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*BRITISH RADICALISM, 1791-1797*

BY

WALTER PHELPS HALL



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**WILLIAM MARTIN RICHARDS**



## PREFACE

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TODAY, with *Kulturgeschichte* almost orthodox, and radicalism made respectable,<sup>1</sup> it is unnecessary to apologize for the subject of this dissertation. Concerning its treatment, however, the author feels no such assurance. His original endeavor was to describe the political organization of radicalism which, by the constituent nature of the House of Commons, existed perforce beyond the pale of that body. But upon further study, organized radicalism, when compared with theoretical, appeared in significance inconsequential and abortive. Therefore, the emphasis has been shifted to an analysis of radical theory. That analysis is far from complete. To trace with accuracy the influence of either Paine or Godwin alone, would be no small task. This treatise does not pretend to treat the radicalism of the period comprehensively or exhaustively. Its aim is to construct a just and well-proportioned synthesis of radical opinion.

In the introduction, the framework of British society within which radicalism operated, has been briefly summarized in its more characteristic features. Therein the changes of the economic structure of society at the end of the eighteenth century are deemed worthy of first consideration, and second only to them in importance is a catalog of those cumbersome and antiquated statutes which so clogged the wheels of British progress.

In the preparation of this dissertation the author has

<sup>1</sup> J. H. Robinson, *The New History*, p. 236.

been assisted by Dr. Austin B. Keep, of the College of the City of New York; Dr. A. Z. Reed, and Mr. W. C. Gerrish. Acknowledgments are due also to several members of the Columbia University Faculty: to Professor William M. Sloane, under whose general supervision this thesis has been written; to Professor James T. Shotwell, for keen criticism and suggestion; to Professor Carlton H. Hayes, for the sacrifice of many hours in proof-reading; and in a special sense to Professor James H. Robinson, whose point of view, always fresh and stimulating, has been a paramount influence in the author's graduate work.

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## INTRODUCTION

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It is an obvious, indisputable and salient fact that the cost of living, toward the close of the eighteenth century, increased with great rapidity. The rise in value of wheat was particularly noticeable, as is demonstrated by the audit books of Eton College and Prince's "Prices Current."<sup>1</sup> From the latter source we also learn of a corresponding rise in value of other food commodities of staple use. Nor was this rise confined to foodstuffs. Raw wool, tobacco, soap, lumber and other articles registered an advance; and, though certain wares, such as rice, cotton and tea, decreased somewhat in value, the unusually high average of prices was thereby but little affected.

In addition to "Prices Current" and the Eton tables, exact and minute information upon the subject is contained in Sir John Sinclair's "Statistical Account of Scotland." This book, or series of books, was compiled from letters written by the Scottish clergy. In them the clergymen described as they saw fit the noteworthy features of their own parishes; and it is significant that almost all took cognizance of their increased living expenses. Their estimate for a period of some twenty

<sup>1</sup> Wheat advanced from 43s. 1¼d. in 1780, to 48s. in 1785; to 56s. 2½d. in 1790; to 81s. 6d. in 1795; to 127s. in 1800. Beef, which in 1787 cost per tierce (304 lbs.) 76s., in 1797 sold for 110s. Butter, valued in 1787 at 47s. per hundredweight, brought, in 1797, 85s. Sugar, at 24s. per hundredweight in 1787, was quoted at 52s. in 1797. Tooke, *History of Prices, Appendix* to Volumes I and II, *passim*.

years varied from thirty to fifty per cent.<sup>1</sup> One more instance will suffice. Arthur Young tells us, in 1801, that he knew a person then living who formerly could have bought a bushel of wheat, a bushel of malt, a pound of butter, a pound of cheese, and a pennyworth of tobacco for five shillings. These same commodities cost, in 1801, no less than one pound, six shillings and five pence.\*

There was no relative advance in wages to offset this rise of prices. The buying power of wages in 1800 has been compared with that of 1790. In accordance with Porter's estimate the laborer could buy fifty-three pints of wheat with a week's wages in 1800. In 1790 he could have bought eighty-two pints. The skilled artisan, who could buy only eighty-three pints of wheat in 1800 could in 1790 have procured one hundred and sixty-nine.<sup>3</sup> A slight increase did take place during the last decade of the century. Especially was this true in 1795, 1796 and 1800, but it was piteously inadequate, as the records of the journeymen tailors of London and of the Greenwich hospital prove.<sup>4</sup>

Poverty, suffering and discontent accompanied this

<sup>1</sup> Sinclair, *Statistical Account*, *passim*.

<sup>2</sup> Young, *Annals of Agriculture and other Useful Arts*, xxxvii, 265.

<sup>3</sup> Porter, *State of the Nation*, p. 478.

<sup>4</sup> "The wages of the tailors had been, from 1775 to 1795, one pound, one shilling and nine pence per week, which, at the price of 7¼d. per quarter loaf would purchase thirty-six loaves, while the utmost advance in wages which, in 1795, was to twenty-five shillings, and in 1810 twenty-seven shillings, would purchase in the latter year only eighteen and one-half loaves." The increase at the hospital was: Carpenters from 2/7 per day to 3/2. Bricklayers from 2/4 per day to 3/. Masons from 3/ per day to 3/3. Plumbers from 3/ per day to 3/3. Tooke, *History of Prices*, i, 227. J. E. and Barbara Hammond, *The Village Laborer*, p. 111, give a careful résumé from many contemporary sources of the slight increase in wages during the last quarter of the century.

rise of prices. To the wage earner it meant sharp distress; to the middle-class Englishmen on a fixed income it was a heavy grievance, especially since, as Malthus later indicated, the growing pauperism of the laborers was reacting directly upon the middle class, owing to the vicious poor-law system then in operation.<sup>1</sup> Indeed, this rise in prices was responsible, more than any other factor, for the social unrest which is the subject of our study. It is our intention to approach that unrest later from many different perspectives. For the present let us concede its existence, and confine our attention to the attitude of the government toward the laboring poor.

The Tory government was not greatly perturbed by high prices. To be sure Parliament in October, 1795, was urged to take some action by the speech from the throne, and a brisk word-skirmish ensued, but judged by its results, the debate was both trifling and desultory. High prices did not ruffle the equanimity of the lords. On the day Parliament opened, somewhat over a hun-

<sup>1</sup> Malthus, *Essay on Population* (1798), pp. 71 *et seq.* This idea is further treated by Malthus in 1800, *vide, Investigation of the High Price of Living*. Specific figures are given by Tooke, i, *op. cit.*, 228:

	1773.			1793.			1797.		
	£.	s.	d.	£.	s.	d.	£.	s.	d.
Coomb of malt . . . . .	—	12	—	1	3	—	1	3	—
A caldron of coals. . . . .	1	11	6	2	—	6	2	6	—
A coomb of oats. . . . .	—	5	—	—	13	—	—	16	—
A load of hay . . . . .	2	2	—	4	10	—	5	5	—
Meat . . . . .	—	—	4	—	—	5	—	—	7
Butter. . . . .	—	—	6	—	—	11	—	—	11
Sugar. . . . .	—	—	8	—	1	—	—	1	3
Soap . . . . .	—	—	6	—	—	8	—	—	—
Light. . . . .	3	10	6	7	10	8	12	12	9½
Poor rates per quarter	—	1	—	—	2	6	—	3	9½
	—	—	—	—	—	—	—	—	—
	8	4	0	16	2	8	22	9	4

dred peers spiritual and temporal were present. The next day there were fourteen, and throughout this session and the next the attendance averaged perhaps ten.<sup>1</sup> The lords did, however, pass a resolution binding themselves not to consume more than two-thirds of their accustomed quantity of flour.<sup>2</sup> Conscious then of duty well performed, they rested from their labors.

In the House of Commons, though no one knew why prices had risen, there were many ready with the reason. The Tories censured nature, and forsooth with perfect propriety, for had not crops been unusually poor?<sup>3</sup> Fox, the Whig leader, denounced the war,<sup>4</sup> and others held the mechanism of distribution responsible, for the government refrained from regulating the corn market. Indeed, one Lechmere stated that his study of the sub-

<sup>1</sup> *Journal of the House of Lords* for 1795. The lowest number at any meeting was three. At the time of the attack on the king nearly a full house assembled.

<sup>2</sup> On debating this resolution, some animation was displayed. The Earl of Lauderdale protested that "such a palpable catch at popularity should be disclaimed. He would not have his name trumpeted forth in the public ear while he was conscious that he afforded no real mitigation to the pressure of public calamity." *Parliamentary Register*, xlv, 180.

<sup>3</sup> There were no good crops in England between 1791 and 1796. The year 1792 was stated in the annals of agriculture to have been remarkable for an extremely wet summer, by which the crop of wheat was much injured everywhere. In 1793 the crop was moderate. The years 1794-1795 were marked by very bad harvests. The winter of 1794-1795 was unusually severe, the spring following unusually late, and the following harvest being both late and poor. Similar conditions existed in North America and in Northern Europe. Tooke, *op. cit.*, i, 179.

<sup>4</sup> *Parliamentary Register*, xliii, 71. Tooke, *History of Prices*, p. 115. Tooke, by an ingenious comparison of the Eton Tables, demonstrated that from 1688 to 1792 prices in England were as high in times of peace as in times of war. *Op. cit.*, p. 81.

ject had brought him to conclude that monopoly was the root of the evil. He knew of two kinds of monopolies. First, there was a monopoly of farms. All the government could do in this instance was to prevent the evil from growing worse. Second, there was a monopoly in corn. The jobbers were responsible for this, and he would bring the career of these gentlemen to a close. Lechmere proposed that a number of state granaries be erected, and that existing distinctions between wholesale and retail prices be abolished.<sup>1</sup>

These opinions heard in Parliament were reflected and amplified in committee reports.<sup>2</sup> To meet the emergency there were three recommendations: a system of bounties; a reduced consumption of wheat (diet reform); and regulation of the Corn Exchange by the government. The bounty on the importation of wheat was to be determined by a scale graduated in accordance with the current prices in England. This bounty was to be given to both American and European wheat, but at a higher rate to the latter, because ships for the Mediterranean sailed in ballast and were heavily insured.<sup>3</sup> On the other hand the consumption of grain was to be lessened. His Majesty was requested to issue a proclamation to this effect, which should be circulated by the clergy and magistrates of the realm; and yet more definite than the general advice of economy were proposed substitutes for wheat. Rice and potatoes were especially favored. The

<sup>1</sup> *Parliamentary Register*, xliii, 70.

<sup>2</sup> The committee appointed to inquire into the high price of corn made three reports in 1795, and two in 1796. Another committee on the high price of provisions, made six reports in 1800. A third committee, appointed to report on the assize of bread, made two reports in the same year.

<sup>3</sup> First report of the committee on the high price of corn, Nov, 24, 1793. *Reports of Committees*, ix, 45.

director of a London foundling asylum testified that since 1795 he had exclusively used rice for the dinner of his charges, in place of a suet flour pudding. Thereby was the treasury of the foundling asylum greatly benefited and no difference in the health of the children was noted, save possibly in the case of a few, who were given wheaten bread by special dispensation.<sup>1</sup> A Rev. Mr. Smith, from Wendover, Bucks, in 1795 changed his method of bread making. "In the course of that year," he said, "I made many experiments in the mixture of potatoes, barley and oats, together with wheaten flour; which articles, though they are moderate in price, did not answer as cheap substitutes." Mr. Smith discovered that by adding two pounds of rice to eleven pounds of flour he could obtain a satisfactory loaf of bread weighing eighteen pounds.<sup>2</sup>

These efforts were virtually useless. The diet of the laborer was confined largely to bread. He objected vigorously to substitutes of an inferior nutritive quality.<sup>3</sup> The attempt to introduce oatmeal in the south of England met with signal failure. This was inevitable. The cooking of oats was a slow process and firewood was expensive. Furthermore, oatmeal without milk was regarded as unpalatable, and milk toward the end of the century was a luxury to the poor.

Some well-meaning philanthropists were pained by the

<sup>1</sup> *Report of the Committee on the High Price of Provisions*, ix, 93.

<sup>2</sup> Such substitutes of cheaper foodstuffs for flour were frequently used, *vide* numerous letters in the *Annals*. A popular combination seems to have been one-fourth ground potato to three-quarters flour. Twelve pounds of ground potato baked with twenty pounds of flour made forty-two pounds of bread. Young, *Annals*, xxvii, 57. In some localities the idea of mixing wheat flour with cheaper substitutes was not known. Young, *Annals*, xxiv, 45, 62.

<sup>3</sup> Young, *Annals*, xxiv, 131.

laborers' refusal to use cheaper forms of bread. Indeed, much to the distress of the donor, free tickets for a coarsened bread supply were refused in one locality,<sup>1</sup> and this despite the proof that coarser food would do nicely. Said one writer: "Suppose the peasant's family to be well supplied with barley, oats, peas, beans and potatoes. Will it be said either that his necessities require so large a supply of wheat as they otherwise would, or that his discontents would not be allayed by his acquiescence purchased by other compensatory comforts? The acidity of the barley-loaf would be sheathed by having the indigestible lumpiness of it softened by the mild beverage that flows from the same grain, and dried in the kiln and decocted in the furnace. The water pot herb would become hearty and nutritious; the oat cake be rendered unctuous and savory by the oily fatness of the barley corn after it had been animalized in the stye, and smoke-dried in the chimney. These various combinations of the four, corrected in the stomach by its own acid, the indigestible dissolved by its attendant menstruum, and more palatable to the taste, may perhaps be convertible by the concoctive powers into a wholesomer and stronger nutriment than the whitest wheaten bread."<sup>2</sup>

Two propositions were brought forward for the regulation of the manufacture and sale of flour. In the first place, the substitution of either standard or household flour for pure wheat flour was advocated. (Household flour was much coarser than wheaten flour, and standard flour was even more so.) Testimony regarding this proposal was detailed. Physicians summoned as wit-

<sup>1</sup> J. E. and Barbara Hammond, *Village Laborer, 1760-1832*, p. 124.

<sup>2</sup> Henry Gabell, *On the Expediency of Offering and Amending the Regulation Recommended by Parliament for Reducing the High Price of Provisions*, 1796.

nesses could not agree on the physical effect of a coarser quality of flour. Bakers, on the other hand, were unanimously of opinion that it would not be acceptable to customers. When confronted with this question, "Do you concede that, if the legislature was to order any particular sort of flour to be ground, and that the bread to be made of it should be of coarser sort from that which is at present used, it would be acceptable to your customers?" the bakers all answered in the negative.<sup>1</sup> A number of millers and corn factors declared that even if the coarser bread was baked, no more nourishment could be obtained from a given quantity of wheat. Only one witness held a contrary opinion. Alderman Watson, an army contractor, spoke in defence of "camp bread," which, though admittedly of coarser flour, he declared highly desirable.<sup>2</sup> The testimony of Arthur Young ended the evidence before the committee. He acknowledged that brown bread would be a very slight remedy, and probably not as nourishing for laborers as wheaten loaves. In fact, Young saw no escape from the situation, save in the substitution of soups for bread.<sup>3</sup>

Finally the government sought in yet one other way to improve the situation. Criticism of those old-time public enemies, the corn-engrosser and forestaller, was rife, and in consequence a somewhat strict inquiry was set on foot into the working of the Corn Exchange. In London it was private property, owned by some eighty shareholders. These persons rented selling-stands to privileged dealers, who controlled the London market.

<sup>1</sup> *First Report of the Committee on the Assize of Bread, Reports of Committees*, ix, 69, 70.

<sup>2</sup> *Ibid.*, ix, 73.

<sup>3</sup> In this opinion Arthur Young was sustained by a clerical witness. *Ibid.*, ix, 76.

It was true that any man might, if he could, or would, buy in the Exchange from those who owned no stands. But this was not feasible, for, among other practices and manipulations, the dealers contrived to keep the opening of the Exchange as to day and hour a secret.<sup>1</sup> To modernize the methods of the Exchange it was recommended: (1) that every seller be licensed; (2) that registration be kept of every sale; (3) that inspectors regularly be present; (4) that every grower of wheat state, under compulsion, the amount he was ready to sell; (5) that a new market be opened under the management of the Board of Aldermen.

Parliamentary committees, by all of these measures—by the giving of bounties, by economy in consumption, by reform in diet, by the coarsening of the wheaten loaf, and, finally, by the regulation of the Corn Exchange, suggested governmental assistance. More was suggested, however, than was accomplished. The authorities did, in a special emergency, secure grain from the Baltic, and a tax was imposed on those who wore hair powder. Little else was done.

The rise in prices was but the outward and visible sign of a new dispensation, which thoroughly and rapidly transformed the economic and industrial life of Great Britain. Its advent was marked by changes in the forms, standards and character of the entire social fabric. Methods in both agriculture and manufacturing were revolutionized. The new agriculture was characterized by great improvements in technique; a sudden rise in rental value; a consolidation of the smaller farms of the

<sup>1</sup> *Report of the Committee on the High Cost of Provisions, June 24, 1801. Reports of Committees, ix, 146 et seq.*

country into large estates; and a rapid enclosure of the public domain.

Improvements in the technique of agriculture were varied in character: some had to do with a more thorough knowledge of the nature and composition of soils, others involved experimentation in the various uses to which manure might be applied, and an intimate knowledge of the several qualities and adaptations of different kinds of fertilizers.<sup>1</sup> "Artificial grasses" were also much improved; and the use of root crops, such as turnips, in place of fallow, made great headway, for the farmer quickly appreciated the additional quantity of winter feed which these root crops afforded. Enthusiastic inquiries were made into the problem of land drainage;<sup>2</sup> and the irrigation of dry districts was carefully studied. Various ways and means were found for the enrichment of the soil, and encouraged by all classes of society. King George himself wrote on agricultural topics under the pseudonym "Mr. Robinson," while in the northern kingdom the Duke of Buccleugh and "Potato" Wilkie worked shoulder to shoulder for the same purpose.

An equal advance was registered in breeding methods. By 1785 Bakewell had completed his great discoveries in sheep and cattle breeding, and the impetus thus received made itself felt in effectively conducted experiments throughout the remainder of the century.<sup>3</sup>

<sup>1</sup> Young, *Annals*, xxiii, 77; xxvi, 116. Sinclair, *Statistical Account of Scotland, 1792-1796*, vi, 439. *Ibid.*, p. 64.

<sup>2</sup> Elkington was the great specialist in work of this kind. A seventeen-page report of his methods is to be found in the *Annals of Agriculture* for the year 1797, xxviii, 77.

<sup>3</sup> Young, *Annals*, xxi, 289; xxii, 19; *ibid.*, p. 337; xxviii, 420; *ibid.*, p. 241. The last-mentioned reference contains a list of sixty-four questions relative to breeding.

Agricultural implements were likewise much bettered, It is true that in the more remote sections of the island crude implements of earlier date were only slowly displaced. In the Highlands it was still customary, in cultivating, to tie the harrow to the horse's tail. This was said to serve the double purpose of saving the harness, and breaking in the horse.<sup>1</sup> Also other localities continued to use a primitive spade, popularly known as a *cascroim*. In Edderaschylis this was simply "a crooked piece of wood, the lower end somewhat thick, about two feet and a half in length, pretty straight, and armed at the end with iron, made thin and square, to cut the earth."<sup>2</sup> This implement long survived. So also did the Scottish plow, with its clumsy employment of four horses in place of two. But little by little methods were changing. In advanced districts threshing machines became common by 1794,<sup>3</sup> while in England contemporaneous records are filled to overflowing with the news of agricultural inventions. Threshing and winnowing machines, improved and reimproved, had already been introduced.<sup>4</sup> Machines for all kinds of purposes were proposed and patented. There were machines for shoeing oxen,<sup>5</sup> machines for pulling up tree stumps,<sup>6</sup> and queer cumbrous machines for draining swamps, equipped with what their inventors termed "inclined float-board wheels."<sup>7</sup> Machinery suitable for all sorts and condi-

<sup>1</sup> Sinclair, *Statistical Account*, viii, 48.

<sup>2</sup> *Ibid.*, vi, 288.

<sup>3</sup> *Ibid.*, vi, 504.

<sup>4</sup> Young, *Annals*, xviii, 362.

<sup>5</sup> *Ibid.*, xxvi, 500.

<sup>6</sup> *Ibid.*, xviii, 362.

<sup>7</sup> *Ibid.*, xxvi, 387. Illustrations of these new machines are to be found here and there in Young's *Annals*, also in the *Encyclopædia Britannica*, 3d Edition, 1797.

tions of climate, usage and soil was planned, patented and constructed.

Although new agricultural methods were widely discussed by contemporaneous writers, no one of them caused as much stir as did the proposed utilization of the great areas of waste and unenclosed land. Certain tracts had, in earlier times of scientific ignorance, been considered useless. Other sections, owing to the expense of legal possession, were, wholly or in part, unused, while yet others remained open for public pasture. Arthur Young believed that all of this land, wherever possible, should be enclosed and made productive as the property of private owners. Even the common pasture land, he argued, should be taken, although he recognized that such action would inflict hardships on certain classes of society, for, he said in passing: "The enclosure of the common fields would be beneficial and, to a certain extent, justifiable, for the tenant paid rent for them to the lord of the manor, but it would be effected at great loss to the smaller tenant, and when his common or pasture was enclosed as well, he would be greatly injured, while the agricultural laborer would be permanently disabled."

The process of enclosure, or of converting this public into private land, had made rapid progress throughout the eighteenth century, but not rapid enough to suit the desires of agricultural experts who, like Young, had increased production more closely at heart than equitable distribution. Young was so enthusiastic that he would place all the land of Great Britain, wherever crops might be grown, under the plow. Even forests he regarded with a hostile eye; for he said that there was in England sufficient coal for heat during the winter, and that for other purposes timber could be more profitably imported

from abroad. Every bit of England's soil, on the contrary, should be used for her food supply. He even declared that to plant land with timber was retrogressive.<sup>1</sup>

Upper-class England supported Young, and Parliament, ready to assist, ordered investigation. Committees of Parliament examined the origin, extent and value of the waste land of Great Britain, both the benefits that could be derived from the use of such lands, and the difficulties existent in the way of its immediate absorption by private capital.<sup>2</sup>

In extent the waste land in Great Britain was astonishingly large. Out of a total acreage of 73,285,622 acres there remained unenclosed in 1795, about 23,107,000, which in pecuniary value was estimated by Watson, the public-spirited bishop of Llandaff, to equal an income of some twenty million pounds per annum. Much of this land was of good quality. One million acres only were incapable of planting. Of the remainder there were suitable for tillage, 3,000,000 acres; fit for planting, 3,000,000 acres; suitable for upland pasture, 1,000,000 acres; meadow and water mead, 1,000,000 acres.<sup>3</sup>

The committee were convinced that all of this territory should be utilized. In the first place, they reported that the highest and most sterile land should be left to plantations;<sup>4</sup> for, in the ponderous phraseology of the eighteenth century, "at first sight it may seem surprising that the spot which will not produce a single blade of corn will yet support the stately pine, or spreading

<sup>1</sup> Young, *Annals*, xxiii, 399.

<sup>2</sup> Parliamentary committees on waste land and bills of enclosure published reports in 1795, 1797 and 1800. *Vide, Reports from Committees, 1776-1801*, vol. ix.

<sup>3</sup> *Reports of Committee on Waste Land*, ix, 206.

<sup>4</sup> *Ibid.*, p. 210.

oak; these draw their nourishment from sources beyond the reach of the smaller vegetable productions, and their leaves are also supposed to derive sustenance from the air which surrounds them, or the water which they may imbibe." Land not so barren might with profit be used for sheep growing.<sup>1</sup> Other soil might be redeemed by the use of fertilizers and underplowing. Wet and boggy regions could easily be drained and made usable in the course of one summer, while dry and arid soil could be brought to an "astonishing height of produce" by systematic irrigation.

Public land once classified, the feasibility of turning it into private property was discussed. Here one serious obstacle blocked the way: the antiquated system of land tenure which, then as well as now, complicated the title to all land held in Great Britain. Over most of this waste or unenclosed territory, there were innumerable rights of common, confusing well-nigh beyond belief. A "right of common" the committee defined as "a right which a person has in another person's property without any property in the soil." Four different rights of common were recognized: the common of pasture, which meant a right to graze cattle in the unenclosed territory; the common of turbary, or the right to cut turf; the common of estover, or the right to cut wood; and the common of piscary, or the right of fishing. These special privileges were still further involved, for they included subsidiary qualifications, permissions and sub-rights, intricate in character and all but infinite in extent, as, for example, the common of pasture, which included and was made up of common appendant, common appurtenant, common in gross and common in vicinage.<sup>2</sup>

<sup>1</sup> *Report of Committee on Waste Land*, ix, 207.

<sup>2</sup> Common appendant, is a right belonging to the land and incident

This intermingling of hoary tradition and ancient usage brought forth, as might be expected, a rich harvest for all lawyers, attorneys and counsellors engaged in questions of title. The procedure of enclosure was exceedingly involved. In accordance with English law the following steps were necessary: First, a preliminary meeting must be called for the purpose of advertising the proposed enclosure. Second, after the meeting, a petition to Parliament must be prepared, notices of said petition being affixed to the doors of churches, and in other public places. Third, a special bill must be drawn up and passed by Parliament. To do this, there must be given in evidence the written consent of from three-quarters to four-fifths of the persons interested. No proxies were allowed. Fourth, after the bill had been safeguarded through Parliament, incidentally involving the payment of heavy dues at each step in its progress, commissioners were appointed. These commissioners were generally three in number. Their function corresponded in many ways to that of the modern receiver. They visited the land, inventoried it, surveyed it, heard complaints, if any, and then officially declared it enclosed.<sup>1</sup> This was the technical method of land enclosure in England. In theory, at least, the rights of the laborer, the small leasing farmer and the yeoman were guaranteed by the law; and in theory, at least, the permission of three-quarters of the persons interested had to be obtained before an enclose bill could be passed. Practise did not square

to the tenure. Common appurtenant was a right appertaining to the land, but not incident to any tenure. Common in gross was somewhat similar to common appurtenant, save that it was even further apart from the ownership of the land. Common in vicinage consisted in the customs and privilege of allowing cattle to graze from their own common to an unenclosed adjacent common.

<sup>1</sup> *Report of Committee on Bills for Enclosure*, ix, 231.

with theory. Plans for an enclosure were concocted in secret. The big proprietors, the solicitors and the vicar connived together. Bills were rushed hurriedly through Parliament. Little or no attention was paid to contrary petitions, if, indeed, the protestants had the temerity to present them.<sup>1</sup>

These enclosures were the chief grievance of the poorer agriculturists. The expense was heavy, and, moreover, even if paid, the loss of the fallow and stubble pasture was still serious, and as for the poor cottager: before enclosure "he was a laborer with land; after enclosure he was a laborer without land."<sup>2</sup> Furze and turf no longer were free for all. It was impossible now for the cottager to keep his cow,<sup>3</sup> while the old officialdom of the public common must seek employment elsewhere. The hayward, the pound man, the chimney peepers, viewers and common shepherd were now out of work. There is evidence to show that much more comfort existed among the poorer folk than early in the century. Tea was more generally used. In the poorer districts of Scotland it is said that tablecloths and clocks had become familiar objects,<sup>4</sup> and though here and there customs quite primitive still survived,<sup>5</sup> some authors contend that the lot of the average husbandman toward the close of the century was more comfortable than in the beginning. The evidence, however, is quite disputable, and though to

<sup>1</sup> Hammond, *Village Laborer*, pp. 43 *et seq.*      <sup>2</sup> *Ibid.*, p. 100.

<sup>3</sup> Throughout the midland counties it was noticed that the number of cows owned by the laborers became strikingly less. Young, *Annals*, xxvi, 242.

<sup>4</sup> Sinclair, *Statistical Account*, *passim*.

<sup>5</sup> In Yorkshire the bed was turned, in some instances, into a kind of eighteenth century fireless cooker, keeping warm the oatmeal during the absence of the farmer. Crutwell, *Tour of Great Britain*, p. 118. This custom is said still to survive in Minnesota.

generalize is somewhat dangerous, it is perhaps not unfair to affirm that more comfortable or not, he was disgruntled and discontented with his life.

Of the farmers who leased their lands, some were prosperous. This was the case where the land was enclosed and new methods adopted, but in other sections where this was not done, great discontent prevailed. As the returns from agricultural labor rose with greater and greater rapidity, the period of leasing to which the landlord would consent became shorter and shorter—and the farmer lost those advantages which came of the high price of his farm produce. Meanwhile the yeomanry, the small proprietors, were also losing ground. The lamented disappearance of the British yeoman in the nineteenth century had begun.<sup>1</sup>

As for the land-owning farmers they, like their brethren who leased, were in some instances well-to-do. The gentlemen farmers,—men of independent wealth and leisure,—were almost invariably prosperous. Indeed, for the capitalistic farmer,—the farming entrepreneur—whether gentleman farmer or wideawake yeoman, the end of the century brought halcyon days. Capital was the *sine qua non* of enclosure. Ploughs, harrows, fences, and the other paraphernalia of the new agriculture demanded capital. They who had capital thrived; others fell by the wayside.

In Scotland, agricultural conditions were backward. The new agriculture was there making headway, but at a slower pace. Complaints were made of the short leases,<sup>2</sup>

<sup>1</sup> The proof that this disappearance took place, for the most part, in the early nineteenth century, is demonstrated by C. H. Taylor, *The Decline of Land-owning Farmers in England*, *passim*.

<sup>2</sup> The short leases which ran from seven to eight years only constantly tempted the farmer to neglect his land. Sinclair's *Statistical Account*, viii, 107.