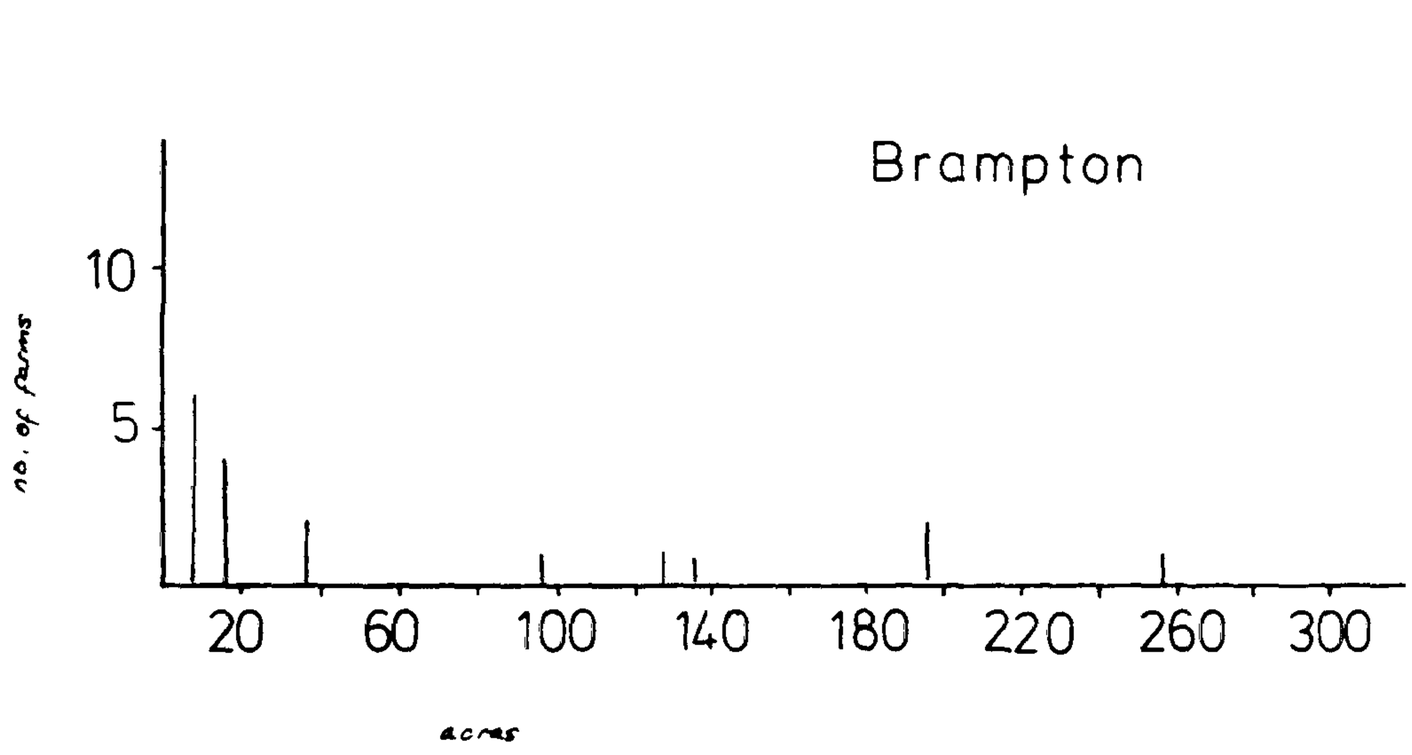


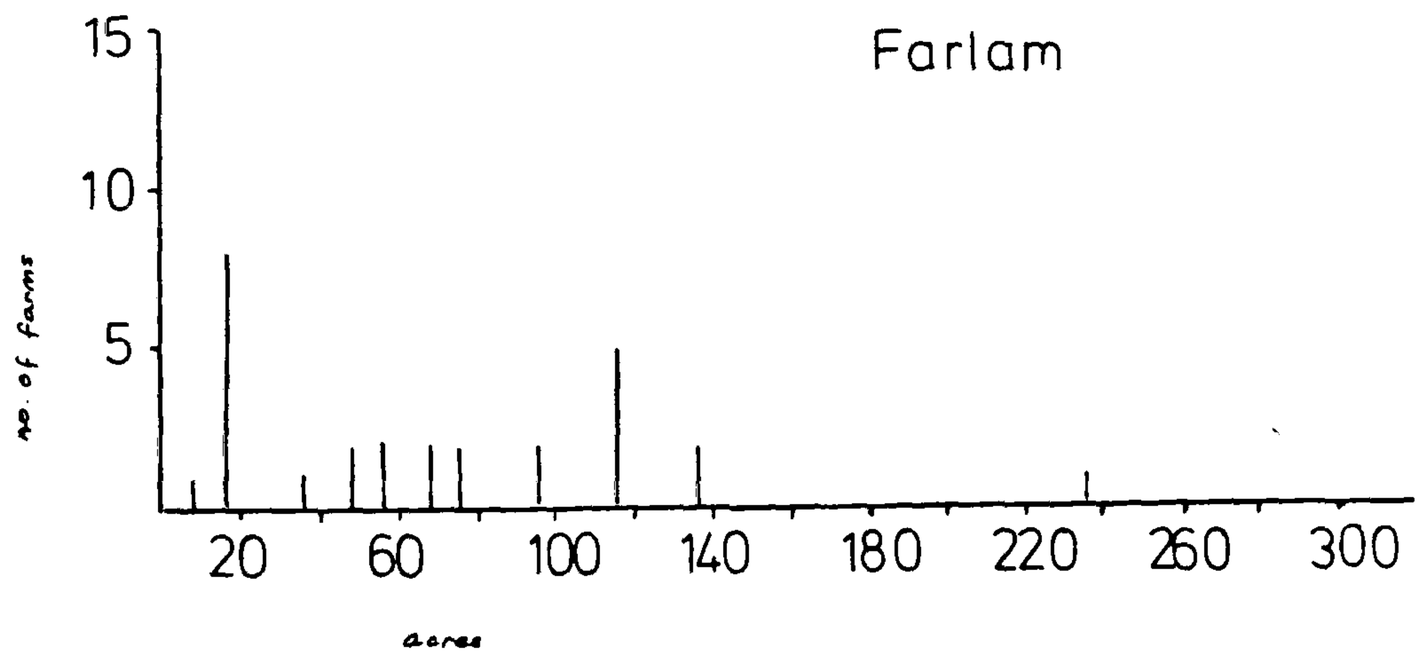




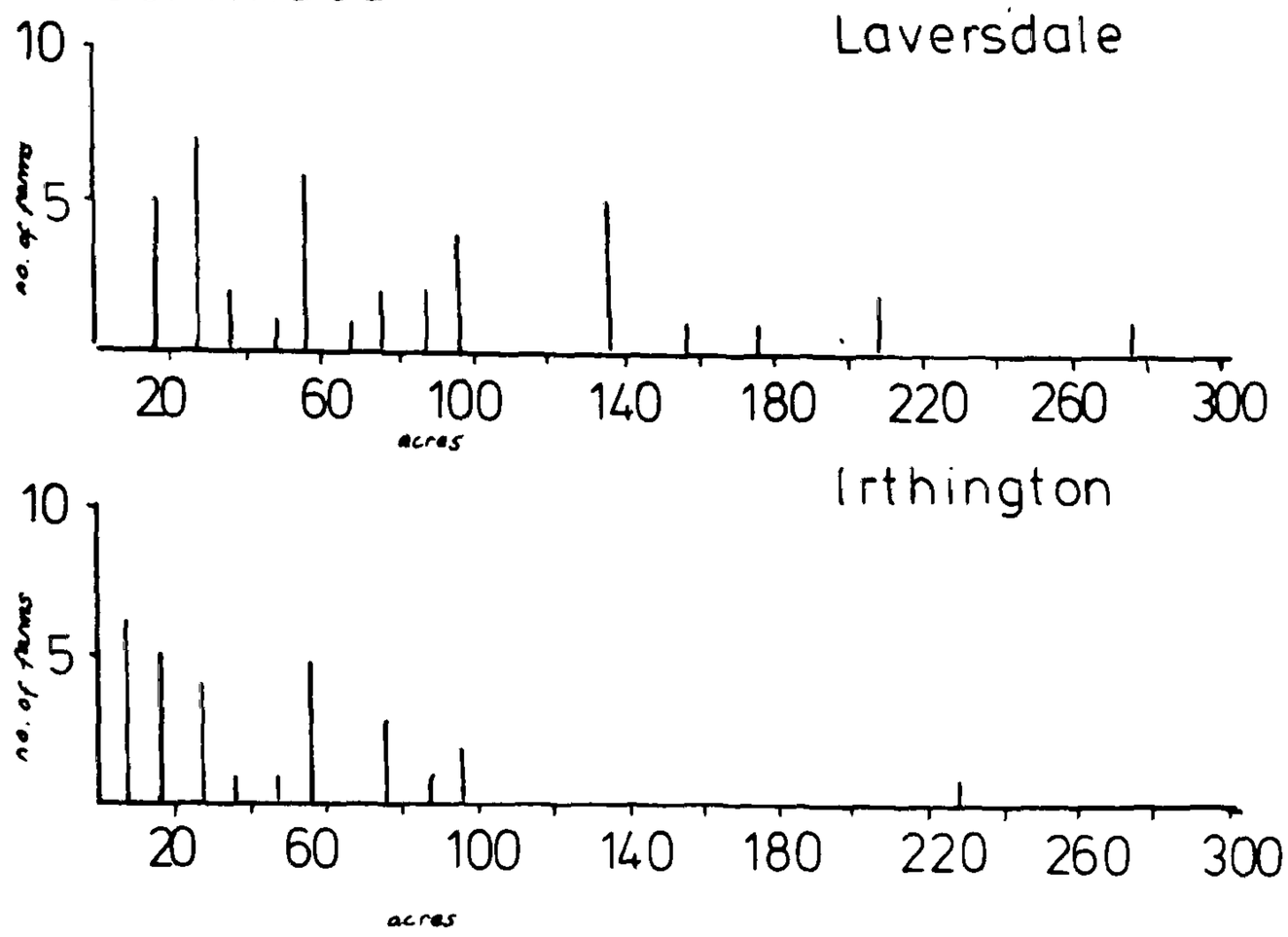
App. 7.1 continued

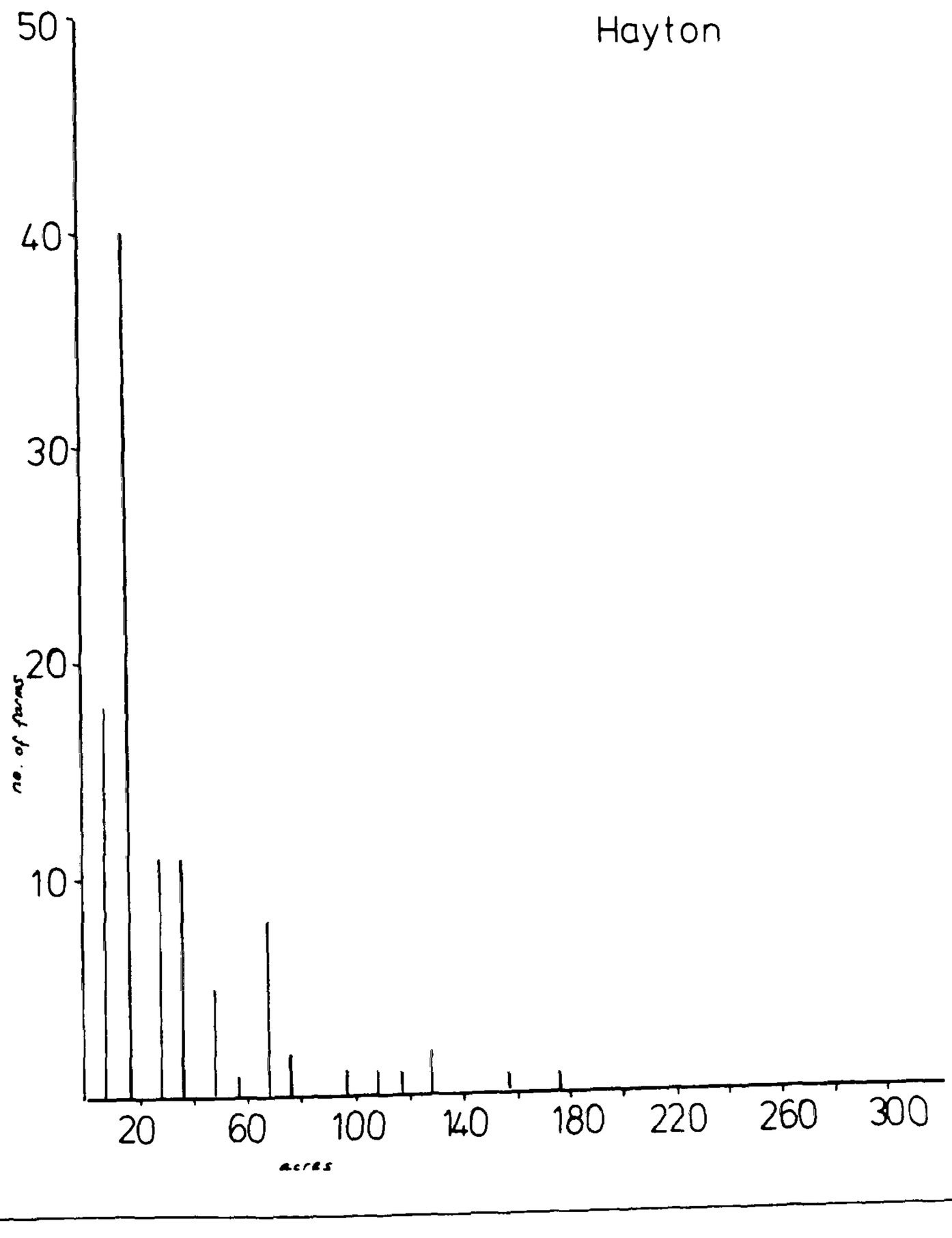






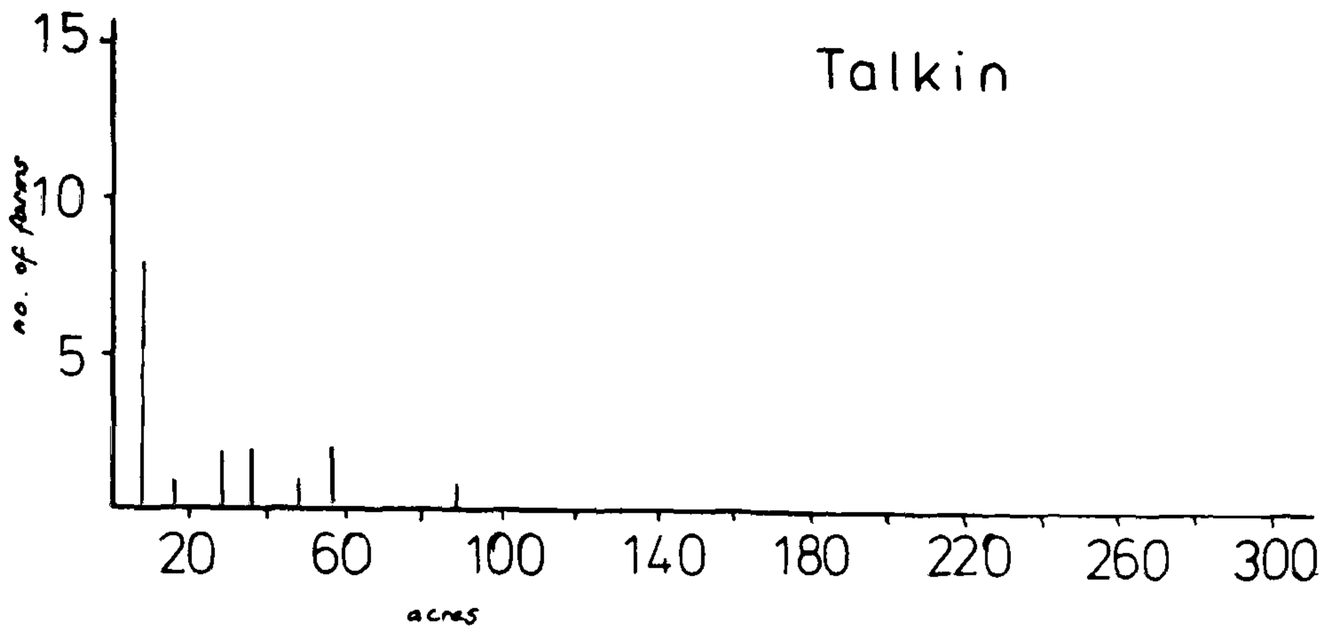
App. 7.1 continued



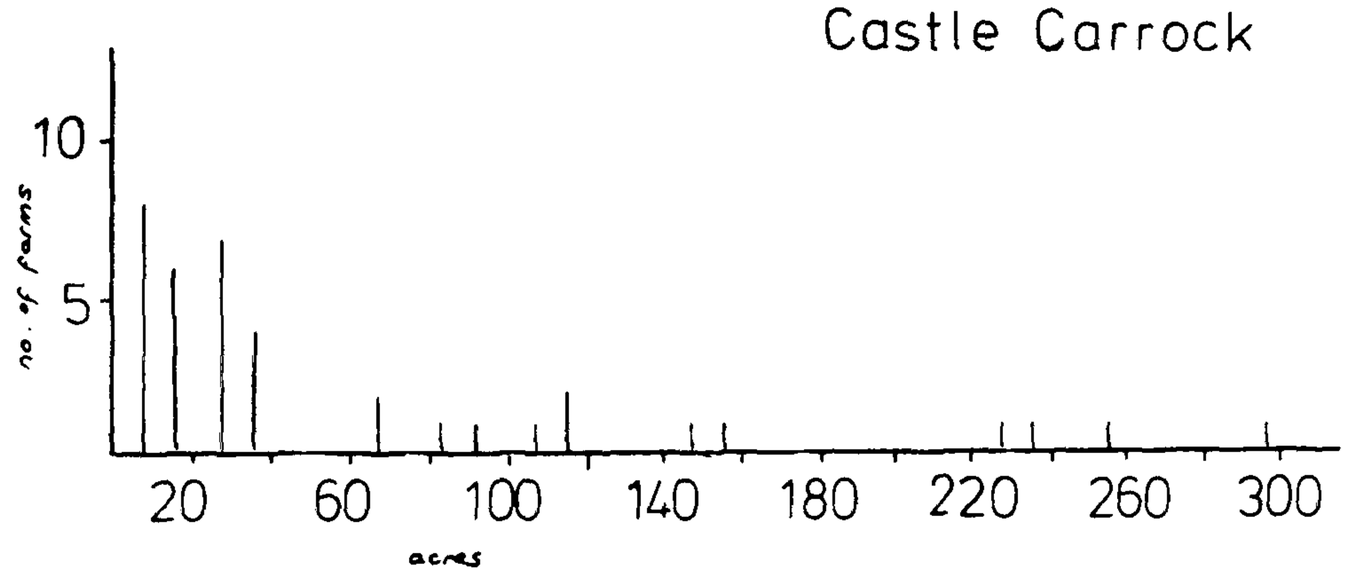


App. 7.1 continued

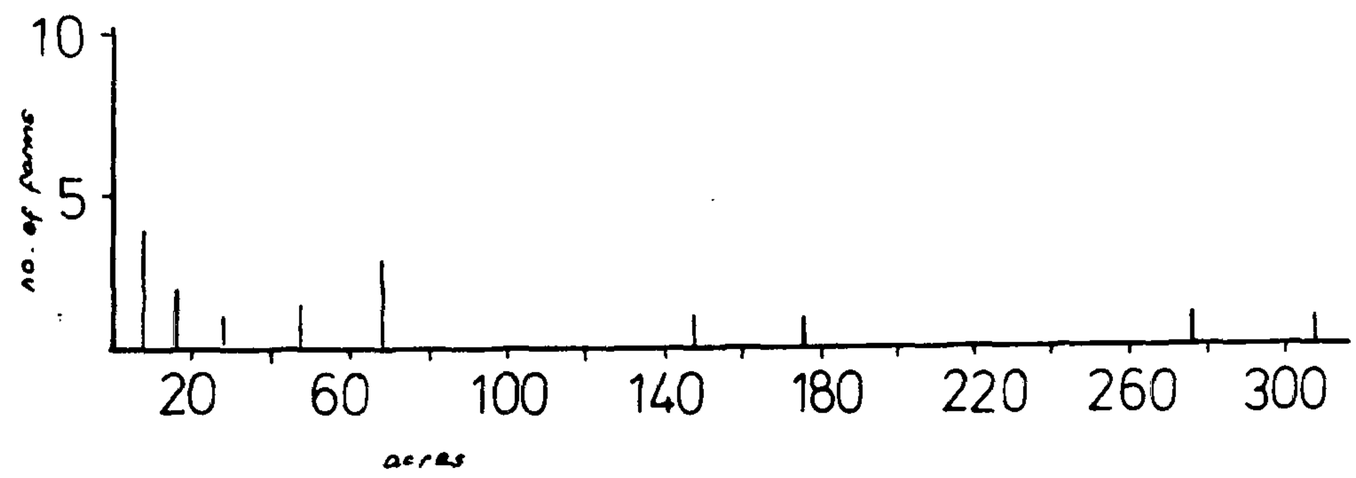
Talkin



Castle Carrock



Cumrew



Appendix 7.2: Correlation analysis: leasehold rents and farm size in 18th century Gilsland

Farms	Rent (£ s) (1782)	Rank	Acreage (1828)	Rank	d	d^2
Spadeadam	160	2	5027	1	1	1
Gillilees	79	7	551	6	1	1
Wintershields	140	3	928	5	2	4
Fellend	16	18	80	18	0	0
Rinnion Hills	85	5	354	9	4	16
Roweltown	3	22	18	22	0	0
Hewstown	28	16	200	13	3	9
Greensburn	52	13	323	10	3	9
Butterburn	35	15	2212	3	12	144
Wilysike	80	6	2914	2	4	16
Palmer Hill	24	17	108	16.5	.5	.25
Askerton	400	1	1920	4	3	9
Lines	56	11.5	382	8	3.5	12.25
Haining Bank	56	11.5	195	14	2.5	6.25
Wilyford	38	14	108	16.5	2.5	6.25
Mains	100	4	295	11	7	49
Lanerton	70	8	217	12	4	16
Throp	60	9.5	155	15	5.5	30.25
Baggarah	13	20	34	20	0	0
Denton Hall	60	9.5	490	7	2.5	6.25
Birkhurst	5	21	10	23	2	4
Hollis	15	18.5	47	19	.5	.25
Nook	15	18.5	33	21	2.5	6.25
						346

$$r_s = 1 - \frac{6.\Sigma d^2}{n^3 - n}$$

$$r^s = 1 - \frac{6.346}{12144}$$

$$r_s = 1 - 0.17$$

$$r_s = \underline{0.83}$$

NB: n = 23, taken from the leasehold farms of Askerton and Denton.

Sources: D. P/D. H of N Temporary Listing, Rentals 1769-82.
D. P/D. H of N C 201/24-5.

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	Lowther of Lowther and Whitehaven	(C.R.O. D./Lon/L.)
	Pennington of Muncaster	(C.R.O. D/Pen.)
	Mounsey Deposit	(C.R.O. D6)
Scottish Record Office, Edinburgh	Hope Johnstone of Raehills Papers	(H/J.)
	Buccleuch, Drumlanrig	(Buccleuch, Drumlanrig)
	Agnew of Lochnaw Papers	(S.R.O. CD.154)
Public Record Office, London	Star Chamber Proceedings	(P.R.O. S.T.A.C.)
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