

Enclosure and the Inquisitions of 1607: An Examination of Dr Kerridge's Article 'The Returns of the Inquisitions of Depopulation' *

By JOHN MARTIN

SINCE Kerridge's incisive intervention into the field of agrarian history in his article of 1955 regarding the enclosure movement in the Tudor and early-Stuart period, anyone who ventures there must preface their remarks by acknowledgement of the force of Kerridge's argument.¹ As a result, little confidence may be retained in the basis of analysis of enclosure in that period — the statistics which may be derived from the returns of the Inquisitions of Depopulation. At the beginning of the twentieth century Gay had made the task of analysing enclosure by these means his own preserve. Now, some 25 years have passed since Kerridge's article without any re-examination of his position, while at the same time commentators on the enclosure movement have largely failed to take account of his criticisms of such statistics. Here, I propose to make an initial contribution towards reinstating confidence in the value of the findings of the Inquisitions of Depopulation for agrarian history by focusing upon those returns of 1607.

Throughout my own work on the agrarian policy of the Tudor and early-Stuart state, the nature and extent of enclosure, and on the Midlands Revolt of 1607, I have been forced to confront Kerridge's position in some detail.² For my immediate purposes it was

important that I was able to view the returns of the Commissions with some confidence in order to make a detailed analysis of the revolt which set these enquiries in motion, and to link such enclosure riots to precise instances of enclosure as recorded by the Commissions. Nonetheless, conclusions regarding the enquiries of 1607 apply equally to Kerridge's more general observations on the returns throughout the preceding century.

In opposition to Gay, Kerridge argues that the figures relating to enclosure, depopulation, and conversion provided by the Commissions do not give an adequate basis from which to calculate the extent of enclosure. Kerridge suggests that these figures were only the preliminary basis upon which further legal action could be taken in order to establish the guilt or innocence of the accused encloser, rather than proof of an offence against the agrarian statutes. Thus, enclosure was proven only when conviction of the encloser was secured. Contrarily, Gay, Leadam, and Parker have uncritically accepted these figures as indicative of the extent of enclosure itself.³ Kerridge, however, delineates the considerable number of stages in the legal process involved in securing a conviction — a procedure which he argues was not followed through in most instances of information regarding enclosure.

* I would like to thank Dr A L Beier of Lancaster University, without whose encouragement I would not have been introduced to the substance of English agrarian history.

¹ E Kerridge, 'The Returns of the Inquisitions of Depopulation', *Eng Hist Rev.* LXX. 1955.

² J E Martin, *Peasant and Landlord during the Development of Feudalism and Transition to Capitalism in England*, unpubl PhD thesis, Lancaster Univ, 1979, esp ch 9 and 10, and Part III. ♫

³ E F Gay, 'Inclosures in England in the Sixteenth Century', *Quarterly Jnl Economics*, XVII, 1903; and idem, 'The Midland Revolt and the Inquisitions of Depopulation of 1607', *Trans Royal Hist Soc*, ns, XVIII, 1904. I S Leadam (ed), *The Domesday of Inclosures, 1517–1518*, 1897; and idem, 'The Inquisition of 1517. Inclosures and Evictions', *Trans Royal Hist Soc*, ns, VI, 1892. L A Parker, *Enclosure in Leicestershire, 1485–1607*, unpubl PhD thesis, Univ of London, 1948; and idem, 'The Depopulation Returns for Leicestershire in 1607', *Trans Leics Arch Soc*, XXIII, 1947.

However, in spite of Kerridge's carefully framed and intricate analysis of the legal process, we must accept that these figures are related to enclosure in some sense, even if their usage is tempered by our awareness of these difficulties. There is no other means of quantifying the extent of the enclosure movement available to us. Yelling suggests that we must accept such statistics, subject to reservations.⁴ I shall argue on the basis of an analysis of the nature of the social production of these statistics that they may be accepted as the *minimum* extent of illegal enclosure in the period. By contrast, Kerridge implies that much of this information on enclosure was inaccurate because the courts failed to convict the enclosers. I shall now examine his argument in detail in order to establish, firstly, that he should not infer lack of guilt from a failure to convict; secondly, that there were many more convictions than Kerridge suggests; and thirdly, that the source of information for the presentment of enclosers was relatively reliable.

I

Kerridge concludes that, in spite of many presentments, there were few convictions. For example, he suggests that in Leicestershire, 'although there were hundreds of presentments, only four convictions have come to light'.⁵ However, on the other hand, Kerridge is unable to provide *one* instance in which an encloser was positively adjudged to have been innocent. It is important to note this fact initially. His conclusion that enclosers were not guilty derives from two indirect and untenable arguments: (a) the association of defendants' pleading of special circumstances or inaccuracies in the information with innocence; and (b) the association of the lack of evidence of conviction with innocence. In the first, he accepts the encloser's claims at face value and

as the accurate rendition of the situation, a decision which lacks validity, since it was in the defendant's interests to argue that he was not liable to prosecution. For example, Kerridge builds much of his case in this respect on the instance of Thomas Humphrey of Sweptstone in Leicestershire, in which he suggests that Humphrey apparently escaped conviction on the grounds that his enclosed land was cultivated by convertible husbandry. Indeed, this example features in Kerridge's work on the agrarian economy of the period.⁶ Nonetheless, Humphrey was convicted of enclosure, conversion, and depopulation, and fined £20; he was considered one of the most notorious enclosers in the county by rebels in 1607 and was ordered to appear before the Privy Council in London for his deeds.⁷

Furthermore, the means of sidestepping the legislation were well known: we are not able to assume lack of guilt in a wider sense, even if the encloser escaped on a technicality. Aside from the commonly used strategy of claiming that the enclosure preceded the retrospective date of enquiry, means of camouflaging the true nature of the enclosure or of keeping an insignificant amount of tillage served to escape the legislation. One such person who did not escape attention was Lord Clifton, who enclosed and caused depopulation in Buckworth, Huntingdonshire. He had attempted to avoid the statutes by drawing up fictitious leases and ploughing one 'rigg' of each of ten 'tenants' lands, while in fact he himself pastured sheep on these lands. In spite of these elaborate precautions, he was convicted and fined £50.⁸

Secondly, the lack of evidence of con-

⁴ J A Yelling, *Common Field and Enclosure in England, 1450-1850*, 1977, pp 21-2.

⁵ Kerridge, 1955, op cit, p 226.

⁶ Ibid, p 224; E Kerridge, *Agrarian Problems in the Sixteenth Century and After*, 1969, pp 194-8, transcription of PRO, STAC 8/16/13, m 2, Thomas Humphrey's answer. E Kerridge, *The Agricultural Revolution*, 1967, pp 190-1.

⁷ PRO, C 82/1759, June 1608. Historical Manuscripts Commission (HMC), Hastings MSS, IV, p 193. Martin, op cit, n 25, pp 708-9.

⁸ HMC, Salisbury MSS, XXI, 1609-12, pp 89-91, 21 July 1609, letter from the Assizes, Huntingdon, where Clifton's case was heard. PRO, C 82/1759, June 1608.

victions in the sources is just as much *lack of evidence of innocence* as it is of guilt. I have already noted that Kerridge is unable to provide any instances in which enclosers were found to be innocent. In these circumstances, there is no direct means of resolving the question of guilt or innocence but all the evidence we have suggests that when proceedings took place convictions were secured. Moreover, it seems that a considerable number of enclosers failed to appear in order to defend themselves, in which case further proceedings were not required to establish guilt. I have located several lists of offenders who were to have 'Nihil Dicit' entered against them if they had not answered the charges within the next few days. These lists contain 52 names.⁹

In support of my argument, we may note that Kerridge failed to discover the many convictions which exist in addition to the 30 which he cites. I have located another 40 convictions together with a further 46 probable convictions of those who refused to plead their case. I have been able to trace 25 of the convictions cited by Kerridge as follows. From Miscellanea of the Exchequer we find recorded 15 convictions for Northamptonshire: Gregory Isham, Euseby Isham, Ferdinando Baude, Thomas Tresham, William Saunders, Robert Osborne, Robert Dillon, Daniel Ward, William Samuel, Gilbert Pickering, Anthony Palmer, Thomas Gascoigne, Walter Montagu, Lewis Tresham, and Edmond Mountstephen. Kerridge suggests that there were four convictions for Leicestershire. From cases in the Court of the Star Chamber it appears that Henry Barkeley, Henry Hastings and Walter Hastings were convicted (although I failed to trace Kerridge's reference to the Receipt Books). In addition, Edward Hartopp of Burton Lazars was convicted at the Leicester Assizes.¹⁰ Others convicted were Francis Popham and

Elinore Thorold, both of Lincolnshire. I was unable to trace 3 more convictions, cited by Kerridge as recorded in the Receipt Books. Another 6 convictions must be recorded in the Memoranda rolls — a source I have not checked — to make a total of 30 convictions. Of these, 4 are traceable by Kerridge's reference to Sir Edward Coke's letter to the Privy Council on 2 September 1607.¹¹ This adds Thomas Tyrringham, Edward Tyrell, Thomas Throckmorton, and Lord Clifton to the list, leaving only 5 of Kerridge's 30 convictions unaccounted for.

However, this is by no means a complete list. Firstly, confirmation of convictions and fines exist for the following offenders noted by Kerridge: Robert Osborne, Anthony Palmer £20, Gilbert Pickering £20, Lewis Tresham £40, and Walter Montagu £20.¹² Secondly, a document found misfiled in the State Papers for 1631 is of the period 1608–09 and gives us a further 9 convictions and the fines levied on these Lincolnshire offenders: Charles Hussey £80, Henry Aiscough £20, Hammond Whichcoote £40, Edward Carne £30, William Wrage £30, Edmund Bussey £10, Robert Tirwhitt £10, and John Tredway £10.¹³ Two other sources confirm this dating: John Tredway was among those who failed to answer the charge of depopulation in November 1607; while William Wrage, who was noted as having been called before the Court of the Star Chamber, was fined £30 in April 1608.¹⁴

Thirdly, further convictions are indicated by a list of those who had reformed their offences by July 1609.¹⁵ Edward Tyrell, Thomas Tyrringham and Lord Clifton were again mentioned (there was a strong resistance from the latter two against reformation), while offenders from Cambridgeshire, Norfolk and Suffolk — counties not included

¹¹ PRO, SP 14/48/4.

¹² PRO, SP 14/40/85; PRO, E 401/1883, Mich, 1608; PRO, E 401/1882, Easter 1608.

¹³ PRO, SP 16/206/71.

¹⁴ PRO, E 124/5/90d; PRO, C 82/1757, 30 April 1608.

¹⁵ HMC. Salisbury MSS, XXI, 1609–12, pp 89–91.

⁹ PRO, Exchequer Decrees and Orders, E 124/5/90d, 106d and 220d; E 124/6/37, 43, 43d, 45, and 94d.

¹⁰ PRO, E 163/17/8; PRO, STAC 8/16/13, mm 9 and 10; Kerridge, 1955, op cit, p 223.

in the warrant for Commissions — were noted. Local enquiries must have been instigated in other counties as a result of the Midlands inquisitions.¹⁶ This list gives us a further 22 names from counties included in the Inquisitions — 4 from Buckinghamshire, 3 from Bedfordshire, and 15 from Huntingdonshire — in addition to 4 from Cambridgeshire, 8 from Suffolk and 4 from Norfolk.

Finally, the class of Chancery Warrants in the Public Records Office (C 82) yields the names of others who were convicted, together with a note of the fines levied upon them: Thomas and John Woodward £20, Basil Brooke £20, Thomas Borough £10, Thomas Throgmorton £20, John and George Bale £20, Thomas Humphrey £20, Mary Astley £40, and Richard Breter £20. This class also includes a record of at least 26 offenders already noted, the fines imposed upon them, and their assurances for the speedy reformation of their depopulations.¹⁷

In sum, another 40 convictions have been located, making a total of some 70 in all. This may be supplemented by the 52 offenders who failed to answer the charges of depopulation and who were thus about to have 'Nihil Dicit' entered against them. It is more than likely that the vast majority of this group were convicted as a result. Indeed, we have a record of the conviction of 6 of them: John Bale; John Tredway; Elinore Thorold; Henry Hastings; Walter Hastings; and Thomas Tresham.¹⁸ Thus, the number of probable convictions which I have been able to trace is well over the hundred mark: there were many more convictions than those which Kerridge found. We are able to analyse the definite

convictions by county (insofar as the county may be identified):

Huntingdonshire	16
Northamptonshire	15
Lincolnshire	12
Leicestershire	9
Suffolk	8
Buckinghamshire	4
Cambridgeshire	4
Norfolk	4
Warwickshire	3
Bedfordshire	3

The prominence of Huntingdonshire and the seeming lack of importance of Warwickshire is misleading, considering the minor offences in the former and the seriousness of enclosure in the latter. This aside, the ranking order of the counties is roughly what one would expect, given our knowledge of the revolt and the enclosure commissions which followed it.

II

In spite of finding considerably more convictions than Kerridge cites, the number of convictions obtained falls well short of the number of presentments, of which there were some 300 for Leicestershire, and a minimum of 260–280 for the three counties Bedfordshire, Huntingdonshire and Buckinghamshire alone.¹⁹ We may expect that there would have been many presentments for other counties which figured highly in the returns, in total perhaps about 1000. Moreover, Kerridge may well have failed to note some convictions as a result of the length of time that proceedings took; his last noted conviction was in November 1609.²⁰ However, there is some evidence to suggest that proceedings continued until after this time. In 1608 Hobarte, the Attorney General, wrote

¹⁶ Warrant for Depopulation Commissions, PRO, C 82/1747, August 1607. See HMC, Salisbury MSS, XIX, 1607, p 220; and E M Leonard, 'The Inclosure of Common Fields in the Seventeenth Century', *Trans Royal Hist Soc*, ns, XIX, 1905, p 126.

¹⁷ PRO, C 82/1758, May 1608; 1759, June 1608; 1760, July 1608; 1763, October 1608; and 1764, November 1608.

¹⁸ PRO, E 124/5 and 6. See note 9.

¹⁹ Kerridge, 1955, op cit, p 225 (figures from Leicestershire). HMC, Salisbury MSS, XIX, 1607, p 220, Henry Hobarte, Attorney General to the Earl of Salisbury, 18 August 1607 (figures for Bedfordshire, Huntingdonshire and Buckinghamshire).

²⁰ Kerridge, 1955, op cit, p 226n.

to the Earl of Salisbury in order to send him a renewal of Commissions for compositions for depopulation because the previous Commissions stipulated payment of fines before pardons could be granted.²¹ This implies that proceedings against enclosers were largely instigated some time later. Also, Leonard suggests that special proceedings were taken by judges of Assize in response to letters from the Privy Council in July 1609.²² Thus, it is likely that some fines were paid later than 1609 and that records of this must be of a later date.

There are two reasons for the disparity between the numbers of presentments and the numbers of convictions. Firstly, as I have suggested above, many convictions have yet to be traced. Secondly, the state's intent in the prosecution of enclosers was to make an example of the most serious instances, rather than to pursue rigorously each and every technically guilty party. To this end, the Privy Council issued a general order to the Justices of all counties concerned to submit the names of several of the most important offenders in their county, in an action which was calculated to pacify the rioters.²³ James I, himself, indicated that punishment of depopulators would be selective and exemplary:

I must also remember you that something may be done upon the unlawful depopulators, lest the diggers call us fair counters but evil payers, having made a fair popular show without substance. Let therefore some symmetry be used between justice upon the diggers and them that punished them the cause to offend, that as a great number was put in fear and but a very few punished of the one sort, so there may be some one or two at least of the other sort punished exemplarily, being of the principal offenders and of worst fame, so as 'pena ad paucos metus ad plures' may therefore be extended.²⁴

Furthermore, in 1609, Coke wrote to inform the Privy Council that the conviction of 'some fewe' had resulted in a 'staye in others

for doinge the like (as we hope)'.²⁵ The state was also more concerned with preventing new offences than with the relentless pursuit of old ones, in which effective restoration was very difficult, especially if depopulation was complete. This attitude is illuminated by the second point in a discussion document of the early seventeenth century, concerning the practice of issuing pardons for offences against the agrarian statutes.²⁶ There it was suggested that the pardoning of past offences should be allowed, but that this dispensation should not be granted for future offences.

Thus, even if a complete list of convictions existed it is unlikely that it would approach the numbers of presentments. There were many minor offenders who were technically guilty under the law but whose offence took the form of co-operation in their landlord's wider scheme of enclosure and depopulation. Kerridge mistakenly believes that any presentment should have led to conviction if the offender was guilty; this is not the case. In addition to a mistaken belief in the uniform and universal application of the law, Kerridge assumes that the Courts were entirely neutral in applying the law. But, it is more likely that bias was shown in favour of enclosers, especially in the Assizes, where local gentry and Justices of the Peace sat in judgement over their peers, just as cases of jury-packing by enclosers in the initial hearing of information were not uncommon.²⁷ It is also apparent that, for example in Northamptonshire, Justices of the Peace collaborated with convicted enclosers by issuing false certificates of restoration of houses of husbandry and reconversion of land from pasture to arable. In this county, three of the four Justices concerned with certification were also well-known enclosers — William Tate, Thomas Tresham (of Newton) and Gilbert Pickering.²⁸ As a result, a discrepancy between

²¹ HMC, Salisbury MSS, XX, 1608, p 299.

²² Leonard, *op cit*, p 126.

²³ HMC, Hastings MSS, IV, p 193 (for Leicestershire).

²⁴ HMC, Salisbury MSS, XIX, 1607, pp 355–6.

²⁵ PRO, SP 14/48/4, 2 September 1609.

²⁶ British Museum (BM), Harleian MSS, 7616, f 6.

²⁷ R. H. Tawney, *The Agrarian Problem in the Sixteenth Century*, 1912, pp 263, 385. Gay, 1904, *op cit*, pp 224–6.

²⁸ PRO, E 163/17/8.

presentments and convictions does not necessarily imply an over-estimation of enclosure in the Returns of the Commissions, as Kerridge suggests. The reasons for such a discrepancy may be sought in the above considerations.

III

In the light of these comments, the extent to which we take the Commissions' returns seriously depends more upon the social context within which the enquiries were made than on the legalistic argument concerning convictions which Kerridge employs. He merely dismisses the quality of the information by stating that 'it is difficult to put implicit faith in returns that are hardly more than collections of informations from various informers'.²⁹ But who were these 'informers', and are we able to assess the information which they provide? More generally, Beresford argues that informers proliferated and inflated the numbers of offences against the regulating statutes.³⁰ However, his strictures have little relevance for offences against the agrarian statutes, since only 4 per cent of all informations laid before the Exchequer in the period 1519-69 were of this nature, and less than half this percentage concerned enclosure.³¹ Of the informations concerning the agrarian statutes, most involved small-scale engrossing in regions other than those mainly affected by depopulating enclosure. The agrarian legislation was not lucrative for avaricious informers, while informing did not focus on those parts of England where enclosure was such a problem. Furthermore, Beresford's point largely rests on the fact that the Westminster courts heard

the information, in which case the informer would be protected from the accused by the distance and the expense involved in travel to London. However, many of the prosecutions of the enclosure statutes were at the local Assizes. In fact, the Earl of Salisbury pointed out in his response to objections to the Depopulation Act of 1597 that this very practice restricted the activity of professional informers.³²

The Commissions themselves were even less vulnerable to the problems caused by professional informers since they sought information in the counties concerned and made use of local peasants in an attempt to record the extent of illegal enclosure. Within their Returns, each parish had recorded for it the acreages enclosed and converted, the houses decayed, the barns and stables decayed, lands severed, tenants evicted, and highways blocked, together with the individuals who were responsible for these offences.³³ Some care was taken to ensure that the selected Commissions were 'such as are least interested in the enquirer of enclosures'. In other words, Commissioners were to be free from any suspicion of enclosing themselves, a proviso which proved to be difficult to fulfil. As the Earl of Rutland commented, he had sent up the names (for the Commissions) of 'such as are least interested in these depopulations, which I do assure you was a hard task'.³⁴

The Commissions were directed to bring before them 'sufficient fytt and lawfull men . . . by whome the trewth maie best be knowne'.³⁵ The Returns indicate what sort of people were considered suitable for this purpose. In Leicestershire oaths were taken from the minister and two of the most

²⁹ Kerridge, 1955, *op cit*, p 225. Beresford supports these conclusions. M W Beresford, 'Habitation versus Improvement: the Debate on Enclosure by Agreement', in F J Fisher (ed), *Essays in the Economic and Social History of Tudor and Stuart England*, Cambridge, 1961, pp 49-50.

³⁰ M W Beresford, 'The Common Informer, the Penal Statutes and Economic Regulation', *Econ Hist Rev*, 2nd ser, X, 2, 1957.

³¹ M W Beresford, *The Lost Villages of England*, 1954, ch 4.

³² HMC, Salisbury MSS, XIV (Addenda), pp 37-8.

³³ Returns of the Depopulation Commissions — PRO, C 205/5/4, 5 and 6. Warrant for these Commissions — PRO, C 82/1747, August 1607.

³⁴ BM, Additional MSS, 11,402 (Abstracts of the Register of the Privy Council), f 128, July 1607. HMC, Salisbury MSS, XIX, 1607, p 208, reply to the Earl of Salisbury, 6 Aug 1607.

³⁵ PRO, C 82/1747.

substantial men of each parish.³⁶ In Northamptonshire oaths were taken from several, often elderly, peasant farmers — those who were considered reliable, experienced, and knowledgeable cultivators of the land, often in the very parish to be investigated.³⁷ For example, in Floore three husbandmen were committed to oath; in Church Brampton, two husbandmen; in Orton, a husbandman of 60 years of age; in Geddington Magna, Oakley and Thrapston further husbandmen; in Bosiat, two husbandmen of 50 and 67 years of age; and in Haselbech, three husbandmen, one 34, one 57 and the third 67 years of age. Two of the informants for Haselbech, William Gilbert and Thomas Elborough, are to be found in the enclosure agreement for the parish of some 10 years earlier.³⁸ The former held one and a half yardlands in Haselbech (which were to revert to Thomas Tresham on his death), and the latter (a yeoman of Brixworth in the enclosure document) shared one yardland with another tenant in this parish.

In many instances, the informants themselves must have had their livelihood affected by the enclosure. For example, those who rioted at Chilvers Coton in Warwickshire in June 1607 presented a local Justice of the Peace, Sir John Newdigate, for enclosure and depopulation in the parish.³⁹ Similarly, rioters at Ladbroke in the same county presented a yeoman for enclosure and depopulation.⁴⁰ Robert Bradshaw, husbandman of Priors Hardwick, presented William Burton,

yeoman of Ladbroke, for enclosure and depopulation and for stopping the highway in the latter parish in 1607. Burton had already been indicted at Sessions held at Warwick some six or seven years earlier for the same offence. Most of the inhabitants of the villages which were clustered on the south-east of Ladbroke and who used the highway through Ladbroke to Warwick protested — eg those from Priors Hardwick, Priors Marston, Boddington, Byfield, and Chipping Warden. Two other local inhabitants, Thomas Harris of Harbury and Richard Wynckles of Chipping Warden, also testified on this matter at the Commission which was held at Warwick in 1607. Other similar examples might be cited, given detailed and local research into specific instances of enclosure.

As a result, the Commissions' information was derived from peasants in the locality who had intimate and first-hand knowledge of the parishes concerned and who were familiar with the changes which had taken place. I would suggest that this information represented the reality of illegal enclosure and depopulation far more closely than did enclosers' attempts to avert the application of the law. The Commissions' returns may be considered as a relatively accurate estimation of the *minimum* illegal enclosure of the period. Parker has demonstrated in the case of Leicestershire how these figures systematically under-represent the extent of the enclosure movement, and it must be remembered also that the Commissions concerned themselves solely with enclosure which offended the statutes. Of course, the Commissions recorded this form of enclosure precisely because it had the most detrimental impact upon the peasantry and was the object of attack by the rebels in 1607.

I have shown that Kerridge's arguments are not convincing. He is unable to cite one proven case of innocence; the number of convictions was considerably larger than he suggests; and on balance, we should prefer the evidence provided for the Commissions for prosecution, rather than defendants'

³⁶ J Nichols, *The History and Antiquities of the County of Leicester*, 1795–1811, III, 2, pp 593–4n.

³⁷ PRO, C 205/5/5.

³⁸ Northamptonshire County Records Office, Isham MSS, I (L), 3947. Martin, *op cit*, pp 367–72.

³⁹ Martin, *op cit*, pp 410–14. Sources used: PRO, STAC 8/15/21, STAC 8/221/1, and SP 16/257/129. The last-cited document is clearly a list of Warwickshire depopulators recorded in 1607, in spite of being filed as a return of the Commissions of the 1630's. For discussion of this point, see W E Tate, 'Enclosure Acts and Awards Relating to Warwickshire', *Trans Birm Arch Soc*, LXV, 1949.

⁴⁰ Martin, *op cit*, pp 399–410. Sources used: PRO, STAC 8/10/18, STAC 8/15/12, STAC 8/63/8, STAC 8/68/3, and SP 16/257/129.

pleadings. In conclusion, we may utilize the source known as the Returns of the Inquisitions of Depopulation, at least those of 1607, with greater confidence than suggested by Kerridge. The value of his strictures is that they force us to consider these returns not as an isolated source from which we may extract and compile statistics on enclosure at will, but as the product of a particular institution with specifiable goals and means of attaining them

— the Tudor and early Stuart state and its attempts to regulate enclosure. The social production of this information necessarily involved the class to which this state bore a close relationship — the peasantry.⁴¹ With this in mind we may again approach this essential historical source for agrarian history with confidence.

⁴¹ The questions raised here are discussed in Martin, *op cit*, ch 8 and 10.