

Enclosure of Common Land, Waste-Land and Reclamation of Salt Marsh in the Ancient Parish of Cartmel

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Landowners and Tenant Farmers had rights to use Commons land for grazing their animals, dig peat for fuel and these rights were granted by the local Manorial Courts. In Cartmel, the local regulatory Court for the extensive Commons in the Parish was a Vestry Committee constituted by 24 sidesmen. The Committee met regularly to manage affairs, grant rights, check encroachments or instigate repairs. We are fortunate that James Stockdale extracted great detail from the Cartmel Priory 'Old Church Book' on the activities of the Committee and subsequent Enclosure of the Commons. This information is widely referenced in articles relating to the Enclosure of Common Land. Ian Whyte also used the Cartmel Commons descriptions placing the information in a wider concept. These two documents form the basis of this brief introduction on the Enclosure of the Commons at the end of the 18th Century.

Rights to the common land were regulated in various ways eg landowners could graze as many animals on the common as they could winter on their own improved land or it was allocated proportionately in relation to the amount of land held. The former was more common in Lake District. Common land had been gradually eroded by encroachments by local people, especially in the middle of the 18th century when the population was rising rapidly and efforts were made for enclosing Commons in Cartmel Parish as early as 1768. Additionally, Common rights were being abused leading to over-grazing from over-stocking. The farmers with large areas especially were prepared to defy the manorial courts and the commons were reduced by encroachments. In Cartmel in 1757, 75 landowners were accused of appropriating 84 parcels of land. Most landowners paid the value of the land and were allowed to keep it in exchange for payment to the vestry (divided amongst the local poor), whilst legal actions were required to recover the rest. In general, encroachment was not such a problem as Cartmel had extensive commons. The Sidesmen also granted rights to cut bracken and instigated work to clean out the drains on Winder Moor.

A committee of landowners was formed to draft a Parliamentary Bill to Enclose the Commons Land, not including the Lord of the Manor but closely in touch with him. It was thought that a small group of Commissioners, no more than 3, with knowledge of local conditions would be useful. The process of enclosing land involved the removal of communal rights and clearly demarking land with a boundary fence and allocating and selling plots. There was significant local opposition as it was felt that it would be detrimental to small holders and would favour the Church and major landowners. Members of the Enclosure Committee campaigned extensively, riding around the district, writing letters, or hanging around markets trying to get as many proprietors as possible to agree to enclosure.

In 1796, an Act of Parliament was obtained for improving dividing and enclosing the commons, waste grounds and mosses in the Parish of Cartmel (see Fig 1). The act states 8000 acres would be enclosed and the cost of the Bill & expenses would be covered by the landowners, Lord Frederick Cavendish, Thomas H Machell, James Stockdale, Langdale Sunderland, George Bigland & Jeremiah Dixon. The most active promoter was the grandfather of the author James Stockdale. £1200 had to be raised to meet the cost of getting the Bill through Parliament. 6

landowners donated £200 each & James Stockdale added a further £800. A further £1352 10s 0d was raised to proceed. Bare and waste land was converted into numerous well-fenced enclosures, allotted by the Commissioners. Roads and sea embankments on the shores of the Bay for the protection of Bank Moor, Wyke and Winder Moor were constructed.

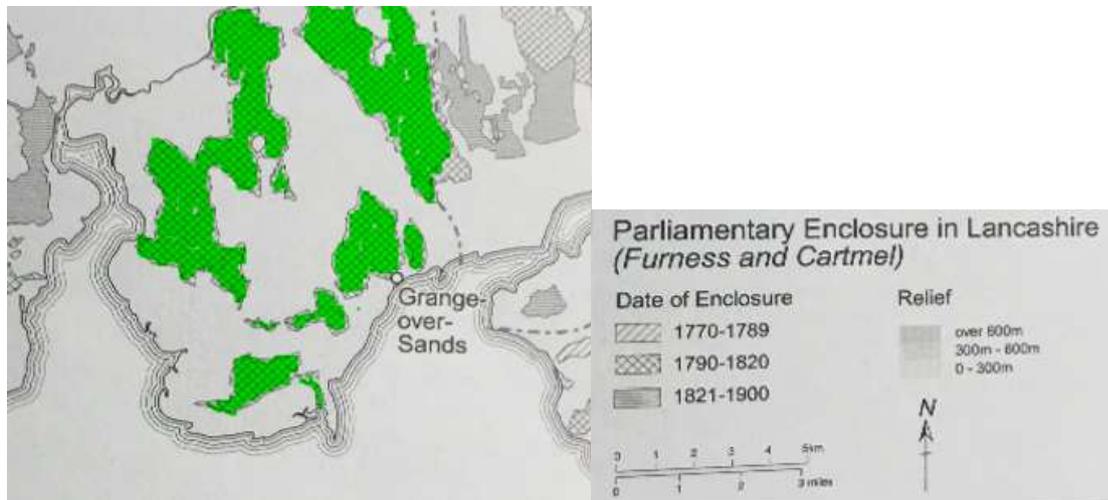


Fig 1. Map of Cartmel Common Land Enclosed at the beginning of the 19th Century drawn by Chris Beacock. (Whyte 2003)

In 1796 there was no clear definition or knowledge of boundaries of the various townships where they crossed common land but the Commissioners had power to make a ruling. Three Commissioners wasted no time, setting about their task of organising surveys and considering claims for allotments. Disputes were referred to the Local Quarter Sessions. A sea embankment (1st; see Fig 2) was contracted for in March 1797, and a 2nd embankment constructed in 1806 following many breaches of the original embankment and two new farms, West Plain and East Plain, were created. In Cartmel, people believed that enclosure of the marshes banished ague, possibly malaria, from the Parish.

Allocations were based on land ownership which was neither beneficial to the smallholders, who until then had rights on the common land, nor the new properties (less than 20 years old). Those who had encroached, for 20 years or more and had paid a rent to the 24 sidesmen of the Parish, were granted the title but they did not receive any further allocation of common land. Regular auctions were held between 1798 and early 1800, the main beneficiaries being:

John & Jacob Wakefield Kendal £2500 (who owned land in the Cartmel Valley)

James Stockdale Carke £2100

John Wilkinson Castlehead, Lindale £1880

John Robinson Ulverston £1487

William Wilkinson Flookburgh £1415

R Winfield Kendal £1199 (who owned land in Allithwaite)

Messrs Birch & Robinson Backbarrow £849

Isaac Hall Newton £751

Myles Walker Hall Raven Winder £718

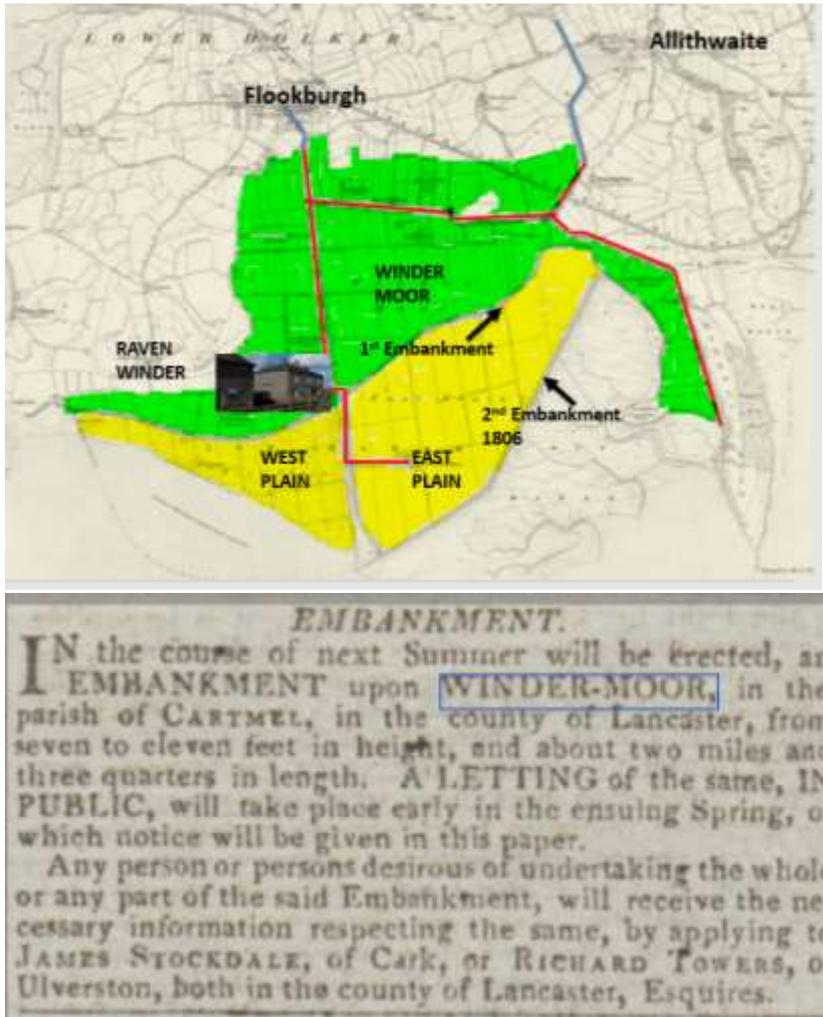


Fig 2. Reclaimed Salt Marsh south of Flookburgh

In May 1800, Commissioners announced that all the allotments were staked out and directions given for fencing within the next 12 months. Landowners were fortunate to have access to local glacial debris stone which had been cleared from fields and limestone quarries for constructing boundary walls. Limekilns provided lime for land improvement. Detached enclosures are identified on the first OS published in the middle of the 19th century (see Fig 3). Enclosures were regularly shaped fields in contrast to smaller less regular shaped ones created for older enclosures. Fig 3 also shows the regular shaped 1800 enclosures on the right and the irregular shaped older enclosures in Lower Holker Township to the left.

The 1850 OS map also shows plots allocated to other townships (Fig 3), indicating that the tax (the annual value in shillings) for that plot is payable to a township outside its boundary. The Commissioners also directed that the Low Marsh should belong to all the 7 Townships proportionately.

Roads bridges and drainage ditches were a major achievement too of the Enclosure Project. Macadams technique of pounding small stones together until they interlocked created an all-weather road surface. 24 public carriageways were set out and formed by the Commissioners and 79 private carriageways were the responsibility of landowners who were obliged to create them. In the early 19th century the role of the Commissioners changed and they became

concerned with maintenance. For example, in Sept 1802, Commissioners ordered the drains over Bank Moor & Winder Moor to be bottomed and scoured out every year about the time of Easter and also to carry out repairs to sluices and embankments on Bank Moor, Winder Moor & Wyke Moor,



Fig 3. Reclaimed Saltmarsh on 1850 OS Map showing detached enclosures (turquoise) and irregular and regular shaped enclosures.

Commissioners held their business and public meetings at Mrs Hulland's Cavendish Arms in Cartmel and this is commemorated with a modern-day Plaque on the wall.



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Sources

Annals of Cartmel by James Stockdale

Transforming Fell & Valley: Landscape & Parliamentary Enclosure in North West England
Ian Whyte. 2003 CNRS Univ. Lancaster