

Custom and Common Right: Waste Land Enclosure and Social Change in West Lancashire

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Abstract

The focus of this study is waste land enclosure in south-west Lancashire and particularly its impact on the social structure of one village, Croston. It takes the view that northern rural communities, especially in the pre-industrial period, have largely escaped the attention of historians. It borrows from the wider context of a shift of emphasis in enclosure history towards the significance of waste and common in the enclosure process as a whole. Further, this article takes the view that, until recently, we have underestimated the presence and tenacity of a mainly subsistence stratum in rural communities, the strength of their attachment to rights of commoning, and the depth of popular opposition everywhere to the erosion of those rights through the enclosure process. Villagers in west Lancashire did not possess an immunity from that process. Their experience deserves as much attention as communities in the traditional rural heartlands of the midlands and southern counties. This is a small contribution towards correcting the balance.

THE historiography of the north-west has largely been confined to drawing the social, economic, and cultural map of the industrial and urban communities which emerged during the course of the eighteenth and nineteenth centuries. Lancashire has been a mecca for the social and economic historian interested in the trail-blazing themes of 'proto-industrialization' and industrial 'take-off', the shaping of a class society, socialization, the demographic 'finger-prints' of economic change, and the culture of the industrial workplace, family, and community.¹

Given this preoccupation with industrial heritage it is not easy to picture the rural hinterland of Lancashire's manufacturing centres. If Lancashire had any rural traditions then they seemed to have slipped away in the mists of time. Nevertheless, it is worth bearing in mind from the outset that, outside of the coal and textile corridor

which skirted the southern and eastern flanks of the county, Lancashire boasted an extensive and varied agricultural landscape ranging from the plains of west Lancashire, the vales of the Ribble Valley, and the granary of the Fylde, to the pastoral uplands in the extreme north. Whereas aspects of nineteenth-century rural life in the region are reasonably well charted, our knowledge of earlier communities is more uncertain.² Admittedly there are notable exceptions. References to seventeenth- and early eighteenth-century Lancashire usually draw on the distinctive settlement pattern

¹ J K Walton, *Lancashire: a social history 1558-1939*, Manchester, 1987. Understandably, this scholarly survey reflects the historiographical preoccupation with the emergence of an industrial society which essentially stamped Lancashire's regional character. What remains are yawning gaps in our knowledge of Lancashire's pre-industrial communities. I am also grateful to John Walton for his comments and advice on an earlier draft of this paper.

² G Rogers, 'Social and Economic Change on Lancashire Landed Estates during the Nineteenth Century', unpublished PhD thesis, University of Lancaster, 1981; A Mutch, 'Rural Society in Lancashire 1840-1914', unpublished PhD thesis, University of Manchester, 1980, and *Rural Life in South-West Lancashire 1840-1914*, Lancaster, 1988. By way of comparison Mutch focuses on south-west Lancashire and describes a typically nineteenth-century social scene of major landowners, tenant farmers, and a substantial population of wage-dependent labouring families. W King, 'Illegal Behaviour in Seventeenth Century Lancashire', unpublished PhD thesis, University of Michigan; A P Coney, 'Aughton Enclosure in the Eighteenth and Early Nineteenth centuries: the Struggle for Superiority', *Historic Society of Lancashire and Cheshire* 136, 1987; T W Fletcher, 'The Agricultural Revolution in Arable Lancashire', *Transactions of the Lancashire and Cheshire Antiquarian Society*, 72, 1962; D Hey, 'Yorkshire and Lancashire', in J Thirsk, ed, *The Agrarian History of England and Wales, Vol. V 1, 1640-1750, Regional Farming Systems*, Cambridge, 1984, pp 59-86, though the chapter concentrates largely on Yorkshire.

and economies of Rossendale and Pendle to the north and north-east of the county.³ Yet research into the pre-industrial experience of communities comprising the lowland plain of south-west Lancashire and the Fylde region is much sparser and, at the same time, all the more surprising in view of the fact that lowland Lancashire developed into the agricultural heartland of the county, even though its productive potential was slow to materialize. But it is no accident that this process was closely associated with an area that boasted by far the strongest concentration of sizeable landed estates compared with other parts of the county, and which was also the location of considerable waste land reclamation and enclosure.⁴

For understandable reasons the attention of rural historians has been drawn elsewhere. It has been spellbound by the enclosure movement in general and especially by the crucial issue of the impact of enclosure on the social fabric of rural communities. Geographically it has been pulled towards the power-house of agrarian change, East Anglia, and the classic open fields of the midland core. However, there has been a more recent shift of focus which has settled on the centrality of commons and waste land to the enclosure process as a whole, and especially outside of the midland belt.⁵ Furthermore, Stevenson has

argued that violence and popular opposition were associated more often with the enclosure of commons and waste than with any other enclosure type, which is in line with Yelling's earlier view that, 'in general, the greater problems arose where cottages were numerous and where extensive common wastes existed'.⁶ Therefore, considering that the emergence of a more dynamic and intensive farming system in Lancashire rested to a large extent on waste land reclamation, it is all the more surprising that it has not received the full attention it deserves.⁷ It recalls one recent remark that 'agricultural historiography in Britain is shot through with southern insularity'.⁸

I

The starting point for this study is a modest contribution towards correcting the imbalance. The main focus is the township of Croston which, in 1725, was the subject of one of the earliest enclosure awards. Croston lies on the west Lancashire plain, approximately ten miles south of Preston, and was typical of rural communities in the area which settled on clay outcrops between extensive areas of mossland.⁹ The manor of Croston was coextensive with the 'old enclosures' of the township, and lay in the joint ownership of the Hesketh family, whose ancestral seat was the adjacent village of Rufford, and the de Traffords, who came into possession of their Croston

³ Pendle and Rossendale are the exceptions to the rule. See J Porter, 'Waste land Reclamation in the Sixteenth and Seventeenth Centuries: the case of south-eastern Bowland 1550-1630', *Hist Soc Lancs and Cheshire*, 127, 1977; M Brigg, 'The Forest of Pendle in the Seventeenth Century', *Hist Soc Lancs and Cheshire*, 113, 1961; 114, 1962. J W Swain, *Industry before the Industrial Revolution. North-East Lancashire c.1500-1720*, Manchester, 1986; G H Tupling, *The Economic History of Rossendale*, Manchester, 1927.

⁴ By the nineteenth century a small group of landed families were territorially dominant throughout the coastal plain from Liverpool to Lancaster, notably Derby, Sefton, Blundell, Hesketh, Lathom, de Trafford, Scarisbrick, Farrington, Rawstorne, Clifton, Fitzherbert-Brockholes, Garnett. See also B G Blackwood, 'The Lancashire Gentry 1625-1660. A Social and Economic Study', unpublished PhD thesis, University of Oxford, 1973.

⁵ J Chapman, 'The Extent and Nature of Parliamentary Enclosure', *Ag Hist Rev*, 35, Part 1, 1987, pp 25-35. According to Chapman's estimates common pasture and waste accounted for c 61% of land in England affected by parliamentary enclosure and much of this lay outside the Midlands core. One estimate calculated that Lancashire's wasteland in 1815 extended to 82,000 acres of moor

and common and a further 26,500 acres of moss and fen. See R W Dickson, *General View of the Agriculture of Lancashire*, Preston, 1815, p 96.

⁶ J Stevenson, *Popular Disturbances in England, 1700-1832*, 1992, p 53; J A Yelling, *Common Field and Enclosure in England, 1450-1850*, 1977, pp 28, 176. Yelling, however, makes only two specific references to Lancashire.

⁷ The reclamation of mossland and waste in Lancashire has a long history to it starting with early efforts by the Heskeths to drain Martin Mere in the 1690s and culminating in the intensive improvement of the wet mosslands during the nineteenth century in south-west Lancashire and on the Fylde. See Rogers, *op cit*, chap. 4.

⁸ A Charlesworth, 'An Agenda for Historical Studies of Rural Protest in Britain 1750-1850', *Rural History*, V II, 2, 1991, pp 231-240. The same view could be taken of the pre-1750 period.

⁹ F Walker, *The Historical Geography of South-West Lancashire before the Industrial Revolution*, Manchester, 1939.

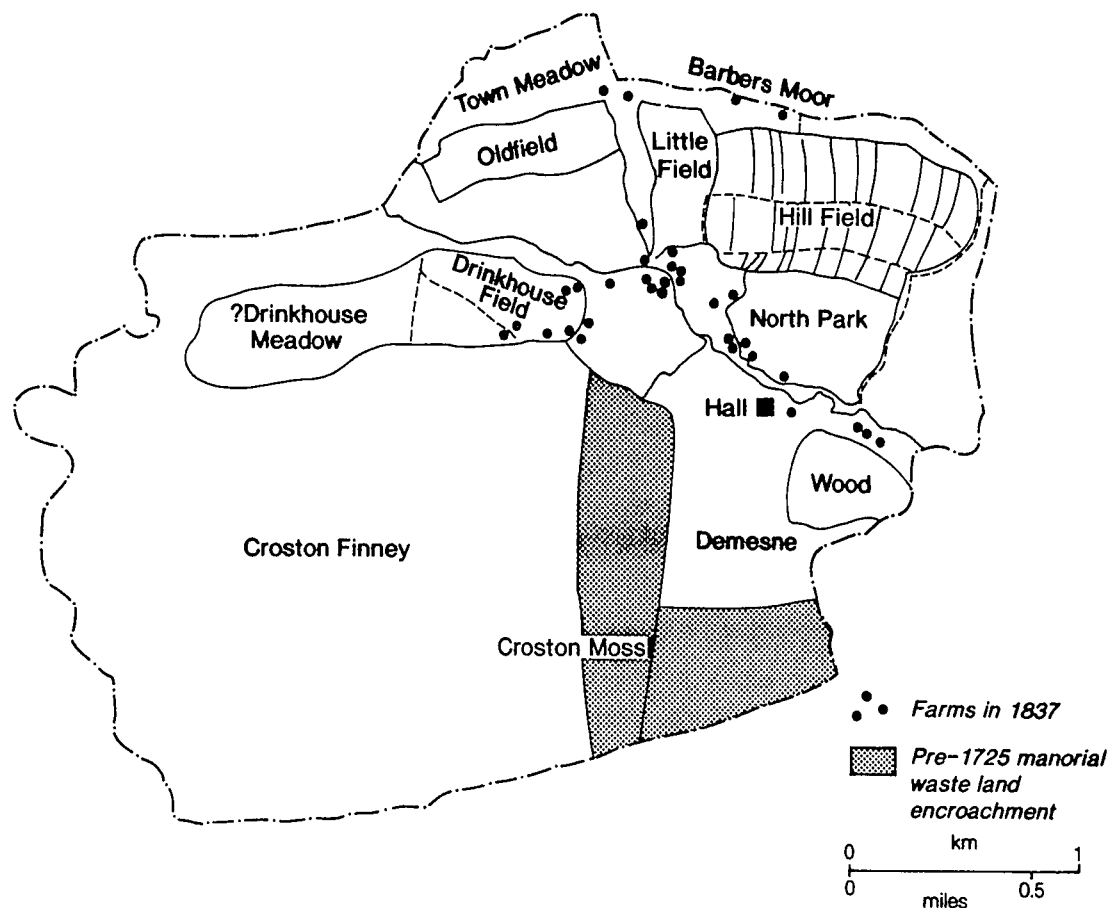


FIGURE 1
Croston Finney, its farms, and enclosures

estates through marriage in the late seventeenth century. The township itself ran to c 2000 statute acres, and consisted of c 1200 acres of formerly enclosed manor and demesne lands, and a further c 800 acres of open waste known as Croston Finney, which was the subject of the enclosure award in 1725.¹⁰

The enclosing of Croston Finney was not uneventful, nor should it be seen as a parochial incident on the sidelines of the enclosure movement. At the very least it set a precedent for the surrounding locality. It raised much the same fear and grievance

among its victims as has been demonstrated elsewhere.¹¹ It threw down a decisive and ultimately irresistible challenge to the values of the co-operative and mutually supportive community. Above all, the reaction to enclosure draws our attention to the existence of a substantial stratum within the community, who based their largely subsistence life-style on access to resources of the waste. It is with the experience of these families that this paper is mainly concerned. For them, common 'use-rights' to the common were of material significance; they were not anachronistic reminders of a past, fading age. On

¹⁰ The customary acre has been converted to statute measure for ease of use. The customary acre in this part of Lancashire was approximately twice the size of the statute acre.

¹¹ E P Thompson, *Customs in Common*, 1991, p 121.

the contrary, in trying to capture a sense of the way of life they pursued, we may well have to revive the term 'peasantry' as Alun Howkins has rightly suggested.¹² What is clear is that, within a century following enclosure, Croston was a very different place in terms of its social and occupational structure. It was a society of landlord, tenant farmer, agricultural labourer, and handloom weaver. The 'cottage-farmer', dependent on his rights of commoning, had been displaced and absorbed into the swelling ranks of a wage-dependent population.¹³ That in itself raises still broader issues beyond the scope of this paper. We still need a fuller picture of agrarian change during the chronologically neglected years of the late seventeenth and early eighteenth centuries, and in a region which was later to transform itself from one of provincial backwardness, marginal to the mainstream of economic life, into the hub of industrial and urban expansion. We also lack a complete understanding of the social and economic synthesis which brought about that transformation and one in which the villagers of west Lancashire must surely have played their part.

The picture of agrarian change in seventeenth- and early eighteenth-century Lancashire is both a hazy and a confusing one. By any definition mid-sixteenth-century Lancashire was one of England's poorest counties.¹⁴ It was sparsely popu-

lated; a large proportion of available land was barren waste; there was little in the way of agricultural innovation; fiscal returns point to comparatively impoverished communities; and there was an absence of major urban centres of any significance. Though the county could lay claim to a number of sizeable estates, notably those of the Earl of Derby, a finely graded tenantry system had yet to develop, and the emergence of a landless proletariat was a thing of the future. Instead, given the availability of surplus land, the relatively even spread of resources throughout a wide cross-section of the rural population, and an unassuming and unassertive set of landowners, social relations in Tudor Lancashire were comparatively tranquil.

Not a great deal, we are told, had changed by the time of the Restoration. If the Hearth Tax returns of 1664 are a reliable guide, Lancashire was still a poor county. Waste land settlement and the subdivision of holdings in the Pendle and Rossendale areas of east Lancashire had continued unabated.¹⁵ These traditions produced families who combined the running of small holdings of just a few acres, with employment as semi-independent domestic manufacturers, especially of linen and worsteds. Such people typified not just the uplands of east Lancashire but could be found almost everywhere, on the central Lancashire plain and along the coastal region. This social type was still very much a typical figure in early eighteenth-century Lancashire. According to Hey, numerous landholders of under ten acres, and dependent on the exercise of common rights, could be found on estates stretching from Samlesbury, just south of Preston, and running south-westwards through Clayton-le-Woods and Charnock Richard down to Kirkby.¹⁶ Moreover, Joan Thirsk points out that though waste land enclosure

¹² A Howkins, 'Labour History and the Rural Poor 1850-1980', *Rural History*, V I, 1, 1990, p 117.

¹³ There were survivors, however, who clung tenaciously to a distinctive way of life. The oral record describes the existence of cottagers in neighbouring Bretherton who, at the turn of the twentieth century, followed part-time employment as mowers during the harvest season, but who existed for much of the year by cultivating plots of a few acres for their own domestic purposes. Furthermore, even the bartering of goods had not entirely disappeared from this cottage economy. I am grateful to Miss A Norris for her recollections of village life in this period.

¹⁴ Walton, *Lancashire*, p 8. It is difficult to offer any precise regional comparisons. Even the most recent analysis stops short of north-west England. See C Husbands, 'Regional change in a pre-industrial economy: wealth and population in England in the sixteenth and seventeenth centuries', *Jnl Hist Geog*, 13, 4, 1987, pp 345-59.

¹⁵ Walton, *Ibid*, pp 24-29.

¹⁶ Thirsk, ed, *AHEW*, V, 1, p 60.

had taken place, it was either small in scale or, where it was extensive, was of 'an amicable kind', and therefore should not be considered as an 'anti-social' movement.¹⁷ Yet these conclusions raise a number of assumptions; that abundant waste land guaranteed wide accessibility; that major landowners were largely lethargic in their attitude towards the continuing backwardness in agricultural practices; and that, in any event, there were always economic alternatives available in the form of domestic manufacturing, which therefore weakened the attachment to land. These assumptions are largely unproven.

To start with, this outwardly stable scene is seemingly at odds with other impressions that social changes of a fundamental kind were already at work. For instance, Wrightson feels sure that Lancashire was developing 'a very large agricultural proletariat of landless and virtually landless labourers' by the early seventeenth-century.¹⁸ What proportion of the rural population is not made clear nor, more importantly, is the extent to which families in receipt of wages were actually *dependent* on wages; hence the confusing debate that surrounds the survival of a subsistence peasantry, which worked mainly to produce food and other goods for their own consumption, but also needed cash earnings to discharge rents and other obligations. According to one school of thought, a subsistence peasantry which meets this description had had its day by the mid-seventeenth-century; for others this social type continued into the eighteenth and beyond; and, for Chambers and Mingay, the whole question of subsistence production has been something of a red herring.¹⁹ At the same time, it has been estimated that 60 per cent of

families already in receipt of wages at the end of the seventeenth century also drew on non-wage sources of subsistence. More recently, Allen has reinforced this view in claiming that 'in 1688 the peasantry of England occupied not a third of the country but closer to two-thirds'. If that were the case then it was the contraction in these traditional sources which gradually pushed most of these families into wage-dependency, and enclosure was the culprit.²⁰

Contrary to first impressions, in fact not all was peaceful among Lancashire's rural communities. Recent work by Manning has drawn attention to social conflict on estates within the Duchy of Lancaster, which was triggered principally by 'seigniorial assault on the resources of common and waste'.²¹ Unilateral enclosure, allied to rent exploitation and moves to revise customary tenures, threatened not only the well-being but the very existence of smallholders, who were largely dependent on their 'use-rights'. Actions of this kind were seen as sufficiently threatening to provoke popular disturbances in the wake of waste land enclosure at Penwortham, Prescott, and Sutton in the early seventeenth century. In the same period, the settlement of the Bowland Forest area in the Pennine foothills of north-east Lancashire was promoted largely by waste land encroachment and reclamation.²² What emerged was a class of petty land-

¹⁷ Thirsk, *Agricultural Change: policy and practice 1500-1750*, Cambridge, 1990, p. 100.

¹⁸ K Wrightson, quoted in Walton, *Lancashire*, p. 28.

¹⁹ A Kussmaul, *A general view of the rural economy of England 1538-1840*, Cambridge, 1990, pp. 105-6, provides a summary of views; but in drawing her own maps of agrarian change Kussmaul's data virtually excludes any reference to north-west England.

²⁰ See C Tilly, 'Demographic Origins of the European Proletariat', in D Levine, ed, *Proletarianization and Family History*, 1984, and J Humphries, 'Enclosures, Common Rights, and Women: the Proletarianization of Families in the late Eighteenth and early Nineteenth Centuries', *Jnl Econ Hist*, 50, 1, 1990, pp. 17-41; R C Allen, *Enclosure and the Yeoman: the Agricultural Development of the South Midlands 1450-1850*, Oxford, 1992, pp. 85-86. However, Allen takes issue with the view that enclosure was primarily responsible for the 'precipitous decline' in the number of peasant families. Instead he argues that tenurial management by landlords was the principal agent of change.

²¹ R B Manning, *Village Revolts*, Oxford, 1988, pp. 112-19, though Thirsk took the view that areas of abundant waste such as could be found in Lancashire remained relatively free of such conflicts, *Agricultural Change*, p. 57. But see A B Appleby, 'Agrarian Capitalism or Seigneurial Reaction? The North-West of England 1500-1700', *American Historical Review*, 80, 1975, pp. 574-93.

²² Porter, *op cit*.

holders working small plots of marginal land. But even the partition of this vast expanse of common land was not without its problems. The common denominator in all these examples was the interference of the Duchy of Lancaster intent on extracting its full due from waste land development. A reduction in the amount of open common, and an inability to confirm or purchase a copyhold, compounded the predicament of the poorer, displaced squatter. However, the saving grace was the overriding interest by the Duchy commissioners in short-term gain, and therefore in confirming rights of copyhold for modest fines. Major landowners on the lowland plains of west Lancashire probably took a more calculated long-term view of waste land management, and with more serious social consequences. Certainly by the close of the seventeenth century they were more assertive than has been assumed.

These well-documented incidents suggest that Lancashire rural society was not always an undisturbed provincial backwater, where change and social adaptation could take place in a smooth transition. They serve as a reminder that a way of life for many people was governed, at the local level, by wide access to the resources of the land over which use-rights were cherished and rigorously defended where they mattered. Moreover, we still lack a full account of the actual practice of common right usage, especially in relation to the fringe benefits of common, waste, and herbage, by the cottager and inhabitants with limited holdings.²³

II

The experience of the villagers of Croston during the seventeenth and early eight-

eenth centuries, and the protracted struggle over competing claims to the surrounding mossland, brings the attachment to common rights and waste land enclosure into still sharper relief. Croston witnessed periodic friction over encroachment onto the common before the enclosure award in 1725, but not to the extent that it fundamentally altered the economic and social fabric of the community. Indeed, Croston on the eve of enclosure was probably little different from the village community that existed a century earlier. Direct evidence from fiscal records, wills, inventories, and manorial surveys helps to gather a sense of place and period and to fill out the lives of those families who scraped a living from small holdings and who made up the bulk of the population. The most striking feature about the social profile of the village is its very broad base and the blurred boundaries between social and occupational groups, which profoundly informed personal and family relationships at the socio-economic level. As such it fits Walton's broad impressions of late seventeenth- and early eighteenth-century west Lancashire, made up of villages with 'a balanced economy, agriculturally dominated and agriculturally self-supporting, with no built-in tendency to specialisation in textiles or other manufactures for distant markets, and no runaway land-subdivision, population explosion or landless proletariat'.²⁴

The Protestation Returns of 1641-2 describe a village predominantly attached to an agricultural economy and domestic craft trades.²⁵ This list of 286 adults can be broken down into households headed by men who styled themselves yeomen (7%), husbandmen (29%) and craftsmen (24%); but, in terms of wealth, social standing,

²³ Thompson, *op cit*, p. 101. W A Armstrong, 'The Countryside', in F M L Thompson, ed, *The Social History of Britain 1750-1950. Regions and Communities*, Vol 1, Cambridge, 1990, p 88. Armstrong also makes the point that measuring the problem of the cottager and his dependence on common land is compounded by the lack of quantifiable sources.

²⁴ Walton, 'Proto-industrialisation and the first industrial revolution: the case of Lancashire', in P Hudson, ed, *Regions and Industries: a perspective on the industrial revolution in Britain*, Cambridge, 1989, pp 50-51.

²⁵ Lancashire RO, (hereafter LRO) MF1/25, Protestation Returns 1641-2.

and the routines of daily life there was probably not a great deal to distinguish between the modest smallholder, who accounted for most occupiers, and the craftsman who combined domestic trade with the cultivation of a small croft and the management of a few animals. Only 13 per cent are listed as 'labourers'. Just over 14 per cent included widows and spinsters, and servants accounted for almost 11 per cent. But, more striking still, when compared with later developments, is the small number who primarily regarded themselves as weavers, just 2 per cent of the total. Moreover, in keeping with many Lancashire villages, Croston's extensive waste land proved especially attractive to squatter settlement. There are frequent references to actions being taken against 'strangers' cattle', being pastured on the adjacent mossland and against squatter families who attempted to build cottages on the Finney, though these measures were not entirely successful.²⁶ A fairly numerous constituency of such families remained part of Croston's social profile as was the case in neighbouring townships bordering the mosses.

The Hearth Tax returns of 1664 present the familiar image of a broad base of villagers who lived close to and moved in and out of poverty. The wills and inventories of the period are similarly indicative of households which made few concessions to comfort. At the same time they offer an insight into the household economy, the marginal existence most must have endured and the narrow dividing line that separated abject poverty from modest self-reliance. They also underline the value which villagers attached to having access to land, and the supportive social network on which many depended at intervals in their life-cycle. Thomas Staziker is typical of period and place. Describing himself in his will as a 'husbandman', he in fact secured

an existence from a garden and croft which supported a cow and a calf and which, together with a quantity of hay and corn, produced a combined value of £3.75 in 1670, representing a third of his total estate. He possessed a considerable quantity of flax, like many of his contemporaries, and when he died he was owed a small sum of money from the Rector for the services of his labour.²⁷ There is little to distinguish Staziker from William Nixon, who in 1656 took out an annual lease on 'herbage for his cattle in the field commonly called the Finney'.²⁸ In his contract with John Molyneux of Rufford Hall, however, he is described as a labourer. Nixon appears again in the 1664 Hearth Tax listings but on this occasion as a 'husbandman' and, unlike his neighbour Staziker, liable for payment. These examples fit John Marshall's description of a 'homogeneous' type of peasant society he identified in seventeenth-century Cumbria, in the important sense that any differences in personal wealth were not reflected very closely in the ways of life and aspirations of most villagers.²⁹

Predictably, wills and inventories for the most part record the status, assets and material possessions of the relatively more substantial figures in the community. They also provide pointers to the character of the local agrarian economy. There are regular references to the cultivation of oats and barley; by the mid-seventeenth century wheat had also put in an appearance. Arable land was in short supply as was good quality meadow, which may explain a lingering tradition of the multiple occupancy of a large number of fields, the survival of a 'Town Meadow', and why holdings in severalty were by no means a fully estab-

²⁷ LRO, WCW, Will and Inventory of Thomas Staziker, 1670.

²⁸ LRO, Hesketh MSS, DDHe 11/115, Agreement, William Nixon of Croston, labourer, 'to have herbage for his cattle in the field commonly called the Finney'. 1656/7.

²⁹ J. D. Marshall, 'Agrarian Wealth and Social Structure in Pre-Industrial Cumbria', *Econ Hist Rev*, 2nd ser, xxxiii, 1980, pp 503-21.

²⁶ LRO. de Trafford MSS, DDTr Box 63.

lished feature even by the early eighteenth century.³⁰ Despite the absence of manorial records this suggests the survival of a communal approach to the management of resources.

Yet, whatever the size of their holdings, most farmers placed a heavy reliance on keeping a modest number of stock and dairy cattle. William Baxtenden left an estate valued at £36.³¹ It included six cattle, five horses, three pigs, farming equipment, and 'corn in the ground' (£5), which together accounted for over 80 per cent of the total valuation of his earthly goods. Yet the size of the Baxtenden holding was more modest in scale. In 1672 it consisted of no more than nine acres and was made up of a small parcel of arable land in 'common hill field', a croft, and part of 'Baxtenden's Meadow'. By itself it is unlikely that a holding of this size could have supported the number of stock which William Baxtenden carried.³² What made it possible was the fact that the Baxtenden family had a 'right of common' on Croston Finney confirmed in their lease.³³

The not untypical experience of the Baxtendens points to features of a largely subsistence economy – the prevalence of small holdings, the humble status and assets of the vast majority suggested by the Hearth Tax Returns and the evidence from available probate inventories, the fact that payment by way of boon work was still being made even in the early eighteenth-century by small copyholders, and an impression of a communal stake in the

resources of land and stock.³⁴ It reached down to the lowest levels of local society, supported in the main by dairying, cheese-making, and stock-rearing, and it was one in which the pursuit of monetary gain probably did not reach far beyond the immediate community. But this way of life was only possible if the broad base of 'cottager-farmers' could acquire stock and had access to some land. Recent work elsewhere has established how common wastes were essential to and remained an integral part of communal farming arrangements. Indeed, maintaining wide customary access was vigorously defended.³⁵ Of course, most of Croston's occupants had very little capital behind them but, as one remarkable inventory makes clear, there existed a widespread and complex network of support running through the community, which went further than channeling small loans in the direction of the poorer sort.³⁶ Henry Nelson, for instance, was one of the village's rare and more substantial figures. He provided credit to a wide circle of non-relatives and not always on an interest-yielding basis. He also supported himself in his waning years by making his stock available for 'cow hire' to numerous and presumably less well-placed neighbours. It provides some indication of the extent to which animal husbandry constituted the dominant preoccupation on a wide social level; and, considering the high value of a cow relative to the total wealth of the cottager, how it

³⁰ Based on the 1838 Tithe Survey, field-name evidence, pre-enclosure estate surveys and leases. See G Youd, 'The Common Fields of Lancashire', *Hist Soc Lancs and Cheshire*, 113, 1962.

³¹ LRO, WCW, Will and Inventory of William Baxenden, 1672; PR2607, A Survey of Mr. Hesketh's Lands.

³² Humphries, 'Enclosures', p 28. It has been estimated that 2.5 acres were needed to keep a cow. See also R W Malcolmson, 'Ways of Getting a Living in Eighteenth Century England', in R E Pahl, ed, *On Work*, Oxford, 1988; For a fuller discussion see D Levine, *Reproducing Families: the Political Economy of English Population History*, Cambridge, 1987.

³³ LRO, PR 2607, Mr. Hesketh's Lands.

³⁴ LRO, Lancashire Papists' Estates, 1715; de Trafford leases of 1715 make it clear that boon work was still being exacted.

³⁵ See P Large, 'Rural Society and Agricultural Change: Ombersley 1580-1700', in J Chartres and D Hey, eds, *English Rural Society 1500-1800*, Cambridge, 1990, pp 105-7; C E Searle, 'Custom, Class Conflict and Agrarian Capitalism: the Cumbrian Customary Economy in the Eighteenth Century', *Past & Pres*, 110, 1988, pp 106-33; J M Neeson, 'The Opponents of Enclosure in Eighteenth Century Northamptonshire', *Past & Pres*, 105, 1984, pp 114-39; J M Martin, 'Village Traders and the Emergence of a Proletariat in South Warwickshire', *Ag Hist Rev*, 37, 2, 1984, pp 179-88.

³⁶ LRO, WCW, Will and Inventory of Henry Nelson, 1615; B A Holderness, 'Credit in English Rural Society before the Nineteenth Century with Special Reference to the Period 1650-1720', *Ag Hist Rev*, 24, 1976, pp 91-109.

TABLE 1
Distribution of holdings by size

Pre-enclosure		Post-enclosure	
Size (Statute acres)	Number	Size (Statute acres)	Number
under 2 acres	52	under 2 acres	34
2-5	16	2-5	6
5-10	10	5-10	14
10-20	7	10-20	8
20-30	7	20-30	4
30-40	3	30-40	6
over 40 acres	3	over 40 acres	5

Acreages have been converted to a statute measure. The customary acre in this part of Lancashire was approximately twice the size of the statute acre. These figures include all freehold and leasehold possession but exclude Hesketh and Trafford demesne together with glebe land in hand. The pre-enclosure survey was provided for the enclosure commissioners. The post-enclosure survey has no date although deeds and leases put it no later than 1735. Source: LRO, PR 707; DDTr Box 35; DDSc 126/2-3; DDHe 72.

was possible for even the poorest members of the community to acquire animals in order to meet their own needs. This sort of practice must also signify that families had the facility to graze their animals.

Indeed, central to this vulnerable subsistence economy was the question of land; and Croston's inhabitants had access to some land in several ways. First, the 1715 survey of Lancashire's Catholic landowners makes it clear that a high proportion of cottagers on the de Trafford estate had the benefit of a croft or 'backside' ranging from one to three acres in size.³⁷ This is also consistent with the picture provided by the several and more detailed surveys of landholdings in the township which preceeded the 1725 enclosure act. Most of the fifty-two holdings under two acres consisted of at least one acre.³⁸ (Table 1) Secondly, recent work has constructed a much fuller picture of widespread access to the waste land resources usually by way of customary and common rights, which sustained the viable, if tenuous, economy

of cottagers and smallholders. These practices we are told survived well into the eighteenth century and beyond.³⁹ Against this background it would be misleading to describe the broad base of Croston's villagers as mere 'landless poor'. They too were the beneficiaries of custom and, when they are included alongside those with a legal entitlement, the common waste appears to have been utilized by a significant portion of the population. Clay's view, therefore, that 'cottage farmers' were relatively few in northern lowland areas stands to be corrected, though his picture of a fluid social structure and of fluctuating fortunes between one generation and the next certainly fits a description of lowland villages like Croston. There is all the more reason, then, to question the value of drawing any sharp distinctions between the 'cottager farmer' and the 'cottager labourer' at least in the context of wide access to waste land resources.⁴⁰

III

At the heart of Croston's economy lay the villagers' contentious claim to a common right of access to the extensive mossland south of the village known as the Finney. Described in disparaging terms by the major landowners, the value of the waste land to people at every level is unmistakable.⁴¹ It was just as essential to Croston's subsistence cottager and to the farmer grazier, as well as to the cultivator with his ploughstock, or to the widow with her one cow. It provided furze and turves for fuel, clay for building, and an abundance

³⁷ LRO, Lancashire Papists' Estates, 1715.

³⁸ L.R.O. PR 2606. An account of the quantity of each proprietor's land within the Manor of Croston and the value of their proportions of the Finney; PR.2607&2608. Lands in the possession of Hesketh, de Trafford and their tenants.

³⁹ Mick Reed, 'The Peasants of Nineteenth Century England: a Neglected Class,' *History Workshop*, 18, 1984, pp 53-76, provides a timely reminder of how tenaciously smallholders clung on to their customary practices; Thompson, *op cit*, offers a brief summary of recent work, pp 106; 114-5; as does Humphries, *op cit*; G Seal, 'Tradition and Agrarian Protest in Nineteenth-Century England and Wales,' *Folklore*, Vol.99, 2, 1988 pp 146-69.

⁴⁰ C G A Clay, *Economic Expansion and Social Change: England 1500-1700*, Vol. 1, Cambridge, 1984, pp 187-90.

⁴¹ Humphries, *op cit*, p 19.

of marl which served as the chief source of fertilizer.

It was also the source of a rumbling, acrimonious dispute which stretched back into the sixteenth century and was only settled, at least in law, by the enclosure act of 1725. The soil of the wasteland was vested in the manorial lords. But, whereas the proprietary claims of the Hesketh and de Trafford families as Lords of the Manor were acknowledged, their possession was also conditioned by an insistence on use-rights which attached to copyholders and other freeholders.⁴²

Claims to access could be and were made through several devices. Freeholders had only to establish title to their ownership of land within the 'old enclosures' of the village to secure rights to the common. On the eve of enclosure there were fifteen of them occupying c 140 acres, including two absentee owners, Edward Dicconson and Maximilian Nelson. The largest owned thirty-eight acres, though twelve of the freeholds ran to ten acres or less.⁴³ The claims of the wider community, however, were much more tenuous. By far the most secure were those customary tenants who could demonstrate that a grant had been made in their leases. Yet only a handful could make that claim. The rest asserted rights of commoning which stemmed from 'customary tradition and usage'.

The collision between proprietary claims and customary usage made itself felt at regular intervals over at least a 130-year period prior to 1725. It pitched landowner against landowner, squire against tenant and, on occasion, the church against the community at large. In the earliest documented incident in 1594 Hesketh claimed 'the Great Field' (ie, the Finney) was his by inheritance and was shared with the other lord of the manor. Villagers countered with the claim that they had right of

access to the Finney 'by ancient charter'. This in reality was more of a reference to customary activity, since 'from time out of mind it hath been the usage and custom within the manor and lordship of Croston that all the charterers, freeholders, ancient tenants and inhabitants...could depasture their stock' on the payment of a yearly collective charge of £3 10s. This defence has a familiar ring to it. The privilege as opposed to the right of access established the battlelines thereafter. In 1596 charges were brought against a number of villagers for 'riot and affray' over the digging of clay on the moss 'without the lord's consent'. In retaliation Robert Hesketh was challenged over his claim to absolute ownership and his provocative assertion that the right of common 'lay in the lord's gift'.⁴⁴

The dispute simmered throughout the seventeenth century. It established a heritage of mistrust periodically erupting into still further litigation and judicial inquiries and given added bite in times of economic hardship.⁴⁵ For their part the citizenry of Croston jealously guarded their claim on the Finney against threats from any direction. They were just as zealous in their prosecution of encroachment on the waste through squatter settlement, which was an endemic problem on the mosslands of west Lancashire.

However, the territorial ambitions of the major landowners presented a much more serious threat. The de Traffords had been especially active in building up a more profitable leasehold sector by extending their demesne lands onto the Finney. The Heskeths also followed a similar strategy of enclosing and leasing small parcels of moss-land and, in some cases, to individuals who were not resident in the township.⁴⁶

⁴² Manning, *op cit*, p 19; LRO, PR 2601, Summary of evidence: ownership of Croston Finney. n.d.

⁴³ LRO, PR 2607; 2608; DDTTr Box 35.

⁴⁴ LRO, PR 2600; 2599, Riot and Affray on Croston Finney, 1596.

⁴⁵ LRO, PR 2600; DDTTr Box 35, de Trafford Estate Rentals, Croston, 1659. The troubled years of the 1650s brought renewed challenge to restrictive devices threatened by the manorial lords. See King, *thesis*.

⁴⁶ LRO, DDHe 26/84; 11/114.

Nevertheless, the landed alliance was not always trouble free. The manorial lords and the Church engaged in expensive litigation for compensation as happened in 1710 when one party made what were seen to be excessive territorial incursions into the mosslands at the expense of the other two.⁴⁷

The intrinsic value of the Finney to the wider community can be measured partly by their unrelenting efforts to assert their own claim. Their defence was dressed in oral traditions that were passed down from one generation to the next, and which depicted the waste as an indispensable and indisputable collective right and resource. The oral record dredged up recollections of the regulated use of the mossland through manorial agreement and the appointment of 'Finney keepers' to control access and pasturing. The stored memory could also be inventive and at times contrived. Villagers were much less comfortable when turning perceived custom and practice into a formal deposition with sufficient legal weight behind it. At one mid-seventeenth-century inquiry into ownership and rights to the Finney, they offered sworn testimony that a previous lord of the manor had granted rights of common to the inhabitants of Croston in 1544, though no deed could ever be produced.⁴⁸ All of the witnesses summoned claimed to be octogenarians with unimpeachable memories, and all of them paraded the same carefully rehearsed description of past practice and, in an effort to establish the weight of convention, employed certain terminology – 'from time out of mind' and 'from time immemorial' – which would have been familiar to defendants of common rights elsewhere.⁴⁹ The outcome of the inquiry is not clear.

In any case conviction was enough and it legitimized direct action. When one of the lesser landowners attempted to construct fences around his barn on the Finney 'some of the farm holders and others of the town did pull them down and would not suffer them to stand'. He was also forced to remove a shippon (cattle shed) from the Finney 'on to his own ground'. And the same unilateral action was taken against attempts to build cottages on the moss 'because it went against custom'. Behaviour of this kind strongly suggests that legal prescriptions should not be interpreted as an exhaustive account of the actual practice of common right usage 'especially where the fringe benefits of common, waste (and) herbage to the landless inhabitants or cottagers' were concerned.⁵⁰

It is not altogether surprising then that one of the major reasons for enclosure lodged by the landowners in their petition of 1723 was a desire 'to put an end to frequent disputes and differences'.⁵¹ They too were treading familiar ground by formulating a rationale designed to lend legitimacy to their actions in the sense of offering an alternative definition of community interest, but they also raised conflicting concepts of order, one based on legally enforceable, statutory regulation, the other on norms and attitudes operating at a social level in the village community.⁵² Like many before and after them they resorted to an Act of Parliament precisely because it was the most effective means of removing further challenge, obstruction, and litigation. At the same time expressions of concern for the common good would smooth over any remaining dissent. Enclosure, they argued, equated with progress because it would make it possible to extend the arable and ensure an adequate

⁴⁷ LRO, DDHe 56/35;55; DDTr Box 61, Agreements to abide by award; enclosures on Croston Finney 1709–10.

⁴⁸ LRO, DDTr Box 63; PR 2602(a).

⁴⁹ B Bushaway, *By Rite; Custom, Ceremony and Community in England 1700–1880*, p. 7.

⁵⁰ Thompson, *op cit*, p. 101.

⁵¹ LRO, PR 2603, The case and reasons for enclosing the common called Croston Finney.

⁵² K Wrightson, 'Two concepts of order: justices, constables and jurymen in seventeenth century England,' in J Brewer and J Styles, eds, *An Ungovernable People*, 1983, pp. 21–46.

supply of corn to the township; cattle would no longer be endangered by flooding; and 'enclosure would encourage good husbandry and provide employment for the poorer inhabitants'. There was nothing unusual in this strategy. Enclosure accompanied by assurances of improvements for the common good drew a legal veil over ulterior motives and it was notoriously difficult to offer a common law defence under these circumstances. Indeed not only had the Heskeths asserted their right to lease grazing on the Finney, but they also insisted at the same time that these leases were only valid until such time as the waste was enclosed.⁵³ In short, detaching usage from custom began long before 1725.

The real motives of the two estates are clear enough. Their assault on the Finney must be seen against a background of concerted efforts to generate an improved income through extending and leasing demesne land, a reduction in customary leases and the enlargement of an annual leasehold sector, and the engrossment of holdings. Considerable progress had already been made in that direction. By 1715 virtually all de Trafford's demesne land was leased on rack rents. Meadow land was highly prized and, when removed from the customary sector, carried an appropriately high rental. Even labour services as part of the customary lease were insisted on.⁵⁴ Confirmation of full ownership and control of the waste through enclosure widened the scope for profit-taking still further. No doubt, the start of the River Douglas Navigation scheme by 1722, with which the Heskeths were closely connected, was an added spur in as much as the embanking work would effectively remove the threat

of serious flooding.⁵⁵ But it was the potential return on the enclosure which was particularly enticing. Enclosed Finney land was valued at £1.5 per acre for the best quality and the average valuation was put at some 50 per cent higher than the 'old enclosures'. Such a prospect reinforces Allen's recent argument that the overriding motive among enclosing landlords was to raise rents and, by doing so, were by far the largest beneficiaries of the enclosure process.⁵⁶ Nor indeed, was the newly enclosed land in Croston immediately turned over to intensive cultivation in order to generate employment for the poor. It was highly valued for grazing and remained so until the turn of the nineteenth century.

Moreover, the dispute over Croston Finney was not an isolated case. The Heskeths and de Traffords could not have been unaware of contested claims to Aughton Common, just a few miles further south, which surfaced in the early 1720s. Here once more proposals to enclose brought the lord of the manor into conflict with small freeholders and the community at large which was not resolved until the final Enclosure Act of 1815; and the fact that meetings of the manor court had long since lapsed helped to sharpen competing claims.⁵⁷ Nor was Croston Finney the first enclosure undertaking to involve the Heskeths and de Traffords. Both had had a stake in the enclosure of neighbouring Longton marsh in 1710/11. On that occasion, too, village 'charterers' pressed their claim to a substantial allocation. In fact twenty-six of them collectively received the largest grant, among them fourteen smallholders who were allocated between two and ten acres each. Even so, whether an allocation of a few acres was

⁵³ LRO, DDHe 11/96, common of pasture was granted to Hugh Norris 'upon such common in Croston as shall not be enclosed by Robert Hesketh in his lifetime.'

⁵⁴ LRO, Lancashire Papist Estates 1715.

⁵⁵ S C Walker, 'The Navigation of the River Douglas 1713-1771,' unpublished BA dissertation, University of Lancaster, 1982. In fact work on the project was delayed until the 1730s.

⁵⁶ LRO, PR 2606, DDTTr Box 1005, de Trafford rentals.

⁵⁷ Coney, *op cit*.

sufficient recompense for former customary rights is open to question.⁵⁸ That could not be the case in so far as Croston's smallholders were concerned, and their claim to a share in the Finney was clearly more tenuous. Both landowner and tenant drew on the Longton experience. Proposals to proceed with an enclosure bill started in 1721. From the outset the major landowners claimed that the bill was opposed 'by a small number'.⁵⁹ Technically that may have been the case; but, taken at their face value, such formal statements do not record the full story. It was convenient to distinguish between those who had a legal basis on which to voice an opinion and the vast majority who did not. Yet this would be to overlook the fact that large numbers of cottagers and smallholders felt fiercely that they too had a stake. They also had a voice. A meeting of cottagers and smallholders, together with many of the small freeholders, put forward conditions in which neither squire nor rector could acquiesce. Their demands amounted to a communal sharing of the resource on manageable terms. There was no prospect of challenging legal title, but it mattered little, at least in their own perception, that the vast majority could make no legally binding claim within the normal terms of reference. What mattered was usage. Instead, all the 'tenants, inhabitants and small freeholders' of the village, they demanded, should have the right of first refusal when the Finney was eventually put out to lease on the payment of an entry fine of just three years' value and a yearly rent of one shilling per acre. They also insisted that the land which Hesketh and de Trafford had arbitrarily enclosed in recent years should not count as 'old land', and therefore towards their allocation of 'new land'.⁶⁰ In effect, by transposing a

concept of rights and obligations onto a legal framework of proprietary claims, it was an attempt to rescue customary practice embodied in broad access to the waste.

From the outset the appeals of the village community carried little weight in law. The enclosure commissioners would not recognize any claim that could not be substantiated by legal deed. In any event, falling back on a defence of 'time immemorial' and 'time out of mind', in relation to the claims of agricultural custom and practice, was fraught with legal uncertainties and especially when they were made by such imprecise categories of people as 'inhabitants' and 'villagers'. Given the changing nature of customary behaviour, it was virtually impossible to codify and rationalize custom within a legal framework which gave increasing primacy to the claims of ownership.⁶¹ In short it could be safely ignored and it was. Moreover, since there is no evidence of an active manorial court in seventeenth-century Croston, this would certainly have weakened a defence of 'use-rights' on the basis of regulated customary practice. The other principal weakness was that Croston's copyholds extended to named lives, invariably three, which unlike copyhold by inheritance did not offer the same degree of protection.

IV

Not surprisingly the lords of the manor and the rector took the lion's share of the spoils. The de Traffords were allocated 322 acres, the Heskeths 270, and the Reverend Pilkington 90 acres. A further fifty-two acres went to two small absentee landowners, Maximilian Nelson and William Dicconson of Wrightington, with the remainder distributed among Croston's

⁵⁸ LRO, DDT Box 1005, Landholdings on Longton Moss 1710-11.

⁵⁹ LRO, PR 2603.

⁶⁰ LRO, PR. 2610. Proposals for the enclosure of Croston Finney, 11 December 1721.

⁶¹ Large, *op cit*, pp 110-111; see Ursula Vogel, 'When the Earth Belonged to All; the Land Question in Eighteenth Century Justifications of Private Property,' *Political Studies*, xxxvi, 1988, pp 102-21.

freeholders and the handful with secured rights of common under their lease agreements.⁶² The enclosure of Croston Finney redrew the social map of the village. The impact was fairly swift and immediate. Fortunately it is possible to measure the changes to the size, distribution and occupancy of holdings brought about by the enclosure act and based on two manorial surveys. The first was undertaken between 1721 and 1725. Unfortunately, the second is not dated but, based on the evidence of estate leases, must have been completed by 1735 at the latest. (Table 2)

Traditionally, attention has been focused on the fate of the small farmer.⁶³ Admittedly their numbers shrank from fifteen separate holdings to eleven. For the three largest, however, enclosure was an opportune moment to sell at the best price and, in the case of two, for the best possible reasons. Elizabeth Knight disposed of her twenty-three acres because she was a widow and had no direct heirs. For much the same reason John Dandy's nine acres of freehold and his apportionment of five-and-a-half acres of common found their way into other hands not long after enclosure.⁶⁴

What is socially more significant is the experience of that category of smallholder, under thirty acres, which accounts for most occupiers. Freehold status was not of itself the main issue here. Again, most of these holdings, even many of the smaller ones, were pieced together through a combination of customary and short-term leasehold possession, and a few included an element of freehold. But the fate of individual occupiers rested on factors other than security of tenure. Just as much depended on an occupier's tenurial background as well as the scale and location of the holding, inheritance decisions and, quite clearly,

a readiness to take risks. And there were those who seized their opportunity to establish themselves as much more substantial figures. In other words, enclosure in terms of its impact was just as much a 'revolution' from below as a 'conspiracy' imposed from above. The solidarity of community was not cast in stone, and the run up to enclosure exposed divisions between small landholders and between cottagers who had verifiable legal claim and those who did not. The squires of Croston exploited these divisions in drawing up the battle lines between supporters and opponents of the enclosure act.⁶⁵

Amongst the handful who strengthened their social and economic position was the Thornton family.⁶⁶ Prior to enclosure John Thornton typically combined twelve acres of freehold with the lease of a farmstead belonging to the Hesketh estate and thirty-seven acres of glebe land. He was apportioned seven-and-a-half acres of the Finney on the strength of his freehold, and two acres in relation to a right of common which specifically attached to the tenement he leased from Hesketh. His successor then took out a lease on a further 85.5 acres which formed part of the Hesketh's allocation of the waste. The Thorntons, it appears, went from strength to strength, and John Thornton's widow emerged as the largest tenant occupier in the community with a holding that finally ran to 126 acres. The disposal of four freehold acres probably helped with the process of constructing a much more substantial farm. Its size overshadowed anything that had gone before.

Thornton's experience was not unique, but a further example will suffice. Prior to 1725 one of the several branches of the Ryding family leased just over forty acres of glebe land which, in the post-enclosure period, was extended by a further sixty-six

⁶² LRO, AE/3; PR 2606.

⁶³ G E Mingay, *Enclosure and the Small Farmer in the Age of the Industrial Revolution*, 1968.

⁶⁴ LRO, DDT Box 35.

⁶⁵ Thompson, *op cit*, provides a fascinating case study, pp 151-158.

⁶⁶ Traced through estate leases and the pre- and post-enclosure surveys.

TABLE 2
Croston Finney apportionment

1725	c 1735
Humphrey Trafford (82 acres)	retained
John Trafford (240 acres)	retained
Thomas Hesketh (270 acres)	retained
Revd. Pilkington (90 acres)	retained
<i>Small Freeholders</i>	
Elizabeth Knight (> 15.2 acres)	sold
Maximilian Nelson (> 25 acres)	retained
Edward Dicconson (> 20 acres)	retained
Thomas Sumpner (< 6 acres)	sold
John Thornton (> 6 acres)	retained (in part)
John Dandy (< 5.5 acres)	sold
Edward Parr (< 1 acre)	retained
Samuel Parr (0.25 acre)	sold
George Norris (> 1 acre)	sold
Ralph Withington (> 1 acre)	sold
Henry Hesketh (> 1 acre)	retained
John Ryding (> 2 acres)	retained
Margaret Dalton (> 3.5 acres)	sold
Banister Parker (< 4 acre)	sold
John Dewhurst (> 1.75 acres)	retained
<i>Hesketh Estate (tenants)</i>	
John Astley (> 3 acres)	Lawrence Almond (13.5 acres)
Margaret Baxtenden (> 2 acres)	John Aspinall (2 acres)
Richard Hodson (1 acre)	William Bamford (1 acre)
Robert Hodson (1 acre)	James Dobson (1 acre)
Richard Langtree (> 2 acres)	Richard Farrington (5.5 acres)
Richard Nixon (> 1 acres)	Richard Forshaw (15 acres)
John Sharples (1 acre)	John Hardiker (1 acre)
William Spencer (1 acre)	Hugh Hesketh (5.5 acres)
John Thornton (1 acre)	John Langtree (7.5 acres)
Harry Watkinson (> 3 acres)	Richard Norris (10.5 acres)
Anne Watmough (1 acre)	Thomas Rigby (2 acres)
	John Ryding (2 acres)
	Margaret Thornton (85.5 acres)
	Thomas Walsh (1 acre)
<i>Trafford Estate (tenants)</i>	
John Thorpe (< 2 acres)	John Hardiker (7 acres)
	Hugh Hesketh (28.5 acres)
	Richard Lee (7 acres)
	Robert Norris (33 acres)
	Robert Ryding (2 acres)
	Roger Ryding (66 acres)
	James Spybie (7 acres)
	William Sybbie (24 acres)
<i>Maximilian Nelson (tenants)</i>	
John Dandy (16 acres)	Thomas Molyneux (< 2 acres)
Samuel Thorp (> 1 acre)	John Farrer (< 2 acres)
Edward Monk (> 1 acre)	Ralph Smith (< 2 acres)
Richard Monk (> 1 acre)	Edward Parr (< 2 acres)
Robert Almond (> 1 acre)	Samuel Parr (< 2 acres)
Margaret Rutter (> 1 acre)	Henry Hesketh (< 2 acres)
Thomas Ryding (> 1 acre)	John Ryding (2 acres)

TABLE 2 (continued)

1725	c 1735
Richard Hardiker (> 1 acre)	Richard Norris (< 2 acres)
	Lawrence Almond (< 2 acres)
	Roger Ryding (< 2 acres)
	Margaret Thornton (< 2 acres)
	Henry Cooper (< 2 acres)
	John Hardiker (< 2 acres)
<i>Edward Dicconson (tenants)</i>	
Margaret Dalton (10.2 acres)	{ Ralph Smith (c. 22 acres)
Richard Harrison (4.2 acres)	
James Knowles (2.8 acres)	
Edward Parr (0.6 acres)	
Janet Mason (1.3 acres)	
John Knowles (1.3 acres)	

Source: LRO, PR 734, PR 707; DDTr Box 35; DDSs 126/2-3; DDHE 11.

acres of de Trafford's Finney land. In fact these two families together, the Thorntons and the Rydings, came to occupy almost 45 per cent of the common within the space of ten years after enclosure. Generally, all of the tenant farmers who came to occupy the newly enlarged farms of over forty acres in size were promoted from among the ranks of Croston's more energetic and better placed individuals. They were typically the ones who, at an earlier stage, had been prepared to invest in shorter leases and higher annual rents on demesne land previously carved out of the waste, and who then went on to compete for substantial holdings on the Finney after enclosure. Their advancement was in itself a comment on a widening social gulf among landholders. Indeed the emergence of this village élite is recorded in the numerous memorial plaques which were soon to decorate the aisles of Croston Parish Church.

The fate of Croston's cottagers was the overwhelming impact of enclosure, as a few simple statistics make clear. There was a significant amount of turnover at all levels, but it was most marked among the lowest and most vulnerable group of erstwhile 'cottager-farmers' who, collectively, had brought a certain distinctiveness to the social profile of the seventeenth-century

community. Enclosure effectively removed this layer. In the immediate pre-enclosure period, sixty-eight families occupied holdings of under five acres of whom the vast majority held less than two acres. None the less, few had the benefit of less than an acre. Additionally, in more tolerant times, most certainly would have taken advantage of the open mossland. The size of this group had been reduced to a total of forty after 1725 and, of the thirty-four holdings of less than two acres, half can be identified as having new occupants with little more than a cottage and garden in every case. (Table 1) The casualty rate among tenants on manorial and glebe lands was even worse. Of the thirty-seven cottages identifiable in 1725 only half were still under the same occupancy by c 1725.

Clearly, the cottagers' small holding only mattered when combined with access to broad acres, and this applied equally to the seemingly better placed individuals who were in a position to claim entitlement to an allotment on the Finney by virtue of 'right of common' confirmed in their leases. They seemed to have fared little better than their more vulnerable counterparts. (Table 2)

When faced with the proportionately higher costs of drainage and hedging work on unviable plots, most surrendered their

rights and became indistinguishable from an expanding body of labouring families.⁶⁷ In 1725 ten Hesketh estate tenants came into this category. Apart from three individuals they all received a nominal allocation of c 1.3 acres of common in so far as their cottages 'counted' as two acres of 'old' land. The final destination of these small allotments makes interesting reading. None of the original recipients retained his holding apart from John Thornton who could hardly be described as a simple cottager. By 1735 only two lessees, William Bamford and Thomas Walsh, corresponded with the 1725 list of cottagers who were dependent on a small croft and grazing rights to the common. The remainder combined the lease of Hesketh Finney land with other holdings. More dramatically still, the combined apportionment allocated to Edward Dicconson's tenants found its way into the hands of just one leaseholder.⁶⁸

In short, the comparatively more even distribution of resources of pre-enclosure days, secured by communal access to the waste, had all but disappeared. Here, to quote Michael Turner, is 'the independent peasant shuffling inexorably down the agricultural ladder'.⁶⁹ Furthermore the experience of Croston's cottagers, when faced with waste land enclosure, may not have been exceptional. Sir Thomas Hesketh, together with Edward Dicconson and Maximilian Nelson, were also involved in the enclosure of nearby Wrightington common the following year.⁷⁰ There the common was carved up between the major landowners leaving just three acres for the 'town's use' to extract road building mate-

rials and a few acres kept in reserve for 'herbage, depasturage and the taking of timber'.

As for Croston, by the early nineteenth century the social transformation was largely complete. It was a village peopled by squire and parson, substantial tenant farmers and a large social base of agricultural labourers and handloom weavers.⁷¹ This is not to say that the smallholder with a few acres disappeared from the scenes even though agriculture became more commercialized at an earlier stage in south-west Lancashire compared with the pastoral northern reaches of the county. Comparatively small farms remained very much the norm. Indeed, preserving a pool of small farmers was essential to maintaining progression up the 'farming ladder'.⁷² As part of that pool were survivors of an earlier tradition, smallholders on customary leases who, in the main, held more than just a cottage croft and garden. A number of these holdings were included in the sale of Hesketh property in 1804. All of them had reduced to just one 'life'. Typical was eighty-six year old Richard Abbott whose predecessors can be traced back to the time of enclosure. He rented c 7 acres of meadow land, pasture and a small arable plot for an annual rental of just 52.5p, compared with the usual rack rent of 150p per acre for good arable and 350p for meadow land.⁷³ It is also clear that customary tenure lingered on into the nineteenth century among a diminishing number of smallholders to be found on the Fylde mosslands.⁷⁴

Nor should we suppose that the small

⁶⁷ LRO, DDTr Box 35, Survey of Croston Finney Lands; DDHe 72, Croston Leases. For instance, the lease of a parcel of land to Henry Sumner in 1726 required him to carry all the improvement costs of drainage and hedging.

⁶⁸ LRO, PR 2606.

⁶⁹ M Turner, 'Economic Protest and Rural Society: opposition to Parliamentary Enclosure in Buckinghamshire', *Journal of Southern History*, x, 1988, p 114.

⁷⁰ LRO, Scarisbrick MSS, DDSc 149/19, Supplementary enclosure agreement for Wrightington 1768.

⁷¹ LRO, Census Enumerators Schedule, 1851. According to an analysis of occupations of heads of household, 53 per cent were engaged as handloom weavers or agricultural labourers. Farms in the township generated employment for 62 'outdoor' labourers.

⁷² Mutch, 'The "Farming Ladder" in North Lancashire, 1840-1914: Myth or Reality?' *Northmen History*, 27, 1991.

⁷³ LRO, DDHe 71/5, Hesketh property in Croston sold in 1804.

⁷⁴ Rogers, thesis, p 147. Many of the small farms on the Cliftons' Fylde estates were governed by life-leases which, in total, affected about 1300 acres in 1827. Most could be found on the mosslands. The picture is similar on Lord Derby's neighbouring estate.

freehold sector had been totally squeezed out. For example, the distribution of landownership on Blackmoor Common, bordering Croston Finney, included eighty-four acres awarded to the Heskeths and the de Traffords but had left a further fifty acres to be divided among eighteen other small freeholders.⁷⁵ But the plight of the cottager who had been dependent on utilizing the waste is much clearer. He constituted an important layer in pre-industrial Lancashire society and he disappeared from view both in large numbers and in the sense of having some personal stake in the land, though probably at a later date than has been supposed. Nevertheless, he is a link between a rural heritage and an industrializing society in the making. But there is an agenda here for much wider research into the vicarious experiences of these lowland Lancashire villages in an age of industrial and agricultural change, adjust-

ment to market forces and specialized production, and the emergence of a rural proletariat. Clearly, it would be a nonsense to suggest that the social impact of enclosure was crucial to the making of industrial Lancashire, but there is a connection. In describing the process of industrialization Walton has highlighted the need 'to take account of diverse influences to include not only the range of textile materials but also agriculture, land tenure, inheritance practices and the strengths or weaknesses of large landowners and manorial overlords'.⁷⁶ The enclosure of common and waste during the eighteenth and early nineteenth centuries was part of that process, and it was also one that was informed by landownership patterns, the attitudes of landowners themselves, changes to husbandry practices and, quite clearly, by the manner in which the wider community assessed and responded to the implications of change. These village communities call out for attention.

⁷⁵ LRO, DDT: Box 1005, Landholdings on Blackmoor Common 1839.

⁷⁶ Walton, 'Proto-industrialisation,' p 47.