

# Urban agriculture, commons and commoners in the seventeenth and eighteenth centuries: the case of Sudbury, Suffolk

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## Abstract

Urban agriculture and town commons have been largely overlooked in the existing literature, and have never been systematically surveyed. This study lays out a typology of urban commons, citing examples from across the country. It focuses on the uses and users of one urban common, in the cloth-producing town of Sudbury, Suffolk, between 1710–28. It details the occupational profile of commoners, distinguishes differences in their use of the commons, and compares them with those freemen who did not common animals. The study explores corporate management of this resource, in response to economic uncertainty, and in the context of wider urban agriculture. It concludes that the importance of urban agriculture and agrarian resources has been under-estimated, as has their survival and significance into the 'modern' period.

It has become a truism among historians that the dividing lines between the 'urban' and the 'rural' were blurred in early modern England.<sup>1</sup> Most towns in the seventeenth and early eighteenth centuries had small populations, extended over limited geographical areas, and were immersed in the agrarian life – in the seasonality, economy, employment and environment – of their rural surroundings.<sup>2</sup> However, as John Chartres observed almost a decade ago, the historiographies of urban and rural England have diverged as each has been studied in more detail.<sup>3</sup> While urban historians have had to admit that, in economic and social terms, most small towns were little more than big villages, neither they, nor rural historians, have investigated the agricultural economy of towns. The history has yet to be written of the many

<sup>1</sup> A. Everitt (ed.), *Perspectives in English urban history* (1972); P. Clark (ed.), *The early modern town: a reader* (1976); P. Clark and P. Slack (eds), *English towns in transition, 1500–1700* (1976); P. Clark (ed.), *County towns in pre-industrial England* (1981); P. Clark (ed.), *Small towns in early modern Europe* (1995).

<sup>2</sup> See K. D. M. Snell, *Annals of the labouring poor. Social change and agrarian England, 1660–1909* (1985); A. Everitt, 'The Banburys of England', *Urban History Yearbook* 1 (1974), pp. 28–38; id., 'The marketing of agricultural produce, 1500–1640', in J. Thirsk (ed.), *The Agrarian History of England and Wales*, IV. (1967), pp. 466–592; J. A. Chartres, 'The marketing of agricultural

produce, 1640–1750', in J. Thirsk (ed.), *Agrarian History*, V (ii), pp. 406–502.

<sup>3</sup> J. A. Chartres, 'City and towns, farmers and economic change', *Historical Res.* 64 (1991), pp. 138–9. Chartres attempts to bridge this gap by examining the market function of towns and their relationship to rural hinterlands. The connection between urban demographic growth and agrarian productivity has been best explored by E. A. Wrigley, 'Urban growth and agricultural change. England and the continent in the early modern period' in id., *People, cities and wealth. The transformation of traditional society* (1987), pp. 157–93.

town-dwelling (but practising) yeomen and husbandmen found in any sample of urban probate inventories. Urban agriculturalists remain an anomaly, a case of terminological confusion, rather than a phenomenon to be studied in their own right.

Similarly, there has been little systematic research on the use, misuse and eventual demise of the forum for much of this urban agriculture – the town common. While the fates of the small landowner, of open field agriculture, and of the enclosure of the rural commons have inspired each succeeding generation of agrarian historian since 1900, the town commons have been largely overlooked.<sup>4</sup> Common land, and the process of enclosure, has been regarded as a phenomenon of rural society. In some senses, this perspective is understandable. Whatever the debate about the economic significance, and consequences of the enclosure of common land and open fields, these must have been greater in small rural settlements where opportunities for by-employments were less than in towns. Moreover, enclosure encompassed a much greater acreage and had a deeper ‘global’ effect in the countryside. Assumptions such as these are the cause of the neglect of urban commons.

However, urban commons and common rights belonging to towns were not infrequent, arcane medieval survivals. At the end of the parliamentary enclosure process, in 1870, the House of Commons sent a questionnaire to all corporate and borough towns (including those disenfranchised in 1835). In England, 48 responded either that they possessed commons or common rights, or that these had been extinguished ‘recently’.<sup>5</sup> They included such well-known examples of towns with commons as Cambridge, Coventry, Oxford, Newcastle-upon-Tyne, Leicester, Lincoln, Norwich and York, but also less familiar locations, such as Bath, Bedford, Beverley, Colchester, Derby, Durham, Eye, Gloucester, Hertford, Marlborough, Newbury, Northampton, Preston, Southampton, Tamworth and Warwick. On closer inspection, it appears that many of these ‘town lands’ were actually the surviving remnants of much larger commons after extensive enclosure or sale, as in Cambridge, Coventry, Newcastle-upon-Tyne, Leicester, York, Colchester, Derby, Durham, Northampton, Norwich, Preston and Southampton.<sup>6</sup> Many were about to enter a municipal after-life, as public parks and pleasure gardens.<sup>7</sup>

<sup>4</sup> Town commons receive only passing reference even in L. Dudley Stamp and W. G. Hoskins, *The common lands of England and Wales* (1963), pp. 63–4, and for London commons, pp. 65–78.

<sup>5</sup> British Parliamentary Papers (BPP), 1870, LV, pp. 95–123; House of Commons’ Report, 24 March 1870, ‘Return of all boroughs and cities in the United Kingdom possessing common or other lands, in respect of which the freemen or other privileged inhabitants claim any exclusive right of property or use ...’.

<sup>6</sup> C. P. Hall and J. R. Ravensdale, ‘The West Fields of Cambridge’, *Cambridge Antiquarian Records Society* 3 (1976); R. B. Rose, ‘The city of Coventry: the commons’, *Victoria County History* (hereafter VCH), *Warwickshire*, VIII, pp. 199–207; E. Halcrow, ‘The Town Moor of Newcastle-upon-Tyne’, *Archaeologia Aeliana*, 4th ser. 31 (1953), pp. 149–164; E. W. J. Kerridge, ‘Social and economic history’, VCH *Leicestershire*, IV, pp. 99–100; VCH *City of York*,

p. 505; C. C. Thornton, ‘The Common Lands’, VCH *Essex*, IX, p. 259; ‘Return of all boroughs and cities ...’, Derby and Durham returns, pp. 102–3, 103–4; H. M. Cann, ‘Northampton Borough’, VCH *Northamptonshire*, III, pp. 22–3; Mousehold Heath, Norwich, N. MacMaster, ‘The battle for Mousehold Heath, 1857–1884. “Popular politics” and the Victorian public park’, *Past and Present* 127 (1990), pp. 117–154; A. Hewitson, *History of Preston* (1883), pp. 326–9; A. Temple Patterson, *A History of Southampton 1700–1914*: (3 vols, 1966–75), II, pp. 57–8.

<sup>7</sup> However, York, Beverley, Oxford, Marlborough, Sudbury and Cambridge survived as working commons into the first half of the twentieth century. VCH *City of York*, p. 505; VCH *East Riding*, VI, p. 215; VCH *Oxfordshire*, IV, pp. 279–80; VCH *Wiltshire*, XII, p. 207; Cambridge’s commons were used (in 1870) by a few freemen and butchers, ‘Return of all boroughs and cities ...’, p. 99.

These were only the last remains of a much more extensive system of urban commons which perished primarily in the age of parliamentary enclosure. A survey of the list of parliamentary enclosure acts published in 1914 reveals that 160 towns sought enclosure acts between c. 1720 and c. 1870.<sup>8</sup> This can only be a preliminary estimate. All 'metropolitan' enclosure acts for London suburbs in Middlesex and Surrey have been excluded, to allow easier identification of distinct, autonomous, 'towns'. There are also obvious definitional problems. Many of the rapidly expanding, industrialising 'towns' of the early nineteenth-century had been no more than villages a century earlier and their commons may more properly be defined as 'rural'. Many of the enclosure acts for these upland towns in the North and west were for sub-townships within their titular parishes and have been excluded.<sup>9</sup> In addition, without studying the individual acts, it is impossible to establish the size and significance of the enclosure act, or whether it dealt with reclamation of roadside wasteland, the enclosure of open fields, or the extinction of common rights of herbage. There is also the unresolved and ultimately insoluble problem of estimating how much urban enclosure happened by private agreement. A further 20 towns listed in the 1870 return appear never to have sought an enclosure act for their commons,<sup>10</sup> making a minimum of 180 towns that had been possessed of commons or common rights in the late eighteenth and early nineteenth centuries. While this figure is little more than an educated guess, it begins to illustrate the widespread presence of town commons, and the degree to which enclosure was also an urban phenomenon. It also suggests how commons and common rights were part of the fabric of English towns, and integrated within their economic system. At present, the outlines of this system have to be discerned from town histories and the pages of the *Victoria County History*.

It is possible to construct a preliminary typology of five types of urban common land. The first type consisted of rights of herbage exercised by the freemen over lands within or adjoining the borough or township. These common rights were usually restricted to certain times of the year, and were often distinct from ownership of the land, which could be vested in neighbouring manorial lords or landowners. At other times of the year these herbage rights might be held privately by the individual owners. In Stamford in 1870 it was reported that the freemen had pasture rights over 25 acres called 'The Lings' for part of the year. Similarly in Walsall, freeholders and (rate-paying) inhabitants had rights over 21 acres of meadow between Lammas and Candlemas.<sup>11</sup> Such rights of access to 'half-year' commons often existed in addition to a core

<sup>8</sup> BPP, 1914, LXVII, pp. 325-412, return 'in chronological order of all acts passed for the inclosure of commons or waste lands, separately, in England and Wales ...', 13 Aug. 1913. I am grateful to Prof. Michael Turner for this reference.

<sup>9</sup> The question of identification of 'towns' is a difficult one, and depends on the adoption of a suitable definition. In this preliminary survey, I have selected all those places that could be classified as 'towns' in 1801 whether because they possessed a distinct corporate identity and system of government (even if in decay) or were acquiring these rapidly as part of the industrialising process, the latter particularly manufacturing towns in the West Riding and the Potteries. I concede that more rigorous definitions

are required in any future study, together with more investigation of the scope and intent of each of these acts. I am grateful to Dr. A. J. Gritt for his comments on this point.

<sup>10</sup> These were Abingdon, Altrincham, Arundel, Bath, Berwick-upon-Tweed, Durham, Gloucester, Huntingdon, King's Lynn, Lewes, Marlborough, Morpeth, Newcastle-upon-Tyne, Norwich, Pevensey, Preston, St. Clear, Warwick, Wigan and Woodstock. However, Durham was subject to an enclosure act in 1801, and Preston in 1833, but these are not listed in the 1914 return. See 'Return of all boroughs and cities ...', pp. 103-4; Hewitson, *Preston*, p. 327.

<sup>11</sup> 'Return of all boroughs and cities ...', pp. 119, 121.

holding of town lands, to which access was granted to freemen for most or all of the year. This was the case at Newbury, where the town commons consisted of 'The Marsh', on which every householder could depasture one horse and two cows at any time of the year, supplemented by herbage rights on 'Northcroft' between 12 August and 6 April.<sup>12</sup> As will be shown below, the same mixture of rights existed in the town of Sudbury.

The second type of urban common consisted of lowland arable land owned by the manorial lord or lords of the township, or by the corporation – the latter sometimes buying from the former as the settlement and its government expanded.<sup>13</sup> Access to such land was, in theory, restricted to manorial tenants or borough freemen; in practice, by the seventeenth century these rights were sometimes extended to all ratepaying inhabitants without distinction.<sup>14</sup> Such common arable land tended to be held in the classic format of unenclosed strips. Often, although not exclusively, the presence of such fields denoted a township that had grown out of a medieval village, preserving its open fields as it grew. The best example of this was Leicester, which J. E. Martin has described as 'more an overgrown village than an autonomous urban centre'.<sup>15</sup> The town's three open fields amounted to approximately 2,600 acres of arable, meadow and pasture in the sixteenth century, with burgesses holding strips, and the pasture coming increasingly under the influence of cow-keeping butchers and graziers.<sup>16</sup> Similar open fields existed in Nottingham,<sup>17</sup> Cambridge, Newcastle-under-Lyme,<sup>18</sup> Tewkesbury,<sup>19</sup> and Northampton. Yet, they could also exist in areas of ancient enclosure. Colchester possessed three arable fields, south-west, south-east and north-east of the borough, with approximately 2,000 acres of woodland north of the town. By the early modern period, these fields had been enclosed, but they remained subject to the burgesses' 'half-year' grazing rights.<sup>20</sup> Engrossment and enfranchisement seems to have undermined open field agriculture in Banbury, speeding enclosure in 1760.<sup>21</sup> Similar processes occurred to the open fields in and around Tetbury in the seventeenth century.<sup>22</sup>

By contrast, however, Marlborough's two open fields continued to function as allotments exclusive to the freemen, the 80 acres being divided into one or two acre strips, with one only

<sup>12</sup> *Idem*, p. 113.

<sup>13</sup> For example, this happened in Newcastle-under-Lyme without formal agreement in the later medieval period, VCH *Staffordshire*, VIII, p. 15; in Tetbury in 1633, VCH *Gloucestershire*, XI, p. 270; Preston in 1650, D. Hunt, *A history of Preston* (1992), p. 75; and caused considerable dispute in Wigan between 1583 and 1624, VCH *Lancashire*, IV, pp. 72–3.

<sup>14</sup> The extension of common rights to non-freemen in the early modern period occurred in Nottingham, J. D. Chambers, 'Population change in Nottingham, 1700–1800' in L. S. Pressnell (ed.), *Studies in the Industrial Revolution* (1960), pp. 101–2; Beverley, VCH *East Riding*, VI, p. 214 and Tewkesbury, VCH *Gloucestershire*, VIII, p. 138; rights were relaxed in Marlborough, but only in 1836, VCH *Wiltshire*, XII, p. 207; restrictions to freemen or burgesses only remained in force, or were tightened in Northampton, VCH *Northamptonshire*, III, pp. 22–3; Colchester, VCH *Essex*, IX, p. 258; Oxford, VCH

*Oxfordshire*, IV, p. 280; Coventry, VCH *Warwickshire*, VIII, p. 199 and Berwick-upon-Tweed, S. and B. Webb, *English local government: the manor and the borough*, (5 vols, 1906–22) II, p. 517.

<sup>15</sup> J. E. Martin, *Feudalism to capitalism: peasant and landlord in English agrarian development* (1983), p. 193.

<sup>16</sup> W. G. Hoskins, *Provincial England. Essays in economic and social history* (1963), pp. 89, 96–7.

<sup>17</sup> Nottingham was surrounded by common fields and pasture. As long as it remained unenclosed the town could not expand, causing insanitary conditions and severe overcrowding in the early nineteenth century. See Chambers, 'Population change', p. 99.

<sup>18</sup> VCH *Staffordshire*, VIII, pp. 49–50.

<sup>19</sup> VCH *Gloucestershire*, VIII, p. 138.

<sup>20</sup> VCH *Essex*, IX, p. 256.

<sup>21</sup> VCH *Oxfordshire*, X, pp. 49–54.

<sup>22</sup> VCH *Gloucestershire*, XI, p. 269.

being allotted to each freeman for life. This arrangement endured into the nineteenth century. In 1808 13 freemen held the 36 acres in Southfield, while the 54 acres in Northfield were in the hands of 38 freemen.<sup>23</sup> In the seventeenth and eighteenth centuries the corporation of Berwick-on-Tweed practised a similar arrangement of life leases to freemen of 1 to 4 acre parcels of land, supposedly worth between £5 to £15 per annum to their possessors. The system was converted to 21-year leasehold after 1759, with 160 freemen receiving such grants, in addition to grazing rights.<sup>24</sup>

The third type of urban common was pasture land located within the boundaries of the township or borough, and owned by the lord of the manor, or the corporation. As in most open-field villages, such pasture land was comprised both of post-harvest and fallow grazing rights on the arable fields, and dedicated pasture, meadow land, or waste. Some townships possessed only pasture commons. This was true in Oxford, where Port Meadow was largely unstinted, and existed with intercommoning rights with neighbouring villages.<sup>25</sup> It was also the case in Coventry, whose commons adopted the character of the enclosed fielden-pasture communities of its immediate hinterland, rather than the open fields of other Midlands boroughs.<sup>26</sup> Coventry's townfields contained approximately 300 acres of waste land, with 1,100 acres of half-year grazing. Such pasture rights were often supplemented by meadow grazing in towns that adjoined rivers, as in Berwick-on-Tweed, Oxford, Cambridge, Colchester, Gloucester, Wilton,<sup>27</sup> Sudbury, Northampton, Nottingham, Hertford, and Preston.

The fourth type of common was a sub-variant of Type 3, the 'inland' commons of upland townships – lying within the immediate township boundaries of the settlement. Into the late eighteenth century, these 'townfields' could be arable as well as pasture.<sup>28</sup> Particularly in the Pennines, Westmorland and Cumberland, arable strips persisted in small towns and villages alike.

Small towns retained their common fields little disturbed by engrossing and enclosure until the eighteenth century. Penrith, Workington, Whitehaven and Wigton in Cumberland; Kendal and Kirkby Stephen in Westmorland; Dalton, Ulverston, Clitheroe and Prescott in Lancashire; Stockport, Wilmslow, Macclesfield and Sandbach in Cheshire all . . . retained their functions as agricultural communities farming common arable fields.<sup>29</sup>

As in the Midlands, many of these small towns had grown out of village settlements, and had preserved their open fields and common pastures. The parliamentary enclosure process was particularly marked in all those areas,<sup>30</sup> and in the West Riding, Peak District, and Cannock

<sup>23</sup> VCH *Wiltshire*, XII, p. 207.

<sup>24</sup> S. and B. Webb, *English local government*, II, p. 519.

<sup>25</sup> VCH *Oxfordshire*, IV, pp. 280–1.

<sup>26</sup> VCH *Warwickshire*, VIII, p. 199.

<sup>27</sup> VCH *Wiltshire*, VI, pp. 18–19.

<sup>28</sup> This persistence is explained because such arable land remained more valuable than pasture in these settlements in the eighteenth century. H. R. French and R. W. Hoyle, 'The land market of a Pennine manor: Slaidburn, 1650–1780', *Continuity and Change* 12 (1999), pp. 376–9.

<sup>29</sup> G. Elliott, 'Field systems of northwest England' in

A. R. H. Baker and R. A. Butlin, *Studies of field systems in the British Isles* (1972), p. 54. In fact, Clitheroe seems never to have possessed common arable fields, but it did have 531 statute acres of 'in-land' pasture commons on enclosure in 1786. Lancashire RO, DP 440 (Acc. 4026), Clitheroe Commons Allotment Book, 1786.

<sup>30</sup> However, not all enclosure occurred through legislation. For example, Liverpool lost its town fields during the eighteenth century without an enclosure act. Sir J. A. Picton, *City of Liverpool municipal archives and records, from A. D. 700 to the passing of the municipal reform act, 1835* (1886), p. 132.

Chase amongst rapidly growing, and industrializing towns between 1780 and 1810.<sup>31</sup> The process was complicated by the amount of intercommoning that occurred between neighbouring townships within these large parishes. The parishes of Halifax, Sheffield, Bradford and Leeds in the West Riding, and Glossop and Bakewell in the Peak District contained linked networks of commons distributed among multiple townships, and required sheaves of enclosure legislation.<sup>32</sup> This type of intercommoning was also a feature of York into the eighteenth century. Here, ironically, the enclosure process created the type of consolidated, exclusive, intra-mural pasture commons found in other unenclosed boroughs, by extinguishing and exchanging wider rights of common with neighbouring townships. Previously, York's rights had extended into the surrounding townships of Clifton, Huntington, Rawcliffe, Wigginton and Stockton moors, Tilmire and Knavesmire, and Hob moor.<sup>33</sup>

These 'inland' common fields and pastures were linked to the fifth type of common, upland grazing rights exercised by the residents of towns over surrounding moorland. Such rights usually existed in areas of medieval transhumance in the Pennines, Cumbria and Northumberland, and in the Malverns, Mendips, on Exmoor and in the Chilterns.<sup>34</sup> The massive, dispersed parish of Sheffield illustrates the relationship between these expanses and the 'inland' township commons in the seventeenth century.<sup>35</sup> In 1637 the parishes of Sheffield, Ecclesfield and Bradfield contained 21,363 acres of common land, 10,767 acres lying at an altitude of more than 1,100 feet. The remaining land was designated as 'moore', 'common' and 'greene'. There were more than forty of the latter, attached to settlements at lower altitudes, forming 'a sort of intercellular cement between the blocks of fields ... the social rendezvous of the people who lived on and around them ... manured and overgrazed by tethered animals, and by geese'.<sup>36</sup> All these upland commons were 'fre', available for summer grazing, and as a resource for fuel (heather) and game, for inhabitants of the townships within the area. Many enclosures of 'urban' parishes in the southwest and northwest in the later eighteenth century appear to have included the enclosures of moorland over which common rights were exercised.<sup>37</sup> In fact, in these instances, the extinction of intra-mural rights to relatively small commons or greens may have occurred almost as an after-thought.

## I

It can be shown that a substantial number of towns possessed one or more of several types of common. However, we know almost nothing of their use, the types of crops cultivated on them,

<sup>31</sup> See for example, Dewsbury in the West Riding, which had only 289 acres of common land, but whose population rose from 1,050 in 1793, to more than 4,500 in 1801. Enclosure occurred between 1803-6. J. E. Broadbent, 'Dewsbury Inclosure, 1796-1806', *Yorkshire Archaeological J.*, 69 (1997), pp. 209-10.

<sup>32</sup> 'Return in chronological order ...', pp. 385-87, 407-12. The parish of Glossop required five enclosure acts between 1810 and 1829, Bakewell needed seven between 1771 and 1823. Halifax's townships were enclosed in nine acts, Sheffield's in four, Bradford's in four and Leeds' in six acts, in the period 1780-1840.

<sup>33</sup> VCH *City of York*, pp. 499, 500-5.

<sup>34</sup> VCH *Wiltshire*, IV, pp. 43-64.

<sup>35</sup> G. Scurfield, 'Seventeenth-century Sheffield and its environs', *Yorkshire Archaeological J.*, 58 (1986), pp. 147-171.

<sup>36</sup> *Ibid.*, p. 163.

<sup>37</sup> 'Return in chronological order ...'. For example, after the 1801 Act stipulating the inclusion of acreages, enclosures in Bakewell parish totalled 8,700 acres, pp. 386-7; Rugeley included 4,790 acres of Cannock Chase in 1864, p. 387; Kirkby Stephen included 5,149 acres, pp. 395-6; while Penrith was enclosed in 1803, with the rest of the Forest of Inglewood, amounting to 28,000 acres, p. 337. See also P. Riden, *Tudor and Stuart Chesterfield* (1984), pp. 29-30.

the kinds of regulations governing them, their economic significance to urban markets, or to individual household budgets. We remain largely ignorant of who used these commons, how they were used, and to what effect, economically and socially.

This study represents an introductory investigation of a single urban common, and the social profile and economic activities of those possessing and exercising rights over it in the first quarter of the eighteenth century. Its aim is to establish how far the commons acted as a significant economic resource in a manufacturing town, and the manner in which they did so. It will review access to the commons, the social distinctions between commoners and the wider body of inhabitants, the occupational profile and material wealth of commoners and non-commoners, and the ways in which this corporate resource was managed in a time of economic uncertainty. The study also seeks to locate the economy of the town common within a wider system of urban agriculture. These analyses illustrate the relationship between agrarian and manufacturing economies in an urban setting, and to explore in detail one of the systems of common outlined above. In short, it seeks to consider how rural a small town might be.

The commons studied are those of Sudbury, Suffolk. In the typology of commons, Sudbury's water meadows and pasture grazing lands fall into types one and three; pasture land under the control of the corporation, but also with limited half-year grazing rights extending onto land not owned by the town. Sudbury had possessed its commons since 1262, when Richard de Clare, Earl of Gloucester, granted three fields to the burgesses in perpetuity. These were situated to the south of the town straddling the River Stour.<sup>38</sup> King's Mere or Marsh meadow comprised 18 acres on the southern (Essex) side of the River Stour; Portman's Croft, 4.5 acres, and Freeman's Little Common, 19.2 acres, lay on the opposite northern (Suffolk) bank. In 1731, immediately after the end of the present study, the corporation bought Little Fulling Pit meadow, 8 acres, with an additional croft of 2.45 acres, next to the existing common meadow on the Essex side of the Stour. They may have rented these in the period immediately preceding the sale. This gave the burgesses of the borough access to between 41.7 and 52.15 acres of land immediately adjacent to the town. The half-yearly grazing rights that augmented these pastures were also long standing. The freemen had access to 14 acres of pasture in Bulmer, Essex, two miles south of Sudbury, under rights granted to the corporation by Thomas West in the mid-fifteenth century. It is unclear how this outlying land was used, since the borough records deal only with Richard de Clare's grant. However, it appears that the burgesses only enjoyed rights to summer grazing on both these commons. Burgesses had the right to depasture cows, horses or mares, usually from the end of the first or second week of May, presumably until Michaelmas, although this is never stated explicitly in the corporation records.<sup>39</sup>

The corporation's records allow a detailed study of the stocking of the commons, and of the social and economic profile of the commoners, and other non-commoning freemen. Between

<sup>38</sup> J. Wardman, *Sudbury common lands. The meadows, freemen and the borough*, (1996), pp. 18–19. Wardman speculates that since the acreage granted to the town by Richard de Clare matched the acreage listed in Domesday as belonging to the burgesses and St. Gregory's church, the freemen's use of the commons may have pre-dated the gift.

<sup>39</sup> PRO, E 134/11 and 12 Anne/Hil. 10 Buxton Underwood v. Lawrence Gibbon, Robert Sparrow, Roger Voice and Roger Scarling, 15 Jan. 1713. In this case Thomas Winn, a yeoman of Great Cornard, gave evidence that the freemen were allowed to depasture their animals on the common after the first hay crop had been cut.

1710 and 1728 annual lists were prepared of the names of those freemen who paid to turn out their animals on the commons. In addition, the names were also listed of freemen (or widows of freemen) who were entitled to a share of the money raised from commons' charges.<sup>40</sup> Sudbury also has a range of other borough records. In particular, it possesses a good series of apprenticeship indentures between 1656 and 1688, and records of men admitted to the freedom of the town, allowing approximate ages to be established.<sup>41</sup> A large number of wills are also available which provide occupational data for the post-1710 freemen group. The corporation records list freemen, chief burgesses and aldermen between 1717 and 1733, and these serve to identify the higher status inhabitants of the town.<sup>42</sup> There are also poll books for 1710 and 1727, allowing basic distinctions to be made between enfranchised and non-enfranchised freemen.<sup>43</sup> These sources make Sudbury's commons better documented, and more visible historically, than the commons of some other towns, and (perhaps) the majority of villages in the period. Conversely, the records of land ownership, that might be well recorded in a rural manorial court, are fragmentary for Sudbury, which like some other towns contained more than one manor.<sup>44</sup> Given this imbalance, it will be emphasised below that while the commons were the most prominent agrarian resource in the town, they may not have been the most significant for production or employment.

The other weaknesses of the borough's records are that there are no comprehensive national or local taxation listings so that no definitive estimate of personal wealth can be made. There are also no records of poor law disbursements for the whole town in this period, making it impossible to establish whether some of those receiving commons' money were also receiving poor relief. Despite these deficiencies, however, a database has been constructed containing 972 individuals, 2389 entries of animals depastured by freemen, and 4079 instances of commons' money being received by non-pasturing freemen, 1710–28. All the analyses undertaken below are based on interrogations of this dataset.

## II

Custom governed the use and regulation of the commons, but (as so often in this period) custom was not immutable. The rules were listed in May 1644.<sup>45</sup> Prior to that time, the mayor and the six aldermen had been allowed to depasture four head of cattle; the 24 chief burgesses three

<sup>40</sup> Suffolk RO (hereafter SRO) (Bury), EE 501/2/7, Sudbury Borough Town Book, 1639–72: contains annual listings of cattle depastured by freemen between 1710 and 1728 (1717 missing). Those receiving commons' collection money are also listed annually in this volume in this period.

<sup>41</sup> SRO (Bury), EE 501/4/1, Sudbury Cocket Book, 1656–88 (760 apprenticeship indentures, 175 freemen's admissions), 1695–1723 (18 apprenticeship indentures, 51 freemen's admissions); EE 501/4/2, Sudbury Cocket Book, 1724–70 (60 apprenticeship indentures, 1717–34, 36 freemen's indentures); Archdeaconry of Sudbury will register (microfilm) J. 543/51–56, Sudbury wills 1710–51 (124 wills).

<sup>42</sup> SRO (Bury), EE 501/2/9, Sudbury Borough Book of

Orders and Decrees, 1717–33. The town was governed by a mayor, six aldermen, and 24 chief burgesses (from whom the aldermen were co-opted). In addition, in October each year 48 free burgesses selected the new mayor from among the aldermen. These free burgesses were drawn from the 500–600 resident free burgesses in the town. This system continued unaltered, despite the loss of the borough charter in 1685.

<sup>43</sup> *Suffolk Poll Book, 1710* (1994); *Suffolk Poll Book, 1727* (1727).

<sup>44</sup> Sudbury encompassed three manors, Neales als. Nayles, Places and Woodhall. Places and Woodhall have court rolls for the early eighteenth century, but few other materials. Woodhall was part of the Duchy of Lancaster.

<sup>45</sup> SRO (Bury), EE 501/2/7, order dated 6 May 1644.



head each, while 'every freeholder and other sufficient inhabitants' (that is the free burgesses), had depastured two each. Now, it was acknowledged that pressure on the commons was so great that in future only senior members of the corporation (including chief burgesses) would be allowed two head, while ordinary free burgesses would have to make do with one animal each.<sup>46</sup> By the early eighteenth century, distinctions between senior and other corporation members had disappeared, with none allowed more than two animals each. Similar stints were introduced in the seventeenth century in Oxford, Marlborough, York, Colchester, Calne and Tewkesbury.<sup>47</sup>

Other features endured into the eighteenth century. All animals entered onto the commons had to be branded by the town crier, which cost 2*d.* per head in 1644. By 1725, branding had been replaced with a system of wooden bobbins or 'Tottles or Gruggs' threaded onto the horns of all cows depastured, for which 1*d.* per head was to be paid to the Beadle.<sup>48</sup> Each horse cost 1*s.* for a season's grazing and each cow 10*d.* in 1644. Between 1710 and 1728 the agistment for a single animal was never less than 3*s.*, rising in the harsh economic conditions of 1713 to 6*s.* 6*d.*, with two costing between 13*s.* and £1 (again in 1713) as may be seen in Table 3. The rules of 1644 also laid down a series of fines for overstocking, depasturing without rights, and for turning out ungelded horses or mangy cattle.

The corporation attempted to protect the commons from other infringements through the century. In November 1647, the minutes recorded that no one should be allowed to plant willow trees on the (ideal) meadow lands of the commons.<sup>49</sup> In 1663, the council ordered that a writ be taken out in King's Bench against Francis King and John Barker for letting their hogs trespass on the commons, the disproportionate punishment presumably being attempted in order to establish a precedent. In 1721, William White was fined 10*s.* for sowing turnips on a section of the commons, signifying moves both towards agricultural improvement, and to bolster the fodder crop of the commons later in the year.<sup>50</sup>

By the 1720s, the commons operated under a settled regime, under the control of a keeper or beadle. During the pasture season, he was to ensure that the gate into the commons was locked at 10pm, and not opened again until 4am. Any latecomers or early risers were to pay him a penny for releasing their animals out of hours. In effect, the commons acted as a municipal pound, in which cows could graze securely, and in which horses and mares could be rested over night, and when not employed during the day.

This resource was sufficiently useful for more than 150 people to pay a sum equivalent to one week's day labourer's wages in order to depasture a single animal, and as much as six or ten weeks' wages for grazing rights for two animals.<sup>51</sup> Even at this cost, it may have been a good

<sup>46</sup> In 1653, the stint was reduced to one head of cattle per burgess, of whatever rank. SRO (Bury) EE 501/2/7, order dated 5 Apr. 1653.

<sup>47</sup> VCH *Oxfordshire*, IV, p. 280 – this stint broke down after c. 1680; VCH *Wiltshire*, XII, p. 287; VCH *City of York*, p. 499; VCH *Essex*, IX, pp. 257–8; R. C. Richardson and T. B. James (eds), *The urban experience: a source book* (1983), pp. 54–5; VCH *Gloucestershire*, VIII, p. 138.

<sup>48</sup> A. W. Berry, *Suffolk country town: a Sudbury miscellany* (1997), pp. 195–6, quoting SRO (Bury), EE 501/2/9, Sudbury Borough Book of Orders and Decrees, 1717–33,

5–6 May 1725.

<sup>49</sup> SRO (Bury), EE 501/2/7, order dated 20 Nov. 1647.

<sup>50</sup> SRO (Bury), EE 501/2/7, list of freemen depasturing cattle, 22 May 1721.

<sup>51</sup> See Table 2. Between 1710 and 1728, between 146 and 195 freemen depastured their animals on the common each year, the average figure being 173. Contemporaries made similar estimates. PRO, E 134/1 Geo. 1/East. 7, *Buxton Underwood v. Lawrence Gibbon, Robert Sparrow and Roger Voice*. Luke Leake testified that the commons supported between 140 and 160 animals per annum.

bargain. In 1715, one commoner, James Lee, a weaver, estimated that the 18 acres of King's Marsh would have had a commercial rent of £2 10s. *od.* per acre, exclusive of all taxes (which added 11s. *od.* in the pound).<sup>52</sup> So, the freeman gained access to lands worth perhaps £157 10s. *od.* per annum (42 acres at £3 17s. 6*d.* per acre), for a total cost of £31 that year. In other years, the total cost to the freemen was as high as £69 10s. *od.*, but it averaged £50 between 1710–28, under one-third of the market value of the lands.<sup>53</sup>

### III

The other constant feature of commons' management in the seventeenth and early eighteenth centuries was the distribution of the money collected from commoners to the use of other free inhabitants and householders in the borough. This feature was mentioned in the orders of 1644. After 1710, longer lists of the names of those who received the commons' collection money accompany the lists of freemen depasturing animals. This distinction, between those able to depasture animals and those who received collection money, is of considerable significance in understanding the nature of the town's social order and its economy. The corporation appears to have enforced this distinction by allowing rights of common only to those who paid the highest level of fine for their freedom. In 1654, it was recorded that henceforth no person paying a fine of less than £5 would be admitted to full rights of freedom of the borough, including common rights. Residents of more than three years standing could gain the freedom (to trade?) for a fine of £2, but without entitlement to the commons.<sup>54</sup> Freemen's sons appear to have enjoyed heritable rights of common. This differential caused some dispute in the early eighteenth century.

The economy of Sudbury depended absolutely on the production of woollen worsted cloth. After the introduction of the 'new draperies' by Flemish refugees in the later sixteenth century, Sudbury had specialised in the production of 'says', the lightest and cheapest of these worsted cloths.<sup>55</sup> Involvement in the trade was total. In the period between 1656–88, 59 per cent of apprenticeship indentures (257 out of 436) recorded in the borough were in textile trades, the next largest sector being (unsurprisingly) the food and drink trades.<sup>56</sup> Cloth production created a peculiar and proletarianised social order. The cloth-producing region of Essex and Suffolk routinely had much higher levels of poverty than surrounding, non-industrial settlements. K. H. Burley found that across the twenty hundreds of the county of Essex, exemption from the hearth tax averaged 35 per cent of all those assessed, but in the two cloth producing hundreds

<sup>52</sup> PRO, E 134/1 Geo. 1/East. 7. Evidence of James Lee, of Sudbury, sayweaver. Lee received commons' contribution money in 15 years between 1710–28.

<sup>53</sup> This valuation was a subject of dispute between the parties contesting PRO, E 134/1 Geo. 1/East 7. See below, n. 72.

<sup>54</sup> SRO (Bury) EE 501/2/5 Sudbury Borough book of orders and decrees, 1628–85, 30 Oct. 1654. Between 1657 and 1723 216 individuals purchased the freedom of the town. Of these, 75 paid more than £5; 58 paid less than

£5; with 93 for whom no fine was recorded. SRO (Bury), EE 501/4/1.

<sup>55</sup> J. E. Pilgrim, 'The rise of the new draperies in Essex', *University of Birmingham Historical J.* 7 (1959–60), p. 41. 'Says' weighed between 3–13lbs. finished; 'Bays', new draperies made largely in Essex weighed 20–50lbs.; English broad cloth could weigh 80–100lbs.

<sup>56</sup> SRO (Bury), EE 501/4/1. A 'cocket' was the local name for the excise stamp put on the docketts held by newly enfranchised freemen.

of Hinckford and Lexden, exemption rates were 59 and 50 per cent respectively.<sup>57</sup> In the Sudbury parish of St. Peter's in 1674, 43 per cent of those assessed for the tax were exempt. The cloth trade created towns full of families whose primary source of income was the production of cloth, and who possessed few other resources.

Defoe, who knew the area well in this period, described Sudbury and damned it accurately in a few words. 'I know nothing for which this town is remarkable, except for being very populous and very poor. They have a great manufacture of Says and Perpetuanas; and multitudes of poor people are employ'd in working them; but the number of the poor is almost ready to eat up the rich'.<sup>58</sup> As a consequence of this dependence, the extreme cyclical fluctuations in the demand (and prices paid) for cloth created boom and bust conditions for clothiers and their weavers, the latter almost entirely dependent on highly variable and erratic wage or piece rates. The years from 1660 to 1685 were ones of sustained growth in the trade, which extended its grip on the economy of the town and its hinterland.<sup>59</sup> Thereafter, growth ceased. Serious and sustained decline began after the outbreak of the War of the Spanish Succession in 1707, when the main export markets for East Anglian cloth were cut off.<sup>60</sup> Until the end of the war, the region was in deep recession, with a number of clothiers and other tradesmen going bankrupt.<sup>61</sup> As a result, poor rates in the clothing district rocketed upwards by 150 per cent or more.<sup>62</sup>

Adverse economic conditions placed an increased strain on the Sudbury commons, and drew attention to what Steve Hindle has described recently as the 'politics of entitlement'.<sup>63</sup> In June

<sup>57</sup> K. H. Burley, 'Economic development in Essex in the late seventeenth and early eighteenth centuries' (Unpublished University of London Ph.D. thesis, 1957), p. 335. The effectiveness of the hearth tax as a measure of relative wealth and poverty has been the subject of considerable historical debate. However, there has been more agreement about its utility as a measure of poverty (through exemption rates) than of relative wealth. See T. Arkell, 'The incidence of poverty in England in the later seventeenth century', *Social Hist.* 12 (1987), pp. 23–48; C. Husbards, 'Hearths, wealth and occupations: an exploration of the Hearth Tax in the later seventeenth century' in K. Schurer and T. Arkell (eds.), *Surveying the people: the interpretation and use of document sources for the study of population in the later seventeenth century* (1992), pp. 65–77.

<sup>58</sup> D. Defoe, *A tour thro' the whole island of Great Britain* (1968 edn), p. 48.

<sup>59</sup> The best surrogate for the dynamics of the trade in this period are the figures for 'rawbote' fines in the Colchester Dutch Bay Hall. 'Rawbotes' were the fines levied on 'new draperies' produced by English producers in the town, passing through the 'Dutch'-controlled Bay Hall. Taking the fines for the quinquennium 1650–54 as the base figure of 100, the figure for 1670–74 was 250; for 1680–84 it was just over 400; for 1695–99, it was 340. Essex Record Office (Colchester), Acc. C1, Borough of Colchester Thursday Court Books, 25 Oct. 1646–19 Jun. 1701 (17 vols.).

<sup>60</sup> A. F. J. Brown, 'Colchester in the eighteenth century' in L. M. Munby (ed.), *East Anglian Studies* (1968), pp. 146–73; P. Sharpe, 'Deindustrialisation and re-industrialisation: women's employment and the changing character of Colchester, 1700–1850', *Urban History* 21 (1994), pp. 77–96.

<sup>61</sup> The *London Gazette* lists the following Sudbury bankruptcy commissions: John Parish, factor, 12 June 1711; William Shearman, chapman, 14 Feb. 1712; William Durwood, victualler, 21 Feb. 1712; Peter Newton, 28 Feb. 1713; Pleasant Spring, saymaker, 26 July 1715. Parish, Newton and Spring all depastured animals on the commons in the period.

<sup>62</sup> Although figures are unobtainable for Sudbury, in the cloth-producing towns of Braintree, Finchingfield (Essex) and Stoke-by-Nayland and East Bergholt (Suffolk) poor relief disbursements peaked between 1710–14. In Braintree in the 1690s the average disbursement was £320, between 1710–14 it was £499; in Finchingfield the figure for 1699 was £184, in 1710 it reached £330; in East Bergholt disbursements increased from £116 in 1705–6 to £188 in 1713–14; in Stoke-by-Nayland disbursements rose from £80 in 1707 to £157 in 1711. ERO (Chelmsford) D/P/264/8/5a; D/P 14/8/1a; SRO (Ipswich) FB 191/A1/2; SRO (Bury St. Edmunds) FB 80/A1/2.

<sup>63</sup> S. Hindle, 'Hierarchy and community in the Elizabethan parish: the Swallowfield articles of 1596', *Historical J.*, 42 (1999), pp. 835–52.

1713, in the trough of the recession, a case was brought in Chancery to secure wider access to the town's commons.<sup>64</sup> Two free burgesses, Luke Leake, a goldsmith, and William Mainwaring, a turner, were the chief prosecution witnesses in an action in Chancery brought by the Attorney-General against the mayor of Sudbury, Lawrence Gibbon, and the corporation. Leake and Mainwaring disputed the power of the corporation to exclude some freemen from depasturing animals on the commons by differentials in the freedom fines. They suggested that the original grant from Richard de Clare had vested control in *all* the free burgesses and their successors, not merely in the mayor and corporation. They also alleged, for good measure, that the commons' contribution money, which was supposed to be paid to the use of 'the poorest sort' in the town, had been spent among the corporation for themselves, or upon those who they thought fit, without proper accounts being rendered. They questioned whether any such money should be levied for the exercise of this right.

In fact, while the amounts of commons money distributed per capita to those qualified to receive it were useful additions to the household income, they were not (in themselves) particularly significant. Between 1710 and 1728, the amounts distributed varied from 1s. 3d. per head in 1711, to a maximum of 2s. 6d. in 1724, falling back to 2s. in 1728. These were the equivalent of approximately a week's wages in this period, no more than a useful one-off supplement, and a symbolic recognition both of need and entitlement among the recipients as members of the borough's 'body politic'. Indeed, the desire to be as inclusive as possible may have dictated low levels of per capita distribution. In the period under observation, the money was paid to between 214 (in 1711) and 262 (in 1718) recipients, the average being 240 individuals (Table 4).<sup>65</sup> While the desire might have been to help the 'poorest sort' of free inhabitant in the town, resources were spread very wide, and very thin.

The central issue in the Chancery case concerned the power of the corporation to limit the rights of free burgesses to depasture cattle, and to decide the numbers, and sums levied per head. The mayor and his co-defendants argued that the lands were not a public charity, nor held by the corporation as a body politic, nor destined specifically for the use or relief of the poor. Instead, they asserted that the free burgesses merely held the lands in common, for depasturing animals. All subsequent arrangements about entitlements, stints and contribution money had been decided purely at the discretion of the free burgesses (or their corporate representatives), not in accordance with an equal right of access for all freemen to this 'public' resource. The outcome of the case is unknown. However, the fact that the existing arrangements about pasture rights and contribution money continued unaltered into the 1730s suggests that Leake and Mainwaring lost. Their action may just have been one skirmish in a larger battle over the question of whether tithes were due on the commons, in which Lawrence Gibbon and his co-defendants were sued four times in the Exchequer.<sup>66</sup>

<sup>64</sup> PRO C10/406/10 Attorney General v. Lawrence Gibbon and others, 6 June 1713.

<sup>65</sup> It is difficult to establish what proportion of all free burgesses were helped in this way. SRO (Bury), EE 501/4/3, list of freemen entitled to vote in 1703, records 727 free burgesses, 146 of whom resided outside the borough. If a further c. 130 were entitled to depasture animals, with another c. 240 receiving commons' money, this leaves a

further c. 200 who neither depastured cattle, nor received collection money. Since only approximately 150 burgesses actually voted, and the 1703 list was the result of a parliamentary enquiry into voting irregularities in the borough, the overall number of burgesses may be grossly inflated.

<sup>66</sup> PRO, E 134/11 Anne/Mich. 5; /11 and 12 Anne, Hil. 1; /11 and 12 Anne, Hil. 10; /1 Geo. 1, East. 7.

TABLE 1. Occupations of Sudbury freemen depasturing cattle or receiving money, 1710-28.

<i>Occupational groups:</i>	<i>Depasturing cattle</i>		<i>Receiving money</i>		<i>Those in both groups</i>	
	<i>n</i>	<i>%</i>	<i>n</i>	<i>%</i>	<i>n</i>	<i>%</i>
Agricultural	11	6	4	4	2	4
Woodworkers	11	6	6	6	3	6
clothiers	28	15	8	7	4	8
weavers	31	17	56	52	19	39
allied textile trades	10	4	5	5	3	6
All clothworkers	69	38	69	64	26	53
Leatherworkers	14	8	8	7	5	10
Food producers	24	13	7	6	6	12
Metalworkers	8	4	2	2	1	6
Medical	10	5	3	3	3	6
Services	7	4	2	2	2	4
Clothing	9	5	5	5	0	0
Misc. crafts	7	4	1	1	0	0
Gents.	11	6	1	1	1	2
Clerics	2	1	0	0	0	0
TOTAL	183	100	108	100	49	100
TOTAL GROUP	383		589		138	
% with known occupations		48		18		36
Median date of birth		1671		1664		1664
n =		111		59		24

*Source:* Suffolk RO (Bury), EE 501/2/7 collated with occupational designations drawn mostly from EE 501/4/1 and other sources.

*Note:* date of birth estimated as apprenticeship date - 17 years or freedom date - 24 years.

## IV

Whatever its outcome, the Chancery suit highlighted the differences in access to the commons. A closer examination of the two groups, those with and those without cattle on the commons, illustrates the effects of town's polarised social order. Table 1 illustrates the occupational profiles of the two groups. In both cases, the dominance of the cloth trade is apparent immediately. Thirty-eight per cent of commoners whose occupations are known were involved in the trade, while 64 per cent of those receiving the commons' money were in clothing trades. Two other features are evident, and both suggest a difference in wealth between the two groups. The first is that a much higher proportion of the occupations of commoners can be detected than of non-commoners. The two main sources used to distinguish occupations, the Sudbury borough 'Cocket books', and wills, both favoured freemen, and the more prosperous inhabitants. The second indication of the social distance between the two groups is the fact that only 17 per cent

of the commoner group were weavers, while more than half the non-commoner group were members of this trade. By contrast, the proportion of clothiers in the commoner sample was more than twice as high as among the non-commoners. There were also higher proportions of food producers or suppliers (bakers, butchers, maltsters, millers and grocers) among the commoner group, as well as a higher proportion of those who styled themselves gentlemen.

As the table shows, however, the two groups were not mutually exclusive. Of the 972 individuals in the study, 138 depastured animals and received commons money at some point between 1710 and 1728. This group exhibits the same occupational profile as the other two, emphasising the dominance of the cloth trade. The fact that this group contained many more weavers than clothiers may illustrate the fact that those with more marginal income levels were more likely to move between the two groups, according to their financial circumstances. More than half the weavers who possessed animals also received collection money at some point, a higher proportion than for any other occupational group in the sample. This is an indication of the precarious nature of their income.

Another trend may also be evident, but perhaps less conclusively. While a smaller proportion of the non-commoner group can be found among the apprenticeship records of the borough, these people appear to have been older than freemen who had cattle on the commons. By calculating the approximate date of birth of a freeman as either his date of apprenticeship minus seventeen years, or his date of freedom minus twenty-four years, it is possible to establish notional ages.<sup>67</sup> By this rough-and-ready method, the median date of birth for commoners between 1710–28 was 1671, for non-commoners it was 1664. While the group about whom we know nothing is much larger than either of these age samples, it may be that those receiving commons money were older and poorer than those who depastured animals on the commons.<sup>68</sup> The similarity in the age profile of those in both categories with the commons money group as a whole suggests that age may have been a factor in the move from commoning to receiving money.

However, the evidence does not suggest that this was the only dynamic at work among the group of individuals who commoned animals and received money in the period. Of these 138 people, 64 exhibited no clear trajectory, moving back and forth between possessing animals and receiving money through the period. A further 40 moved, chronologically, from depasturing animals to receiving commons' money, but the remaining 34 moved the other way, from receiving money to exercising common rights. There are too few apprenticeship or freedom dates for these people to establish whether these moves were part of their life-cycle experience.<sup>69</sup> Instead, it is important to emphasize how mobility between the groups was actually very

<sup>67</sup> For example, in PRO, E 134/1 Geo. 1/East. 7, James Lee, a sayweaver, was recorded as aged 60 years in 1715. James Lee, son of William Lee, was apprenticed to Joseph Pentlow, sayweaver, 29 Sept. 1672, SRO (Bury), EE 501/4/1. In PRO, E 134/11 and 12 Anne/Hil. 12, his brother Jonathan was given as aged 50 years in 1713, he was apprenticed to his father William, 2 June 1680, SRO (Bury), EE 501/4/1.

<sup>68</sup> This finding may, however, be influenced by chronological biases in the source material. The 'Cocket' book of enrolled apprenticeships (containing

occupations both of apprentice and master) contains much more material for the period 1660–90 than for later decades, increasing the chances of locating occupations among older freemen. 96 apprenticeships were enrolled between 1657 and 1659; 202 between 1660 and 1669; 226 between 1670 and 1679; 236 between 1680 and 1689; but only 18 between 1693 and 1695, with a further 60 between 1717 and 1734.

<sup>69</sup> There were only five dates of apprenticeship and one of freedom for the group who moved from commoning to receiving money; for the group moving in the

infrequent, and how differences engendered by freedom fines remained entrenched thereafter. In general in the town, freemen and their widows *either* exercised pasture rights *or* received commons money. Only 14 per cent of the 972 individuals in these two categories did both, and only 10 per cent (98) depastured animals and received money, or moved from receiving money to possessing animals. A longer period of observation might have disclosed more movement, but it appears that the divide between the two groups was substantial, and difficult to traverse.

Much of the difficulty in establishing the nature and depth of this divide is created by the absence of local or national taxation records for the town in this period. One crude measure of wealth is an analysis the extent to which the two groups participated in parliamentary elections in the town.<sup>70</sup> When the poll books for 1710 and 1727 are matched to the personnel of the two groups through the period, a clear pattern emerges. In the 1710 election, 79 of the 383 commoners voted (20.6 per cent), compared to only 38 of the 589 who received money (6.5 per cent). However of these 38, 19 also depastured animals at some point between 1710–28. This meant that 53 per cent of voters in 1710 (79 out of 149) had depastured animals on the commons, or would do so, whereas 13 per cent (19 out of 149) had only received money, or would only do so. The trend was more pronounced in 1727. In that year, 75 of the commoners voted compared to 33 who had received commons money. Of the latter, 25 had also depastured animals at some point in the period. In this instance, 57 per cent of the voters (75 out of 130) had depastured animals on the commons, with a further fifteen voters non-resident, and only 6 per cent (8 out of 130) of the commons money group voting. In total, twenty per cent of those who used the commons in the period voted, while only 5–6 per cent of those who received money did so.<sup>71</sup>

## V

If possession and exercise of rights to use the commons was influenced heavily by wealth and occupation, but not entirely dependent upon them, how were the commons used by those able to do so? In the first place, they were used more intensively over time. Stocking rates are shown in Table 2. There were two distinct periods in the use of the commons, 1710–18 and 1719–28. In the first period an average of 129 freemen depastured an average of 158 animals. The table illustrates that the proportions of cows, horses and mares on the commons in the period was not subject to much variation, although the proportion of cows on the commons was higher at the beginning of the period than at the end. In the second period, after 1719, 136 freemen, on average, were allowed pasture rights, bringing with them an average of 185 animals each year.

The increase in the numbers of freemen may simply have followed a demographic trend. It may, perhaps, have been the result of a slight opening of access in the wake of the case brought on behalf of Leake and Mainwaring. It might also reflect the prior integration into the commons' management regime of the lands bought in 1731. In 1715, Joshua Oakeley of Melford said that

other direction, there were three dates of apprenticeship, and fifteen for the group exhibiting no clear pattern.

<sup>70</sup> Sudbury lost its borough franchise on the surrender of its charter in 1685. Thereafter the town was included in county elections for Suffolk, and the usual £2 county

freehold franchise applied.

<sup>71</sup> That is, 79 and 75 out of 383 commoners (21 and 20 per cent), and 38 and 33 out of 589 who received money (6 per cent); 19 and 25 out of 138 in both groups voted (14 and 18 per cent).

TABLE 2. Number and proportion of animal types, Sudbury common, 1710–28

	People	total number of animals		cows		horses		mares	
	<i>n</i>	<i>n</i>	<i>n</i>	%	<i>n</i>	%	<i>n</i>	%	
	1710	131	165	58	35	63	38	44	27
1711	126	151	58	38	52	34	41	27	
1712	135	158	77	49	45	28	36	23	
1713	123	146	55	38	60	41	31	41	
1714	129	155	48	31	71	46	36	23	
1715	127	153	54	35	54	35	45	29	
1716	132	169	52	31	69	41	48	28	
1717									
1718	126	169	52	31	71	42	46	27	
1719	135	188	62	33	78	41	48	26	
1720	132	187	58	31	80	43	49	26	
1721	124	165	58	35	70	42	37	22	
1722	137	192	61	32	74	38	57	30	
1723	136	186	73	39	65	35	48	26	
1724	138	188	61	32	70	37	57	30	
1725	135	183	52	28	63	34	68	37	
1726	146	195	54	28	79	40	62	32	
1727	135	182	59	32	72	40	51	28	
1728	144	188	59	31	69	37	60	32	
AVERAGE	126	164	55	32	63	36	46	26	

Source: Suffolk RO (Bury), EE501/2/7 (no list survives for 1717).

Note: the categories of cows, horses and mares are those employed in the original source.

since about 1711 he had noticed these lands being used as common pasture after the first hay crop.<sup>72</sup> The addition of 10 acres to the commons might have accommodated the extra 30 head of livestock without changing stocking rates.<sup>73</sup> These would have remained at around 3.5 animals per acre, a very high figure.<sup>74</sup> In 1715, Cornelius Brewer, a 'gentleman' from the neighbouring

<sup>72</sup> PRO, E 134/Geo. 1/East. 7, Joshua Oakeley, Melford, woolcomber, aged 47 years.

<sup>73</sup> If the size of the common was increased from 41.7 acres to 52.15 acres, while the average number of animals increased from 158 to 185, stocking rates would have fallen slightly, from 3.8 animals per acre to 3.5. In PRO, E 134/1 Geo. 1/East. 7, Luke Leake testified that the commons contained only about 40–50 acres. In E 134/11 and 12

Anne/Hil. 10, Thomas Hall of Great Cornard, stated that the additional area over which the freemen had grazing rights (Friars, Fulling Pit Meadow, and arable lands called Wents, Ingrams and Wells) added only a further 11 acres.

<sup>74</sup> Other towns had stocking rates that were lower, but hardly more sustainable if the animals relied solely on pasture for sustenance. In Beverley between 1744 and 1761, 150–200 animals were depastured on 110 acres (1.8



village of Borley in Essex, alleged that this stocking rate was so high that the available pasture was eaten up within a couple of weeks.<sup>75</sup> He also suggested, not necessarily objectively, that the residual value of the depleted pasture was no more than 10*d.* per head, just over half the fee levied that year.<sup>76</sup> This pressure explains why the corporation felt compelled to fight Leake and Mainwaring, but also why it purchased these additional lands in 1731 to achieve the first formal increase in the size of the commons for more than 450 years.

While the proportion of cows, horses and mares remained largely stable through the period, the corporation's manipulation of the per capita fine from year to year appears to have been designed, and to have achieved, a redistribution of resources. In 1710, the fine for one 'beast' was 3*s.* 4*d.*; the fine for two was 13*s.* 8*d.* Table 3 shows that in 1710 97 individuals depastured only one animal, while 34 depastured two. Between 1710 and 1714, the fine for a single animal increased to 6*s.* 6*d.*, for two to £1. As the fines for two animals rose, commoners opted for only one animal each, as illustrated in Table 3. This was, effectively, a stint, which gave a larger number of commoners (135 – the highest number until 1723) access to the commons, but with only one beast per person. Between 1715 and 1722, the fines moved in the other direction, remaining at 3*s.* and 13*s.* respectively. As a consequence, the advantage shifted towards having two animals on the commons. Between 1712 and 1720 the numbers swung from 112 freemen with one beast and 23 with two, to 77 and 55 respectively. In response, fines were raised and once more loaded more heavily against those with two animals. This time, although there was a shift in favour of those with one animal only, the numbers with two remained high. The 1720s saw the commons' policy being adjusted in favour of lone animals, but the double fine was no longer sufficiently prohibitive to produce the kind of swing seen up to 1712.

It is interesting that the corporation now employed the price mechanism to enforce a stint, rather than simply changing the numbers by fiat, as in 1644. Table 4 provides an obvious explanation for this policy. The profit accruing to the corporation increased from £15.9 in 1715, when the per capita rates were cut, to £44.9 in 1726, when they had been increased to 5*s.* 6*d.* and 18*s.* Sadly no figures are available for the key years 1712–14. This makes it difficult to establish whether this policy was designed to increase civic revenues in order to help poor relief in the

per acre for the higher figure); the figures for the larger Westwood common (504 acres) rose from 2–300 in c. 1750 to more than 500 in 1831, that is from 0.5 per acre to about 1.0 per acre. VCH *East Riding*, VI, pp. 214–5. In York in 1846 685 animals were depastured on 791 acres of 'strays', a ratio of 0.87 per acre, although the ratio varied between 1.7 per acre and 0.5 per acre between the 'strays' of the four wards. VCH *City of York*, p. 505. In Clitheroe, 531 statute acres supported 279 animals, or 0.5 per acre. Lancashire RO, MBC 27, Clitheroe commons' marking book, 1764. Jane Humphries has suggested that 3 acres of arable fallow would support one cow for a year. J. Humphries, 'Enclosure, common rights and women: the proletarianization of families in the late eighteenth and early nineteenth centuries', *JEcH* 50 (1990), p. 27,

table 1, note g.

<sup>75</sup> PRO, E134/1 Geo. 1/East 7, 2nd interrogatory, Cornelius Brewer, Borley, Essex, gent., aged 56 years. Brewer had managed the estate of Francis Dashwood in the town for 7–8 years.

<sup>76</sup> Although there is no evidence about the composition of the meadow pasture in Sudbury, contemporary improvement propaganda suggested that much higher stocking rates were possible with the introduction of clover. Andrew Yarranton wrote in 1663 that 'I can make it appear, six acres of land in clover will keep as many cattle, as thirty acres of natural grass ...', quoted in C. Lane, 'The development of pastures and meadows during the sixteenth century', *AgHR* 28 (1980), p. 27.

TABLE 3. The cost of commoning and numbers of animals commoned, Sudbury Commons, 1710-28.

	<i>Fine one animal</i>	<i>% change on year</i>	<i>Fine two animals</i>	<i>% change on year</i>	<i>commoners with one animal</i>		<i>commoners with two animals</i>		<i>Total commoners</i>
						<i>%</i>		<i>%</i>	
1710	3s. 4d.	0	13s. 8d.	0	97	74	34	26	131
1711	4s. 0d.	17	15s. 0d.	9	101	80	25	20	126
1712	5s. 6d.	27	18s. 0d.	17	112	83	23	17	135
1713	6s. 6d.	15	20s. 0d.	10	101	82	22	18	123
1714	6s. 6d.	0	20s. 0d.	0	104	81	25	19	129
1715	3s. 0d.	-54	13s. 0d.	-54	100	79	26	21	126
1716	3s. 0d.	0	13s. 0d.	0	95	72	37	28	132
1717									
1718	3s. 0d.	0	13s. 0d.	0	83	66	43	34	126
1719	3s. 0d.	0	13s. 0d.	0	83	61	52	39	135
1720	3s. 0d.	0	13s. 0d.	0	77	58	55	42	132
1721	3s. 0d.	0	13s. 0d.	0	81	66	42	34	123
1722	3s. 0d.	0	13s. 0d.	0	82	60	55	40	137
1723	5s. 6d.	45	18s. 0d.	28	86	63	50	37	136
1724	5s. 6d.	0	18s. 0d.	0	89	64	49	36	138
1725	5s. 6d.	0	18s. 0d.	0	87	64	48	36	135
1726	5s. 6d.	0	18s. 0d.	0	99	68	47	32	146
1727	3s. 0d.	-45	13s. 0d.	-28	89	66	46	34	135
1728	3s. 0d.	0	13s. 0d.	0	100	69	44	31	144
Average					88	93	38	40	132

Source: Suffolk RO (Bury), EE 501/2/7 (no list survives for 1717).

recession, or whether, as Leake and Mainwaring alleged, the money was used exclusively for the entertainment and hospitality expenses of the mayor, aldermen and chief burgesses.<sup>77</sup>

While use of the commons increased slightly, not all trades used the land for the same purpose. Table 5 shows the proportion of different type of animals depastured on the commons by the town's various occupational sectors. Most trade sectors used the commons more for the pasturing of animals used for traction than for dairying. Only woodworkers, weavers and allied subsidiary cloth trades and (strangely) medical practitioners depastured a higher proportion of cows on the commons than horses. Two-thirds or more of all the other animals introduced to the commons by other trade groups were horses or mares. For these trades, it appears that the

<sup>77</sup> PRO, C10/406/10. Mainwaring and Leake alleged that in c. 1683 the bailiff, one French, received £10 in profits from the commons and used it to pay for the bailiff's feast. It may be significant that the commons' records are written in the back of a volume in which mayoral expenses are recorded, for the period 1645-72, SRO (Bury), EE 501/2/7.

TABLE 4. Amounts of Money raised and spent from Sudbury Commons, 1710–28

Year	Number Using Commons	Income (£)	Number receiving Money	Expenditure (£)	Surplus (£)
1710	131	39.0	241	18.1	20.9
1711	126	39.0	214	13.4	25.6
1712	135	50.7			
1713	123	54.8	228		
1714	129	58.8	241		
1715	127	33.9	240	18.0	15.9
1716	132	38.3	221		
1717					
1718	126	40.4	262	22.9	17.5
1719	135	46.3	258	25.8	20.5
1720	132	47.3	257	25.7	21.6
1721	124	39.5	248	21.7	17.8
1722	137	46.8	244		
1723	136	68.7	236		
1724	138	68.6	226	28.3	40.3
1725	135	67.1	224	25.2	41.9
1726	146	69.5	246	24.6	44.9
1727	135	43.3	253	29.5	13.8
1728	144	42.3	240	24.0	18.3
Average	133	50.0	240	23.0	25.0

Source: Suffolk RO, EE 501/2/7. Gaps in the table indicate no evidence.

commons were a conveniently located town-centre park for their business transport, saving the necessity of accommodating animals at a distance. For woodworkers and the textile producing and processing trades, the proportions were reversed. More than half the animals depastured were cows, and a majority in all these groups favoured cows, kept presumably as a source of fresh milk and butter, and definitely as a second income stream.<sup>78</sup> The bovine bias was most evident in the weaving and allied cloth trades.<sup>79</sup> This may be why, in Table 2, the proportion of cows rises to almost fifty per cent in the worst years of recession in the cloth trade, between

<sup>78</sup> David Levine has suggested that the labourer's cow was 'worth almost as much as his wages' in the eighteenth century, D. Levine, *Reproducing families: the political economy of English population history* (1987), p. 67. Jane Humphries has estimated the yield at 'often more than half the adult male labourer's wage' in the later eighteenth century, Humphries, 'Enclosure', p. 31. In a cloth town like Sudbury, the stability of dairy

demand and profits may have been more important than whether they matched male household income from weaving (which often fluctuated more than labouring wages).

<sup>79</sup> The allied trades included woolcombers, comb-makers, shearmen, 'pappers' (yarn-bleachers), and sycourers and dyers.

TABLE 5. Total number of animals depastured by occupational group, 1710-28

	Average Number Per Person			Proportion of Animals (%)		
	<i>cows</i>	<i>horses</i>	<i>mares</i>	<i>cows</i>	<i>horses</i>	<i>mares</i>
Agricultural	3.3	5.5	3.3	26	49	24
Woodworkers	9.2	5.3	2.5	57	37	6
clothiers	6.8	7.6	5.8	22	44	34
weavers	6.5	4.0	4.1	52	26	22
allied	10.3	3.3	7.0	73	16	11
All Clothworkers	7.4	5.7	5.2	41	33	26
Leatherworkers	7.0	6.2	5.4	25	41	34
Food producers	6.8	6.0	3.9	30	43	27
Metalworkers	2.5	3.4	5.0	10	33	58
Medical	2.0	5.8	7.3	46	44	10
Services	5.5	4.5	1.4	19	64	17
Clothing	2.4	5.5	2.8	16	60	23
Misc. Crafts	10.0	8.7	9.3	22	38	40
Gents.	3.5	5.1	8.0	13	52	35
Clerics	0	5.0	1.0	0	91	9
All Trades	3.2	4.5	3.2	33	40	27
Unknown Occ.	2.5	2.7	1.9	39	35	26
Total	2.7	3.1	2.3	35	39	26

Source: SRO (Bury), EE 501/2/7 collated with occupational designations drawn mostly from the cocket books, EE 501/4/1 and other sources.

Note: Average number per person in each occupational group is the number of animals grazed over the entire period divided by the number of people grazing that type of animal in the occupational group.

1710-12. It may also have added to the sense of urgency among those petitioning for access to the commons in these years.

The commons served as a useful resource for a proportion of freemen in Sudbury. For most of these tradesmen, this land provided a means of pasturing animals used for traction or for 'business transport'. Yet, within this group, other trades, particularly wage earners in the cloth trade, appear to have been using the commons as a resource in a dual economy. These trades showed a slight preference for cows over horses, and (presumably) for dairy produce over transportation. In these trades it was the employers who transported raw materials and finished products, not their household producers. The increasingly precarious nature of employment and payment in the cloth trade meant that all alternative sources of income were welcome.<sup>80</sup>

<sup>80</sup> One of the consequences of the 1707-14 recession in the cloth trade elsewhere in this region was that clothiers forced down wage rates, paid in kind or in truck or delayed payment for as long as possible (to stave off their own credit crises). See K. H. Burley, 'A labour dispute in early eighteenth-century Colchester', *Bulletin of the Institute of Historical Research* 29 (1956), pp. 230-40.

Dairying may have been a particularly important supplement to female incomes, particularly in the cloth trades. While this fact is hidden for most married women, 52 (14 per cent of the total) of those who depastured animals were widows. They showed a marked tendency to possess cows rather than horses. In the seventeen years covered by the commons' book, they depastured 111 cows, 38 horses and 37 mares. Of the group almost half (24 out of 52) owned only cows. This may illustrate the female use of the commons for dairying, which underlay use of the commons by freemen. In general, though, female household heads were more likely to receive money from the commons, than they were to depasture animals on them.<sup>81</sup> As a consequence, for Sudbury weavers, their wives and their widows, access to the commons appears to have been a distinct financial bonus, but one that was distributed inequitably.

## VI

The wider impact of urban agriculture, or of access to agrarian resources, can be detected in probate inventories for borough inhabitants in the seventeenth and eighteenth centuries. There are few of these sources for freemen in the period under observation in this article. Frustratingly, the Sudbury inventories decline in number and quality around 1700, just before the start of the commons lists. As a result, there are only 94 inventories for townsmen between 1625 and 1720, and only four of these can be connected positively to individuals in the database.<sup>82</sup> However, some estimates can be made. These inventories contain a large number of senior members of the corporation. Thirty six out of the 94 testators were aldermen, chief burgesses or members of groups of free burgesses who represented the wider burgess population during annual mayoral elections. It seems safe to infer that this group of wealthier inhabitants drew disproportionately on their rights to the commons. Between 1710–28, all ten aldermen did so, 34 out of 36 chief burgesses did so, as did 85 out of 127 free burgesses.<sup>83</sup> Obviously, such an assumption is more difficult to prove among the wider burgess population. If the 1703 burgess list is accurate, perhaps only a quarter of the resident, eligible free burgesses used the commons, a further 40 per cent received commons money, with 35 per cent unaccounted for.<sup>84</sup>

Among the higher echelons of the corporation the above patterns are repeated. Positions among, and promotion to, the ranks of the chief burgesses depended on length of service and wealth.<sup>85</sup> Aldermen and chief burgesses were wealthier than free burgesses, and were promoted out of the ranks of the latter group. Table 6 illustrates the differences in commoning patterns

<sup>81</sup> 159 out of 589 persons (27 per cent) receiving money from the commons between 1710 and 1728 were women – that is, almost double the proportion of women who depastured animals on the commons.

<sup>82</sup> The inventories are all those found in SRO (Bury), will registers IC/500/3/2 to 3/43 (1647–1720), supplemented by a few inventories found in Norfolk RO, Inv 32–46 (1625–40) and in PRO PROB 4 and PROB 5. The four are SRO (Bury), Probate Register 1C/500/3/38/56 (Phillip Garrard, maltster, d. 1712); 1C/500/3/39/20 (William Fothergill, apothecary, d. 1713); 1C/500/3/43/15 (Robert Soles, butcher, d. 1719) and PRO, PROB 3/18/161

(Roger Kineston, salesman, d. 1719).

<sup>83</sup> SRO (Bury) EE 501/2/9.

<sup>84</sup> See above, n. 65. These percentages are based on the assumption that if the total number of resident free burgesses was c. 580 (with a further c. 140 non-resident), then on average c. 130 of them depastured cattle; c. 240 received commons money, with a further c. 200 not appearing on either list.

<sup>85</sup> See H. R. French, 'Social status, localism and the "middle sort of people" in England, 1630–1750', *Past and Present* 166 (2000), pp. 66–99.

TABLE 6. Proportion of animal types depastured, by officeholding in Sudbury corporation, 1710–28

	N	Average number per person			proportion of animals (%)			Average number of years in database
		cows	horses	mares	cows	horses	mares	
Free Burgesses:								
1–4 years service	47	7.6	5.8	3.7	28	48	34	8.0
5–12 years service	35	7.2	8.0	8.7	31	37	32	11.0
Chief Burgesses								
1–9 years service	19	5.6	4.8	3.7	14	46	40	7.8
10–17 years service	14	2.7	6.4	9.8	9	47	44	10.0
Aldermen	12	2.8	7.5	9.4	9	49	41	11.0

Source: identification of burgesses, chief burgesses and aldermen (and their period of service) taken from Suffolk RO, EE 501/2/9, collated with annual lists of commoners in EE501/2/7.

Note: averages calculated as Table 5.

among these groups between 1710 and 1728. Free burgesses, whatever their length of service, were three times more likely to have cows on the commons than the longest-serving chief burgesses and aldermen. These two highest groups depastured horses and mares in 90 per cent of cases. This is a different perspective on the findings of Table 5, that higher status trades were more likely to common horses than cows. Weavers and lower-level cloth trades, who were most likely to common cows, were only present among the free burgesses, and were not represented among the top two levels of the corporation (only one weaver was a chief burgess).

Among the inventories, twelve out of sixteen inventories of chief burgesses and aldermen mention livestock; only eight out of twenty free burgesses' do so; while among the other testators, livestock is mentioned in only 28 out of 58 inventories. In all, 48 out of 94 inventories value livestock (51 per cent). Table 7 shows the differences in the types of animal possessed in the inventories of different occupational groups. Most of these groups are too small to be significant. However, two trends are important.<sup>86</sup> The first is that, once again, clothiers tended to possess draught animals far more frequently than they owned other livestock: 12 out of the 23 clothiers in the sample owned horses or mares. By contrast, ownership (or mention) of any livestock was rare among the weavers and allied cloth trades. The other trend is the (logical) tendency for food producers, notably innkeepers, bakers and maltsters, to own pigs, fed on surplus grain and malt mash. Two bakers, two brewers, two innkeepers and one maltster owned

<sup>86</sup> The large numbers of animals among the 'miscellaneous trades' category is due to the inventory of Joseph Andrews, merchant, 1701, PRO, PROB 5/4854. His total personal estate was valued at £946, with household goods of £111, and a fully-fledged farm of 13 acres wheat, 27 acres rye, 10 combs of barley, 2 loads of maslin, 45 sheep, 40 lambs, 12 cows, one bull, six bullocks, eleven working horses and 3 colts, as well as a sow and pigs, and 3 tumbrels, 2 waggons, 2 ploughs and a harrow. In 1697, he held 11 acres of land in St. Gregory's parish in the town, SRO (Bury), FL 634/1/1 St. Gregory's Sudbury Parish Book, 1661–1829, account of lands in the parish, 1696; his nephew Oliver Andrews farmed a further 28 acres in the parish that year. He was impropiator of St. Gregory's too, PRO E 134/11 Anne/Mich. 5; 11 and 12 Anne/Hil. 1 and 1 Geo. 1/East. 7.

TABLE 7. Distribution of animals in Sudbury probate inventories, 1625-1720

	<i>N</i>	<i>cows</i>	<i>horses</i>	<i>mares</i>	<i>pigs</i>	<i>sheep</i>	<i>Incidence of animals in inventories</i>
Agricultural	4	2	8	0	2	0	2/4
Woodworkers	3	1	2	0	0	0	2/3
clothiers	23	5	20	4	3	18	14/23
weavers	15	0	0	1	1	0	2/15
allied	3	5	0	0	1	0	1/3
All Clothworkers	41	10	20	5	5	18	17/41
Leatherworkers	3	1	1	0	0	0	1/3
Food producers	19	4	4	3	38	0	13/19
Metalworkers	5	0	3	1	0	0	3/5
Medical	3	0	0	1	0	0	1/3
Services	3	4	0	0	2	0	2/3
Clothing	7	0	4	4	0	0	5/7
Misc. Crafts	3	17	11	0	2	85	1/3
Gents.	2	1	0	0	0	0	1/2
Clerics	0						
TOTAL	92						

*Source:* inventories as described in footnote 82. One inventory without an occupational designation is omitted.

38 pigs between them.<sup>87</sup> The relative absence of pigs in other inventories suggests that only those with the means to feed them cheaply kept pigs in any numbers. As has been shown, pigs were prohibited from the commons.

Other agrarian products featured in the inventories. Of the group of 94, 25 mentioned hay and fodder for animals. Sixteen inventories listed wheat, barley, oats, maslin or rye. Four inventories included stocks of peas, beans and legumes, four mentioned hops, seven had stocks of malt (excluding maltsters and brewers), three listed agricultural equipment (ploughs, harrows, waggons, carts, or tumbrels), and five mentioned acreages of land, or the value of tillage. Others give indications of the variety of produce available in Sudbury. George Porter possessed 18 bushels of apples, and some walnuts, in his inventory of November 1650.<sup>88</sup> John

<sup>87</sup> SRO (Bury), Probate Registers 1C/500/3/11/15 (William Elliston, innkeeper, 1666, 9 pigs); PRO, PROB 4/12413 (Ambrose Hayward, innkeeper, 1666, 9 pigs); SRO (Bury) 1C/500/3/11/58 (Robert Buxton, brewer, 1666, 6 pigs); 1C/500/3/10/24 (Henry Somersett, brewer, 1664, 3 pigs); 1C/500/3/19/13 (John Place, baker, 1677, 3 pigs);

1C/500/3/26/80 (John King, baker, 1701, 6 pigs); 1C/500/3/21/77 (Joseph Nunn, maltster, 1682, 2 or more pigs). The urban pig, particularly the malt fed-variety, has recently found its historian in Prof. Chartres.

<sup>88</sup> SRO (Bury), 1C/500/3/3/100 (George Porter, Sudbury, comber, 21 Nov. 1650).

TABLE 8. The possession of cattle and other goods in Sudbury inventories, 1625-1720

	<i>Inventories with cattle</i>		<i>Inventories without cattle</i>	
	<i>average number of items</i>	<i>% with</i>	<i>average number of items</i>	<i>% with</i>
Possession of:				
Beds (unspecified)	3.3	17	2.6	41
Featherbeds	3.5	63	2.7	52
Flockbeds	3.2	73	2.0	50
Long/Square Tables	4.5	92	3.8	74
Octagonal/Round Tables	2.8	33	2.5	46
Oval/Dining Tables	1.4	21	2.0	2
Joined Stools/Chairs	21.2	81	18.3	48
Rush/Wicker Chairs	9.7	58	9.4	47
Upholstered Chairs	7.4	27	4.8	17
Leather Chairs	7.5	29	5.0	13
Couches	4.5	13	1.0	2
Glass Keeps	1.3	50	1.5	26
Chests	1.9	65	1.8	54
Chests of Drawers	1.8	48	1.7	39
Cushions	10.1	44	6.9	26
Window Curtains	6.9	35	3.7	15
Tea/Coffee Sets	1.5	4	2.0	4
China	0	0	0.0	0
Sheets (pairs)	11.2	19	6.0	24
Looking Glasses	2.1	46	2.3	26
Clocks	1.2	21	1.1	15
Pictures/Maps	4.6	17	2.7	7
Wall Hangings	6	4	0.0	0
Musical Instruments	2	2	1.0	2
Books	3.5	23	1.9	17
Silver Spoons	5.9	21	2.8	20
Guns	2.5	31	2.6	11

Totty, a gardener, had seed beans and seed peas, and 'white roots' (either turnips or parsnips) worth £1 in September 1682.<sup>89</sup> Significantly, both he, and Stephen Carter, the other 'husbandman' in the sample, owned a pair of looms, for by-employment could work in both directions

<sup>89</sup> SRO (Bury), 1C/500/3/21/122 (John Totty, Sudbury, gardener, 7 Sept. 1682).



Average value of inventory measured as:		
Average household goods (£)	4.4	29.9
Average total inventory valuation (£)	297.5	101.7
Average trade stock (£)	208.5	76.0
Median household goods (£)	49.2	20.4
Median total inventory value (£)	203.5	45.2
Median trade stock (£)	52.1	19.1
Average household goods/total inventory valuation (%)	35.0	51.0

*Source:* inventories as described in footnote 82. One inventory without an occupational designation is omitted.

*Note:* 48 inventories with cattle and 46 without are in observation.

in the town.<sup>90</sup> A further six of the inventory sample appear to have been engaged actively in farming, including two clothiers, a lawyer, a haberdasher, a merchant, and one 'gent.'

While the presence of animals in inventories does not, necessarily, indicate the possession or use of common rights, the distinctions between testators with and without animals are interesting, and are shown in Table 8. In this table the wealth of the testators has been analysed in two ways. Firstly, the propensity to possess a range of twenty-seven 'status-indicating' household items has been measured. Secondly, a series of inventory valuations have been calculated at the foot of the table. These deal with the average and median values of, respectively, the household goods in the inventory,<sup>91</sup> the total value of all items in the inventory, and the value of the trade stock. The percentage of the value of the household goods to the total inventory value has also been calculated.

The table indicates that those who possessed animals as part of their inventoried goods tended to be richer in two respects than those who did not.<sup>92</sup> The former owned a higher number of these household furnishings per head, one more bed each, one more table, three more chairs, more upholstered furniture, more cushions, twice as many curtains and nearly twice as much (expensive) bed linen. In addition, these items were owned by approximately ten per cent more of the group possessing animals, than by those whose inventories omitted livestock. This difference in personal wealth is accentuated in the valuations of household and total estate and for trade stock. Those possessing animals had double the median value of household goods, nearly four times the total inventoried wealth, and more than double the amount of trade stock. Among the inventoried population of the town (its top twenty per cent), ownership of livestock

<sup>90</sup> SRO (Bury), 1C/500/3/24/6, (Stephen Carter, Sudbury, husbandman, 13 May 1691). The same was true of William Hewes, a 'yeoman', who appears to have been a clothier, with £226 worth of cloth in London. PRO, PROB4/12655 (1670).

<sup>91</sup> These include all household furniture, bedding, cooking equipment, equipment in food preparation and storage rooms (milk houses, butteries, beer cellars), but excluding trade or farm tools and stock, goods stored outside the house, furniture in other houses, food and

drink, clothes and ready money.

<sup>92</sup> The differences cannot be explained by any disparity in the chronological distributions of the inventories of the two groups between 1625 and 1720. For inventories with animals, two inventories preceded 1640, 26 were from 1660-79, 11 from 1680-1699, and 9 between 1710-19 (n = 48). For inventories without animals 3 preceded 1640, 6 were from 1641-59, 17 from 1660-79, 11 from 1680-99 and 9 from 1700-19 (n = 46).

accompanied other forms of wealth. It may have consolidated this wealth by allowing a diversification of resources. In the case of clothiers and large-scale craft and processing trades (carpenters, tallow chandlers, millers and maltsters), ownership of draught animals may have been part of the capital investment in the business, a function of scale. Among less wealthy trading households, the dairy cow may have provided an important supplement to female income, which, in a town like Sudbury, was probably even more dependent than male income on the buoyancy of wage rates in the cloth trade.<sup>93</sup> Most households, however, lacked access even to this relatively modest by-employment.

Just as agrarian by-employments existed within the wider framework of the cloth industry, so Sudbury's commons existed within a wider farming landscape. The commons were situated in St. Gregory's parish, and half-year common pasture rights spilled over the formal bounds of the commons, into the neighbouring closes and the town's two other parishes. In addition, individuals who possessed common rights sometimes owned small parcels, or held land by leasehold, or sub-leasing. A 1696 parochial survey of lands in St. Gregory's, possibly compiled for tithe purposes, makes this point. Although the names of commoners are not recorded until 1710, 10 of the 34 occupiers of lands in 1696 later exercised common rights.

The area was a mix of holdings of various sizes. The total acreage was at least 338 acres, distributed among 32 occupiers.<sup>94</sup> This gives an average acreage of 10.5 acres, but the median was only 5 acres. The parish was divided up into a mix of workable farms, and field or meadow plots of less than five acres, held by wealthier residents of the town, sometimes alongside rights of common.<sup>95</sup> William Cock had 0.75 acres in North meadow; William Fothergill, an apothecary, had 2 acres; Samuel Abbott had 6 acres in Windmill Field; Thomas Bracket had 3 acres there; John Baker had 7 acres there, plus 0.75 acres of meadow; Roger Scarling had 8 acres in Windmill Field, and 2 acres in North meadow. All went on to become aldermen or chief burgesses, except Baker, who was a Quaker. Holdings of this size could yield a diverse harvest. William King, a prosperous haberdasher and chief burgess died in July 1685, in possession of such a smallholding in the town. His inventory listed 2.75 acres of barley, the same amount of wheat, a lease of 1 acre of meadow (valued at £30), a parcel of beans, 3 seams of peas, 3 bushels of oats, 3 seams of malt, half a bushel of meal, and one parcel of pea straw.<sup>96</sup> This produce was valued at £24, a tiny proportion of his total wealth of £313, but an indication of the range of activities on such parcels. These smallholdings functioned as part of the real estate investment properties of the

<sup>93</sup> Defoe noted 'after the late plague in France and the Peace in Spain' (c. 1721?) 'the poor women in Essex could earn one shilling to one shilling and six pence per diem by spinning ... the poor farmers could get no dairy maids, the wenches told them in so many words that they would not go to service for twelve pence a week when they could get nine shillings a week at their own hands ... so they all run along to Bocking, to Sudbury, to Braintree, and to Colchester ...'. D. Defoe, *The plan of English commerce* (1728), pp. 267-9.

<sup>94</sup> SRO (Bury), FL 634/1/1. The 'account of lands lying in St. Gregory's' is not a fully detailed survey with every field and acreage itemised, but appears to be a listing of

lands for tithe purposes. Some acreages are approximate, and 3 individuals have no acreage given to them.

<sup>95</sup> The parochial survey does not distinguish between owners and occupiers. Evidence from PRO, E 134/11 and 12 Anne/Hil. 1 and 10 and will of Nathaniel King, Sudbury, 1668, SRO (Bury), Archdeaconry of Sudbury Will Register, Edgar 1666-9, suggests that most of the lands were either in the hands of sub-tenants, or held under long lease. Only two of the 35 landholders listed were definitely freeholders in the parish.

<sup>96</sup> PRO, PROB5/4385 (William King, Sudbury, gent., 17 July 1685).

corporation's trading elite,<sup>97</sup> rather than merely representing the remnants of a past generation of urban husbandmen.

Interspersed with these plots were larger, economically viable land holdings. William Hazell possessed 21 acres, Samuel Hazell 41 acres, Buxton Underwood 35 acres, Oliver Andrews 28 acres and Mr. Wiggoner who held the farm called Bartholomew's of approximately 28 acres.<sup>98</sup> In 1713, James Hurrell, of Ballingdon (Sudbury's Essex suburb), yeoman, testified that he had been the sub-tenant to this farm between 1690 and 1705, for which he had paid £85 per annum, just over £3 per acre.<sup>99</sup> It consisted of 20.5 acres of arable, some in a common field, and 3 acres of meadow, with a cottage and 6 acres in nearby Bulmer, Essex. Similarly, in 1696 Samuel Carter, later a chief burgess, was tenant to Sir Jervase Elwes' lands, a farm of 18.5 acres, divided between 8.5 acres of meadow and 10 of arable. Elsewhere the agrarian economy was being superseded by the wharf, coal yards, and horse paddocks of the River Stour Navigation – a feature of Constable's Suffolk landscapes which has come, ironically, to symbolize a pre-industrial countryside.<sup>100</sup>

The land in the possession of Samuel Hazell in 1696 was in use by 1710–12 as half-year pasture to absorb additional cattle from the over-stretched commons. This extension of common rights was a way in which the siege around the commons, enforced through market rents, could be lifted – on a further 10 acres, for part of the year. In other respects, in a town bounded to the south by a series of water meadows, the determined urban cow or horse keeper may have found it cheaper, in the long run, to buy hay, rather than rent meadow at market rates.<sup>101</sup>

## VII

This detailed survey of the use of the town commons in Sudbury allows us to begin to place this resource in its appropriate social and economic context. The primary function of the commons was as a cheap source of accommodation for draught animals in a town that was heavily, if decreasingly, dependent on manufacturing. In general, this was a right held only by those whose businesses could afford, and justify, the possession of a horse or mare. For most of the less wealthy freemen, engaged in textile or related trades, a horse was both unnecessary and expensive. For most inhabitants of the town, the commons were the source of a yearly dole,

<sup>97</sup> The main form of real estate investment was in urban housing. Out of 36 Sudbury wills that mentioned real estate between 1730–50, seven mentioned land only, seven mentioned both houses and land, while the remaining 22 mentioned only houses and tenements. Of this group of 36 testators, 23 had been commoners, and three had also received collection money. SRO (Bury), Archdeaconry of Sudbury Will Registers 1728–1751, microfilms J. 545/53–6.

<sup>98</sup> Only part of this farm lay within St. Gregory's parish. The parish boundaries and the extent of tithe liability were at the heart of the disputes in PRO, E 134/11 Anne/Mich. 5, 11 and 12 Anne/Hil. 1, 2. For an indication of the output of such farms, see above n. 85.

<sup>99</sup> PRO, E 134/11 and 12 Anne/Hil. 2, James Hurrell, Ballingdon, yeoman, aged 60 years.

<sup>100</sup> PRO E 134/11 Anne/Mich 5, Robert Hooper, Sudbury, gent., aged 37 years. 'Nonsuch' field 5 acres, in All Saints' and St. Gregory's parishes was used by the Stour Navigation proprietors, for loading wagons, as a coal yard, for a quay, with the rest of the field used to feed the company's draught horses. See J. S. Hull, 'The River Stour Navigation Company', *Proc. of the Suffolk Institute for Archaeology* 32 (1972), pp. 221–54.

<sup>101</sup> PRO E 134/11 Anne/Mich 5. In 1712, Robert Hooper of Sudbury testified that 2.5 or 3 acres of 'Nonsuch Field' next to the commons produced three 'loads' of hay, worth £3. This volume was approximately the amount required to feed a cow or a horse for a year. 19 Sudbury inventories valued hay, the average valuation was £2 16s. 8d. The average value per cow or horse, in 13 inventories, was £1 10s. od., or approximately 1.5 loads, or six months' fodder.

equivalent to a week's income – not to be dismissed lightly, perhaps, but not a particularly significant contribution to the household budget. Where they had beasts on the common, these poorer freemen may have favoured cows over horses – and the means of deriving a second income over the means of assisting a primary one. This was probably a second income source for women, rather than for their husbands. It is significant that occupations outside the economically vulnerable cloth making and finishing trades seem not to have opted for this 'insurance policy'.

While the commons were themselves of only modest importance to the incomes of most of the households in the town, it must be remembered that they existed only as a fragment of a much larger agrarian economy. The commons were by no means the only lands within the boundaries of the town. Depasturing animals was by no means the only source of agrarian income available to the town's inhabitants. Cows and horses could be kept on lands other than the commons, as could poultry. Hay, cereal, fruit and hop harvests required labour, and could, for a few weeks of the year, pay better than weaving or spinning. The 'arable' crop grown in the town's hinterland often included the disparate and diverse products of market gardening, as well as the usual grain staples.<sup>102</sup> These might be grown in small, sub-let, parcels by those ostensibly engaged in 'urban' trades, or by their families. Such parcels provided investment opportunities for landowners within the town, and outside it. This agrarian 'hinterland' functioned in two directions, providing a base for the agrarian endeavours of townspeople, but also acting as the conduit by which the rural economy and its systems of land tenure and management penetrated urban institutions and activities. In this study the accent has been placed on the former, but the latter also deserves to be remembered.

An examination of the Sudbury commons can only hint at these possibilities. The prevalence of urban commons and common rights and the wider question of the nature and significance of urban agriculture are also more a matter for conjecture than for proof. Much more research into these areas is required, but it does involve a change in our perspectives. In particular, we need to extend our understanding of the pre-industrial economy by considering the agrarian history of towns, large and small. This research suggests that the distributive and demographic urban-rural connections posited by Chartres and Wrigley were matched by some overlap of output and employment opportunities. This is an urban agrarian history of land tenure and production, as well as of processing and exchange; of urban demand and wealth reaching out into the countryside, but also of rural capacity and tenurial structures reaching into towns. In addition, it poses town governments as managers of communal landed resources, and urban dwellers and freemen as enfranchised property holders – concepts that are more easily recognized in the village Courts Leet, rather than in corporation minutes. It is also a history that extended into the nineteenth century, and which was subject to considerable change. Urban agriculture evolved with the size and shape of the settlements around which it was based. This involved changes in demand, in land use, in tenure and sub-tenure, and in controls on access. These features also remain to be explored.

Urban development, manufacturing and household economies continued to rely on the

<sup>102</sup> No evidence of this has been found for Sudbury, but in Colchester in 1688, Anne Clarke occupied a 2-acre field in St. Botolph's parish (the heart of the weaving district), on which she cultivated 'garden stuff' including parsnips, carrots, cucumbers, onions, 'red roots' (beetroot?), French beans and one 'midling' walnut tree, valued at £15 for the year. PRO E 134/1 Wm. and Mary/Mich. 15.

agrarian resources of towns, and their hinterlands. Agricultural production and labour requirements provided by-employments for an urban workforce.<sup>103</sup> Such opportunities may have contributed to the 'economy of makeshifts'<sup>104</sup> of such households, and may also have offered some resistance to the trend towards reliance on a single source of waged income. The case of Sudbury suggests that the town lands offered such a possibility, but only to less than half the freemen, and to a smaller minority of waged workers. It also implies, however, that the commons were not the only landed resource available to the town's inhabitants, nor the only form of agricultural endeavour. Each of the five types of town common existed within different urban agrarian, manufacturing and service economies, and within different agricultural regions. Each of these facets adds another layer of complexity to the story of urban agriculture, and its development through time. However, the fact that we still know so little about each of these elements suggests that it is time that this story was told.

<sup>103</sup> Joan Thirsk's seminal article on 'by-employments' emphasises the role of rural commons in providing resources and opportunities for dual household economies in the countryside, a model that might usefully be extended to urban commons. J. Thirsk, 'Industries in the countryside' in id., *The rural economy of England:*

*collected essays* (1984), pp. 217-34.

<sup>104</sup> The phrase is coined by T. Wales, 'Poverty, poor relief and the life-cycle: some evidence from seventeenth-century Norfolk' in R. M. Smith (ed.), *Land, kinship and life-cycle* (1984), pp. 351-404.