Hunting and Agriculture: An Examination of the Functional Aspects of Landscape Architecture in Post-Restoration Scotland

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Abstract

The primary focus of the architectural historiography of Scottish country house landscapes in the long eighteenth century has been on formal and stylistic elements. However, these landscapes consisted of much more than ornamental and exotic gardens. Although landscapes were vehicles for conspicuous consumption, they also were the chief sites of food production and leisurely pursuits. As such, this paper instead endeavors to examine what the practical influences, specifically agriculture and hunting, were on these landscapes at the turn of the eighteenth century. This analysis derives from an evaluation of available literature and the 1685 Scottish Game Act. The ultimate conclusion drawn here is that formal elements, agriculture, and hunting were all powerful influences on early 18th-century landscape design. Further research, particularly through individual case studies, would only serve to show how landscape architects dealt with creating stunning yet useful landscapes.

Keywords: Landscape architecture; Country houses—Great Britain—Scotland; Hunting; Agriculture; 18th—eighteenth century

Introduction

Jonathan Finch declared in 2007 that it was time to redefine the English historical landscape beyond the realms of economic history, underscoring that leisure activities such as foxhunting influenced the development of the landscape alongside economic developments like agricultural improvement.[1] The same can be said of the historiography of the country house landscape in post-Restoration Scotland. It is true that the Scottish historical landscape has been analysed from an economic perspective through agricultural improvement. However, agricultural historians have not explored how the agricultural portions of the estate, including enclosures and offices, were designed around the main house, its appendices, and the formal landscape. In addition, much focus has been placed on the formal elements of the early modern Scottish historical landscape, which includes gardens, avenues, and other

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[1] Jonathan Finch, '"What more were the pastures of Leicester to me?" Hunting, Landscape Character, and the Politics of Place', *International* Journal of Cultural Property 14 (2007): 364, https://search-proquest-com.ezproxy.is.ed.ac.uk/docview/232075672?accountid=10673&rfr_id=info%3Axri%2Fsid%3Aprimo.

ornamental structures built into the parks surrounding the country house.[2] A scholarly approach is significant because it exposes the conspicuous consumption of landscape design and how contemporaries understood the natural world (man's mastery of nature). What is largely missing is a study of how country house landscapes were designed for leisure.

While this, of course, included such activities as walking and bowls, it also included the ever-popular sport of hunting. As a symbol of an aristocrat's virility, strength, and martial prowess since the Middle Ages, it was essential that nobles participate in the sport and that country houses accommodate it. In short, this paper aims to explore how the Scottish country house landscape was used, specifically from the perspectives of agriculture and hunting. This period predates the rise of the modern sport of foxhunting, which has traditionally been characterised as inseparable from the development of the modern, enclosed landscapes. However, this paper argues that hunting and agricultural landscapes were still intertwined at the start of the eighteenth century in Scotland; these activities adapted to each other. The country house landscape possessed a dual identity as a source of income and as a source of elite entertainment and showmanship. This paper also aims to demonstrate more broadly that the post-Restoration Scottish landscape was a dynamic and living entity that evolved alongside the society that dwelled within it and that Scotland in this period was a country with a distinct history and culture rather than a remote region of Britain. Furthermore, this paper will bring to light how such scholarship can be conducted in the future by examining the available literature on post-Restoration Scottish agriculture and hunting alongside the several sources that study the relationship between agriculture and hunting in eighteenth-century England. This exercise will illustrate that these areas of landscape development need to be and can be discussed in the same space. This literature review will lay the ground-work for more in-depth research and establish a historiographical framework for future scholarship.

Agriculture in Post-Restoration Scotland

Interest in the intersection of country house design and agriculture is not new. For example, James S. Ackerman stressed the significance that agriculture played in Palladio's villa designs in the Veneto.[3] John Lowrey followed suit in pointing out the essential connection between the 'conspicuous consumption of the country house, on the one hand, and the economic activity of the estate, on the other' in post-Restoration Scotland. Through three case studies, Lowrey explored how elite, improvement-minded Scots used Palladio to maximise the agricultural and economic efficiency of their estates.[4] With that being said, it is important to provide some historical background of post-Restoration Scottish agriculture. As is to be expected, the history of agricultural improvement in Scotland is distinct from that of other countries. Despite similarities, the history of agricultural improvement in Scotland is distinct from England's. Nonetheless, comparison is helpful for those unfamiliar with either country's history.

Jonathan Finch, Jane Bevan, and Amanda de Belin have discussed the process of agricultural improvement in the East Midlands, the setting for the birth of the modern sport of foxhunting. The Midland Shires were dominated by the medieval open-field system, in which a landowner's arable land was organised into several large fields that were subsequently divided into strips and farmed communally by the village. The medieval landscape of this

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[2] It should be noted that the term 'early modern' includes the first half of the eighteenth century in this paper.
[3] James S. Ackerman, *Palladio* (London: Pelican Books, 1966; New York: Penguin Books, 1991), 36–80.
[4] John Lowrey, 'Practical Palladianism: The Scottish Country House and the concept of the villa in the late seventeenth century', *Architectural Heritage* 18, no. 1 (Nov 2007): 151–67, https://www-euppublishing-com.ezproxy.is.ed.ac.uk/doi/abs/10.3366/arch.2007.18.1.151.

region was open and ploughed into ridges and furrows; there were not yet any hedges or woodlands. Grazing was limited to the fields that were left to lie fallow.[5] Although individual landowners improved their estates in a piecemeal fashion from the late fifteenth century, the open-field system of communal farming continued to dominate the region into the eighteenth century. Finch and Bevan estimate that only about fifty per cent of Leicestershire was enclosed by 1699, and the rest remained as communal, open fields reserved for arable agriculture. Parliamentary enclosure overhauled agricultural improvement in the Shires from the second half of the eighteenth century and completely transformed the landscape. Although arable agriculture maintained a presence in the region, the majority of the landscape was transformed into regular, fenced-in, and rectilinear grass fields that were privately owned instead of communally worked.[6] Even though a great deal of the Shires had yet to be enclosed at the turn of the eighteenth century, Scotland's fieldscapes meanwhile remained almost completely untouched by the same period.

Alexander Fenton and I. D. Whyte are two prominent sources on the history of agricultural improvement in Scotland.[7] Pre-improvement Scottish agriculture shared quite a few similarities with pre-modern agriculture in the East Midlands. Farming in pre-improvement Scotland was a very communal activity. Fermtouns, in which a group of tenants collectively worked a single farm, were the most common settlement pattern across medieval and early modern Scotland.[8] These small settlements were either leased to tenants by the landowner or to subtenants by the tenant. In an effort to keep the division of labour and cultivation organised and fair, these communal farms were divided into strips of field called 'runrig', in which ridges were used for planting and deep furrows were used for drainage.[9] These strips were also not enclosed and instead took the form of the infield-outfield system.[10] Comprised of the better-quality land, the infield was divided into four sections in more fertile areas of Scotland (such as East Lothian): each would be used to cultivate wheat, barley, pease, and oats.[11] Each field was also used every season and was necessarily well-fertilised (with animal dung from byres, middens, and dovecotes) to counter soil exhaustion; crop-rotation and fallow years were not incorporated into this system.[12] The outfield, which consisted of poorer-quality land, was often used as common ground for grazing and was sometimes left to lie fallow.[13] This ancient system exhausted the fertility of Scotland's soils by the end of the seventeenth century and is believed to be responsible for the numerous blights and famines that occurred during the 1690s.

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[5] Finch, "'What more were the pastures of Leicester to me?'", 367.

[6] Jonathan Finch, "'Grass, Grass, Grass": Fox-hunting and the Creation of the Modern Landscape', *Landscapes* 5, no. 2 (2004): 41–6, https://doi.org/10.1179/lan.2004.5.2.41; Finch, "'What more were the pastures of Leicester to me?'", 366–69; Jane Bevan, 'Agricultural Change and the Development of Foxhunting in the Eighteenth Century', *Agricultural History Review* 58, no. 1 (June 2010): 50–53, https://www-ingentaconnect-com.ezproxy.is.ed.ac.uk/content/bahs/agrev/2010/00000058/00000001/art00005; Amanda de Belin, 'Transitional Hunting Landscapes: Deer Hunting and Foxhunting in Northamptonshire, 1600–1850', doctoral thesis, University of Leicester, 2011, 1, 134–43, 149, 179, http://hdl.handle.net/2381/10256.

[7] Alexander Fenton, *Scottish Country Life* (Edinburgh: John Donald Publishers Ltd., 1976); Alexander Fenton and Kenneth Veitch, eds., *Scottish Life and Society: A Compendium of Scottish Ethnology* (Edinburgh: John Donald, an Imprint of Birlinn Ltd, in association with the European Ethnological Research Centre, 2011); Ian Whyte, *Edinburgh & the Borders: Landscape Heritage* (Newton Abbot, Devon: Charles & David, 1990).

[8] Whyte, *Edinburgh & the Borders*, 47.

[9] Piers Dixon, 'Rural Settlement in the Pre-Improvement Lowlands', Fenton and Veitch, eds., 89.

[10] Fenton, *Scottish Country Life*, 11; Whyte, *Edinburgh & the Borders,* 59.

[11] Fenton, *Scottish Country Life,* 11; John Hamilton, Lord Belhaven, *The Country-Man's Rudiments or, An Advice to the Farmers in East-Lothian how to Labour and Improve Their Ground* (Edinburgh, 1713), 5, reproduction from Bodleian Library (Oxford).

[12] Ibid.

[13] Fenton, *Scottish Country Life,* 12–3; Lord Belhaven, 5.

T. C. Smout underscores this idea by calling attention to the fact that the general shift from an animal-based to an oatmeal-based diet between 1500 and 1750 signals a general decline in living standards in early modern Scotland.[14] It should be noted that Smout, alongside A. J. S. Gibson, explores the correlation between this shift in diet and quality of life extensively in his other scholarly works using qualitative and quantitative methodologies.[15] The more than doubling of Scotland's population from five hundred thousand in 1500 to 1.25 million in 1750, as well as declining wages between 1650 and 1750, meant that the economy could not sustain medieval living standards.[16] At the same time, Scotland was experiencing the effects of thousands of years of environmental degradation. One enormous problem was mass deforestation: even by the Middle Ages, Scotland was only five per cent forest. This had huge implications for Scotland's environment at the turn of the eighteenth century. Smout points out that trees capture nitrogen, which is beneficial to soil fertility. By the same token, fewer trees means an excess of nitrogen in the atmosphere, which can alter or kill vegetation. Trees also naturally absorb water and release it back into the air, so a lack of trees inevitably increases the volume of bodies of water. Finally, the root systems of trees help keep soil in place. Without them, there is increased soil erosion. Due to these phenomena, Scotland undoubtedly experienced a severe change in soil structure, flooding, the development of unhealthy bogs, and the seeping of pollutants into the water and the air. The excess of nitrogen in Scotland's soil and air would have been exacerbated by seasonal fertilisation, as well as human middens.[17]

Although ancient agricultural practices started to be phased out in the late seventeenth century by forward-thinking land improvers, the runrig system continued to dominate well into the eighteenth century. Lord Belhaven's short treatise, *The country-man's rudiments* (1713), details how tenants and gentlemen farmers alike could take the first steps towards improvement through: a rudimentary, yet properly organised, system of crop rotation and fallow years; the proper preparation and treatment of infield and outfield soil and subsequently the equal use of these fields; longer tenancy leases; better liming practices; better ploughing methods; field enclosure and the consolidation of communal farms; and the cultivation of potatoes and turnips.[18] The positive impact that Lord Belhaven's suggestions (and further improvements) had on Scottish agriculture is reflected in physical, archaeological evidence. Lowland agricultural improvers—landowners, as well as their tenants—began to address the agricultural problems that resulted in such dire environmental degradation at the end of the seventeenth century through the consolidation of land and longer leases. However, these were temporary solutions. Liming and the rotational planting of legumes (such as red clover, peas, beans, sarfoin, and wild white clover) helped regulate the nitrogen levels of soil. East Lothian in particular took to this system, using a six-course rotation of wheat, peas and beans, barley, sown grass, oats, and a fallow field. By the 1720s, forty-six per cent of the parishes in Lanarkshire, sixty-two per cent of those in Fife, and seventy-one per cent of those in Angus made use of this system.

Potatoes and turnips came to be another important introduction to agricultural and environmental improvement in Scotland; they were also helpful in that they became a key

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[14] T. C. Smout, 'The Improvers and the Scottish Environment: Soils, Bogs and Woods', from Devine and Young, eds., 210–24.

[15] A. J. S. Gibson and T. C. Smout, editors, *Prices, Food and Wages in Scotland, 1550–1780*, Ebook (Cambridge, UK: Cambridge University Press, 1994), https://doi-org.ezproxy.is.ed.ac.uk/10.1017/CBO9780511660252; A. J. S. Gibson and T. C. Smout, '2: Scottish Food and Scottish History, 1500–1800', from from Houston and Whyte, eds., 59–84.

[16] Smout, from Devine and Young, eds., 210–11.

[17] Smout, from Devine and Young, eds., 212–13.

[18] Lord Belhaven, 6–12, 16–26, 31–32

foodstuff. Smout lists a number of other short-term, regional solutions (such as the use of shell-marl for liming soil or kelp as fertiliser). A much better, albeit much more costly, solution to issues faced by farmers was the draining of bogs. Landowners appreciated having more land available to cultivate. A more important long-term after-effect was that drainage lowered water levels and introduced new minerals to the soil.[19] In addition to drainage, mass tree-planting programs were a key aspect of agricultural and environmental improvement. Landowners planted millions of trees from the seventeenth century onwards; a prime example is Binning Wood, which was planted by the Sixth Earl of Haddington in the early eighteenth century near his seat of Tyninghame House. In addition to alleviating issues with nitrogen, water, and erosion, these woods acted as windbreaks in field margins. Of course, landowners saw trees first and foremost as a raw material and as ornamental status statements, and their positive contributions to the environment were a minor benefit. Nonetheless, it is clear that the steady improvement of Scotland's agriculture led to the steady improvement of its environment, as well.[20] Agricultural improvement clearly required a great deal of investment in time and capital because it necessitated transforming Scotland's topography and environment through enclosure and a number of other improvements. According to Alexander Fenton:

> the enclosing of estates, farms and fields, completely changed the appearance of the landscape in the course of the eighteenth century, in a manner so general and so sweeping in all parts except the Highlands, that little trace has remained on the ground of what went before, apart from the long unused fields of ridge-and-furrow at higher levels.[21]

However, Scottish landscapes were not just used for agricultural purposes.

Hunting in Post-Restoration Scotland

Just as the country house landscape was not purely ornamental, it was also not used solely as an economic enterprise. Indeed, landowners were also typically avid hunters. It therefore follows that the Scottish country house landscape was used for sport, as it was in England. The question remains as to which type of quarry was hunted, what style of hunting Scottish aristocrats enjoyed, and the extent to which the landscape was adapted explicitly to the sport (or whether the sport adapted to the landscape). As Marina Moskowitz puts it, it is a way of looking at landscapes as material culture.[22] These queries have certainly been raised by historians before but, unfortunately, only as they pertained to English history. A key matter to keep in mind is the fact that hunting, as a sport, evolved considerably between the late medieval period and the early nineteenth century. Historians have debated why these changes occurred, particularly with the explosion in popularity of foxhunting in the late eighteenth century. Jane Bevan, Jonathan Finch, Emma Griffin, Peter Edwards, and Amanda de Belin are the most recent historians to have discussed the intersection between landscape design, agriculture, and the sport of hunting in early modern England. Bevan, Finch, and de Belin in particular have tried to reconcile the relationship between parliamentary enclosure in the East Midland Shires and the development of the modern sport of foxhunting. There is also a lack of scholarly sources available on hunting in post-Restoration Scotland. As such, this paper will have to rely on the sources that examine England in order to establish the historical context and historiographical framework for Scottish hunting.

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[19] Smout, from Devine and Young, eds., 215–19.

[20] Smout, from Devine and Young, eds., 219–20.

[21] Alexander Fenton, *Scottish Country Life* (Edinburgh: John Donald Publishers Ltd, 1976), 16.

[22] Marina Moskowitz, 'Back yards and Beyond: Landscape and history', in *History and Material Culture: A Student's Guide to Approaching Alternative Sources*, edited by Karen Harvey (Abingdon-on-Thames: Routledge Ltd, 2013), 67–84, https://www.dawsonera.com/abstract/9780203717738.

The prized game in the early modern period was the deer—with the red deer stag reigning supreme—because they were perceived to possess the noble, martial virtues valued by the English aristocracy.[23] There was not a single method of hunting deer. Park-based hunts in which deer were corralled into an enclosed park, chased by hounds, and shot by waiting hunters (bow and stable hunting) were very popular in the Elizabethan court.[24] Another popular pastime was coursing, where greyhounds were released onto a course (in a park, in the forest, or a mixture) and raced to catch a deer that had also been released onto the course; bystanders bet on the outcome.[25] However, the optimum method of hunting deer was through the chase, which descended from *par force* hunting. This method involved a small group of mounted hunters and their dogs harboring (finding) the beast by scent, rousing and chasing after it until exhaustion (with mounted hunters following the dogs), standing at bay (either killing or releasing it), dressing the animal, allocating portions to each hunter, and then rewarding the dogs for their labours.[26] *Par force* was considered the noblest form of the sport as 'it was a glorious visual display of a great landowner's many dogs, his fine steed and, of course, his own skill at remaining in the saddle. It provided him with the opportunity to demonstrate his wealth, status and skill in the way so prized by the medieval nobility'.[27] Its nobility lay not in the end-prize, but in its ostentation.[28] Even though the employment of bows and firearms in the chase was commonplace, enthusiasts (including James VI and I) considered their use to be a form of cheating that undermined the sport; it was a utilitarian rather than a martial practice.[29] At the same time, de Belin notes that in the early modern period, 'the role of the hounds was paramount; medieval sources gave no consideration to the horse'.[30] In other words, the emphasis was not on hard, fast riding.

Deer hunting evolved considerably over the course of the seventeenth century. While still valued, it had lost some of its medieval and early modern lustre. The traditional historical narrative dictates that a perfect storm of events resulted in the severe degradation of private deer parks and forests during the decades of the Civil Wars and Protectorate.[31] Civilian looters and looters from the Parliamentary army pillaged for timber and game meat; the government and private landowners disafforested their properties for ready profit; royalist properties, including deer parks, were confiscated and sold; and landowners enclosed woodland once used for hunting and converted it to farmland.[32] As a result, native deer populations suffered greatly, and the effort to build their numbers back to pre-war quantities was a losing battle—especially given the fact that landowners increasingly felt the need to capitalise on the entirety of their estates.[33] Few felt that deer parks were an affordable luxury by the late seventeenth century.[34] Nonetheless, they were used to create a safe habitat for deer

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[23] De Belin, 53; Peter Edwards, *Horse and Man in Early Modern England* (London: Hambledon Continuum, 2007), 120.

[24] De Belin, 40–41, 57–58.

[25] De Belin, 58–59.

[26] De Belin, 53–55; Emma Griffin, *Blood Sport: Hunting in Britain Since 1066* (London: Yale University Press, 2007), 7; Gervase Markham, *Maison Rustique* (London: Printed by Adam Islip for John Bill, 1616), 673, from *Early English Books Online*,
http://eebo.chadwyck.com.ezproxy.is.ed.ac.uk/search/full_rec?SOURCE=pgthumbs.cfg&ACTION=ByID&ID=99856540&FILE=../session/1520937355_21842&SEARCHSCREEN=CITATIONS&SEARCHCONFIG=var_spell.cfg&DISPLAY=AUTHOR (accessed 7 March, 2018).

[27] Griffin, 8–9.

[28] Griffin, 8.

[29] Edwards, 132.

[30] De Belin, 55.

[31] Griffin, 100.

[32] Griffin, 100–4.

[33] Griffin, 104–6

[34] Griffin, 106.

and could be used for easy access to venison.[35] Deer were not even included in game acts passed in England after the Restoration and instead came to be defined as the private property of an estate.[36] As such, the role of deer shifted from the most highly prized game to specially bred, quasi-agricultural commodities. Although they were extremely valuable as property, they were no longer desirable objects of sport. This narrative has dominated because it is a reasonable one. However, de Belin manages to raise a very impressive counter-argument to this heretofore recognised reality.

First, de Belin comparatively analyses maps depicting the three royal forests in Northamptonshire (Whittlewood, Salcey, and Rockingham) to decipher whether royal forests really did suffer as greatly as historians have claimed. Indeed, a 1608 map and 1787 map of Whittlewood show that the woodlands therein remained remarkably consistent, despite some losses in land mass. Even though the earliest map of Salcey dates from 1787, it correlates with a 1712 description by John Morton in *Natural History of Northamptonshire*. Although both forests were subject to enclosure, the main goal was to preserve the woodlands of Whittlewood and Salcey. Finally, de Belin's analysis of Rockingham had to be broken down by individual bailiwick due to its sheer size. Using a variety of early maps from the late sixteenth, seventeenth, eighteenth, and nineteenth centuries, de Belin concluded that much of the Rockingham woodlands survived despite a great deal of disafforestation and privatisation.[37] Therefore, the argument that the deer population declined due to loss of habitat does not hold.

However, another aspect of the traditional argument is that the vengeful violence of the Civil Wars caused the irreversible decline in England's deer population through looting, pillaging, and confiscation. De Belin uses eclectic, qualitative evidence to prove that this was not the case. James VI made deer preservation a priority during the early years of his reign after the population suffered at the end of Elizabeth's. While it is true that deer numbers suffered during the 1640s for the reasons mentioned previously, the Restoration brought a renewed concern for the preservation of deer. Charles II and local lords worked together to encourage the growth of deer numbers in royal and private forests, which was aided by the complete suspension of deer hunting warrants in parts of the country. Seemingly as a consequence, commentators reported healthy numbers in the Northamptonshire forests throughout the eighteenth century.[38] It is quite clear that the decline in popularity of deer hunting was not due to loss of habitat and the subsequent suffering of deer numbers. The removal of deer from legal game lists very possibly had more to do with a desire for preservation than with a loss of interest in the sport. However, it is undeniable that hunters' passion shifted dramatically from the deer chase to foxhunting between 1660 and 1800.

The deer park is part of this discussion. Settings for the deer hunt had long varied. Forests came into existence to act as protected game reserves and settings for hunts for kings, queens, and important magnates; anyone below a certain rank and wealth was forbidden from hunting from 1389 into the nineteenth century.[39] Forests were thus an ideal location for hunts in the Middle Ages since they were private and replete with quarry. Furthermore, the difficulty of navigating forests on horseback did not adversely affect the hunt because, as mentioned before, the hunt was focused on finding the beast, not on riding.[40] Meanwhile, deer parks emerged in the medieval period with a resurgence in popularity during the Tudor

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[35] Griffin, 97–109, 110–23.
[36] De Belin, 21, 190; Griffin, 107–8.
[37] De Belin, 71–82.
[38] De Belin, 87–92.
[39] De Belin, 38–40.
[40] De Belin, 61–62.

period. Many survived into the eighteenth and nineteenth centuries, at least in Northamptonshire.[41] Medieval deer parks, particularly the ones in Northamptonshire, were often located at some distance from the manor house. These early modern deer parks also often became the basis of Northamptonshire's great landscape parks.[42] Early modern deer parks, created alongside new country houses or as country houses were expanded, were built at a more convenient distance from the main house.[43] They could be as large as 1,000 acres or as small as seven.[44] While deer parks developed and grew in popularity from the sixteenth century, forests continued to be important breeding grounds that would stock deer parks.[45]

Proper deer parks were designed as miniature forests that could provide deer with open grazing, trees for browsing, and thick plantations for resting.[46] De Belin notes that Gervase Markham encouraged landowners to cultivate diverse terrains in their parkland in order to allow a variety of animals to thrive.[47] Good habitats were essential because 'the parke [was] a place that must containe all things for the good and safetie of the game it keepeth'.[48] Deer parks were control centers: not only were parklands designed to center around maximising the growth in population of desirable game, they were also designed to maximise pleasure. Large and diverse terrains added to the thrill of the chase and the hunters' challenge. Consequently, a good park for hunting contributed to a lord's status and the prestige of his country house. During the eighteenth century, deer parks became more open to give owners and their guests a good view of the deer and the distant vistas in contrast to the ordered regularity of nearby gardens.[49] Even as the passion for rolling landscape parks raged on over the course of the eighteenth century, they continued to be spaces where deer were kept.[50] The question remains as to how this relates to the transition away from deer hunting.

The traditional narrative dictates that the deer park was the scene of a blander form of the sport. If a gentleman wanted to enjoy a traditional deer hunt, semi-tame and specially bred deer (not wild deer) were brought in for the purpose and let loose. Mounted hunters and their dogs chased after the deer as they had done in centuries past. However, this modern form of deer hunting lacked one key element: the kill. Due to the deer's value (corresponding with the deficiency of post-Restoration supply), it could only be captured and returned to its home.[51] Because deer hunting was denigrated to such a bland and docile status, it lost its aristocratic connotations.[52] Historians have also argued that due to their constricted space, deer parks were only suitable for bow and stable hunting, which arguably could not be classified as a true form of the sport since it was essentially a deer massacre.[53] Based on the previous descriptions, however, this simply was not the case. The slowness of traditional chases, involving the steady pursuit of the animal's scent with hounds, 'would require less acreage by far than a modern foxhunt'.[54] Deer continued to be hunted in forests and in parks, although it is not known whether hunters followed the ceremonial ritual of ages past; it may

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[41] De Belin, 93–94.
[42] De Belin, 98.
[43] De Belin, 93, 99.
[44] De Belin, 99–100.
[45] De Belin, 61–62.
[46] De Belin, 100.
[47] De Belin, 100; Markham, 668.
[48] Markham, 669.
[49] De Belin, 104.
[50] De Belin, 105.
[51] Griffin, 106–7.
[52] Griffin, 107.
[53] De Belin, 106.
[54] Ibid.

have even been servants hunting without the presence of their masters.[55] It is clear that the decline in popularity of the ceremonial deer chase was not due to lack of habitat, numbers, or change in arena.[56]

It was also not the only popular quarry in early modern England: the hare was also common and revered from the medieval period through the eighteenth century. It was even hunted enthusiastically by Stuart kings. The reason for the hare's popularity was that not only could they run fast and for long periods of time, they could run in rings on a variety of terrains; they could be found all over the country; and there was no set hunting season. In other words, hare could be hunted in confined spaces, mounted or on foot, wherever and whenever was desired. Hare were also kept on as legal game in the 1671 Game Act, whereas deer were excluded.[57] While hare could be coursed by hounds like deer were, 'the favoured method for locating the hare was beating whatever type of undergrowth there was in the locality being hunted' and allowing the hounds to sniff them out.[58] Similar to deer hunting, this was a slower-paced sport with an emphasis on the hounds' activity. Hare hunting remained popular into the eighteenth century; a day that had begun with foxhunting could easily have switched to the hare if suitable quarry was discovered.[59] While it did not embody the same level of glamour and prestige that foxhunting came to encapsulate, hare hunting remained ever popular because of its ubiquity and informality.[60]

The elite continued to participate in deer chases into the nineteenth century using the aforementioned style of carting and re-capturing captive deer.[61] Furthermore, de Belin notes that the hunting of carted deer more closely resembled the speed and hard riding of modern foxhunts than the slower-paced deer chase of the early modern period. It was a popular substitute for foxhunting in regions of England, such as the southeast, where access to the best foxhunting region of the East Midland Shires was difficult.[62] Nevertheless, foxhunting developed into the modern sport that is known today in the East Midland counties of Northamptonshire, Leicestershire, and Rutland (the Shires) over the course of the second half of the eighteenth century and the first decades of the nineteenth century. Indeed, 'the shire counties came to be the winter playground for the country's elite'.[63] The sport's procedure began with blocking foxholes in coverts the night before the meet in order to prevent foxes from returning home in the morning and forcing them to rest in undergrowth. The hunting party ('the field') assembled the next morning, usually in front of a large house or in a town square, and the hunt began at around eleven in the morning. The field moved on to a covert that had been plugged up and the huntsmen sent in hounds to try to draw out the fox (it was a huge faux-pas to kill the fox in its covert). Once the fox took off, the chase began; the faster it ran was all the better. By the 1780s, it was recommended that a single chase last one to two hours; by the late nineteenth century, 35 to 40 minutes was the recommended time span for a chase.[64] The chase continued until the fox was caught and killed or it got away (sometimes the hounds could pick the fox's scent back up). This process could be repeated multiple times

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[55] De Belin, 108–11.
[56] De Belin, 111–12.
[57] De Belin, 188–90.
[58] De Belin, 190–91.
[59] De Belin, 191–92.
[60] De Belin, 193–94.
[61] De Belin, 194–99.
[62] De Belin, 200–4.
[63] De Belin, 125.
[64] De Belin, 133.

throughout the day because each chase was short and fast.[65] The biggest 'imperative of the foxhunt by the nineteenth century was to provide a short, fast and furious chase'.[66]

However, the form and procedure of this sport were both innovations of the late eighteenth century. Foxes had long been considered vermin, and parishes even paid rewards for their destruction. In the Middle Ages, hunting of the creature was carried out informally on foot with hays and nets.[67] Writers from the sixteenth and seventeenth centuries acknowledged they were viable and enjoyable game but were at the same time low status quarry.[68] It was at the end of the seventeenth century that foxes came to be appreciated for providing exciting sport to hunters, including James, Duke of York.[69] A 1684 map of Thomas Ward's estate in Hardwick, Northamptonshire, depicts a group of five huntsmen with a pack of nine hounds chasing after a fox over enclosed grasslands.[70] By contrast, the circa 1709 estate map of Hackness in Yorkshire depicts a foxhunt taking place on common land away from cultivation.[71] Both maps underscore the fact that foxhunting was markedly different from what hunters experienced 100 years later. In the early eighteenth century, the procedure was for small groups of hunters (compared to fields of hundreds of hunters that met by the turn of the nineteenth century) to meet at dawn and release the best scenting hounds to pick up the fox's scent as it was coming home from hunting. Once the fox was drawn out, more hounds were released in relays to follow the fox's scent, which was a much slower process. It was considered important to limit the number of hounds on the scene to keep from overcrowding the covert. The emphasis on the hounds and the consequent slowness of the hunt meant that the pursuit of a single fox could last all day. If the scent of a fox was lost, it was perfectly acceptable to switch to hare or other game if good quarry was discovered by the hounds.[72] Moreover, both maps show that foxhunters participated in the sport on mixed landscapes.

Hugo Meynell, whose tenure as master of the Quorn hunt lasted from 1753 to his retirement in 1800, is credited as the father of modern foxhunting. The general consensus is that through his introduction of a late-morning start of hunt (giving foxes a chance to rest and to digest their nighttime meal, which made them faster), his breeding of faster foxhounds with greater stamina, and his choice of the countryside surrounding Quorndon Hall in Leicestershire as the ideal hunting landscape, that the sport gave way to faster and harder riding.[73] However, it is actually Mr. Childe of Kinlet Hall in Shropshire who is credited with the introduction of hard riding to the sport. As a consequence, foxhunting attracted participants who were more interested in hard and fast rides, which goes to show that the sport was still a work in progress even in the latter half of the eighteenth century. Consequently, the hard riders greatly preferred open grasslands.[74] However, the Shires had long been known for their open tracts of champion land. Even in 1712, J Morton noted that open fields greatly outnumbered landscape space given over to woodland, fen, and heath and by the late eighteenth century, Meynell's followers increasingly came to favour the grasslands found east of the River Soar.[75]

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[65] De Belin, 124.
[66] De Belin, 133.
[67] De Belin, 121;
[68] De Belin, 121.
[69] De Belin, 121–22
[70] Bevan, 50.
[71] Finch, "'What more were the pastures of Leicester to me?'", 367.
[72] De Belin, 122–23; Bevan, 50.
[73] De Belin, 122–23; Bevan, 53; Finch, "'What more were the pastures of Leicester to me?'", 368.
[74] De Belin, 125; Finch, "'What more were the pastures of Leicester to me?'", 368–9.
[75] De Belin, 132–34; Bevan, 52.

These were the areas that were the most subjected to enclosure, which almost always meant a conversion from arable to pastoral agriculture. Although such Shire counties as Northamptonshire experienced enclosure and conversion to pastorage from the late fifteenth century, the open fields that had been left as commons were eventually subjected to parliamentary enclosure in the late eighteenth century. This was ultimately highly beneficial to foxhunters and the winter season because gently undulating and unencumbered grasslands (from roughage, winter wheat, or livestock) provided a fast chase and good scenting for the hounds. Drainage, an essential aspect of agricultural improvement, only further helped to shape the sport by keeping grasslands drier during the winter. No longer bogged down by wet and muddy terrain, horses could maintain a fast speed. Of course, artificial drainage was a nineteenth-century innovation. Many newly enclosed fields in the eighteenth century were still marked by ridges and furrows, which added to the difficulty of a chase. Be that as it may, with enclosure came the erection of numerous types of fences and hedges. Although early modern hunters and riders believed that jumping from standstill or a trot resulted in a higher jump, hard riding foxhunters introduced jumping at speed to clear fences dividing enclosures in order to continue the chase.[76]

The popularity of grasslands raised the issue of providing foxes with easily accessible habitats, which corresponded with hunters' concerns over the conservation of fox numbers. Whereas the deer population was carefully preserved (except during the Civil Wars), foxes were overhunted. As a consequence, their numbers became scarce, which is why hunting hare and fox together was considered adequate sport. It was the rise in popularity in foxes as quarry that preserved their population to the early modern period. Because hunters wanted to avoid having to rely on bagged foxes (which was considered bad sport because the hounds would not get to draw the fox out and the fox would not know the area), steps had to be taken towards rebuilding the population.[77] One important measure was to establish winter as the foxhunting season in order to allow the creature to breed safely during the rest of the year.[78] Another was to discourage the fox-selling market because foxes could be stolen from one county and brought to another, which damaged efforts to rebuild fox numbers but provided farmers the opportunity for quick and easy profit.[79]

Most important was the maintenance of habitats where foxes could live and breed. Although foxes naturally prefer woodland as a habitat, coverts could be planted within enclosures as substitutes. Ideally comprised primarily of gorse and blackthorn and located on the corners of fields, steep slopes, and small closes, manmade coverts could develop into small woodlands if left alone. Another benefit was that since coverts were small (typically 20 acres), foxes who were drawn out would be forced into running across grasslands. While the gentry's and aristocracy's desire to conserve the fox population led to tensions with smallholders who still considered foxes to be pests, the maintenance of coverts was often included in tenancy agreements. Coverts comprised the majority of the sport's expenses. Masters of the hunt could and did fund the maintenance of coverts themselves, but it was a huge expense (£600 to 1,000 sterling per annum on average) that consumed a great deal of space that could otherwise be devoted to agriculture. Instead, landowners often rented out coverts to hunts, which were subsequently funded by individual subscribers.[80] The conservation of the fox population was emblematic of the increasing popularity of foxhunts.

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[76] De Belin, 132–51; Bevan, 50, 54, 61; Finch, "'What more were the pastures of Leicester to me?'", 368.
[77] De Belin, 155.
[78] Finch, "'What more were the pastures of Leicester to me?'", 369–70.
[79] De Belin, 155.
[80] De Belin, 156–65; Finch, 370–72.

This was an important solution that allowed foxhunters to maximise the enjoyment of a grasslands-based hunt.

Despite what his followers came to prefer, Meynell himself preferred the western and northern sides of the Quorn hunt country. This was because, with a mixture of rocky outcrop and woodland, it provided a greater challenge for the hounds and acted as a good habitat for foxes. Meynell himself was clearly more interested in the hunt than the ride.[81] De Belin questions whether a distaste for jumping at speed is strong enough evidence to support the claim for a master's preference for one landscape type over the other. Nevertheless, Bevan makes a strong argument that Meynell and other masters of his generation in Leicestershire and Northamptonshire purposely sought out open fields over enclosures as hunting grounds. Bevan broke Meynell's hunting career into three phases: from 1753 to 1762, his pack was based at Quorndon Hall, and it hunted in the Quorndon valley side of the River Soar; from 1762 to 1791, the pack was based at Langton Hall, which he rented each season; and from 1791 to 1800, Meynell's pack shifted north again and hunted in the triangle between Quorndon, Melton Mowbray, and Ruddington near South Nottinghamshire.[82] Bevan questions why such shifts occurred.

Using hunting diaries, estate maps, and other documents, Bevan deduced that Meynell sought out unenclosed landscape in each location. Furthermore, each move occurred at a time when the favoured landscape *du jour* had succumbed to parliamentary enclosure—Quorndon and the surrounding region from 1760 and the area surrounding Langton Hall from 1791. Fields that were once open (and used as commons, cultivated fields, or left to lie fallow) were largely transformed from arable into sheep pastures. Meanwhile, the third region continued to be dominated by the cultivation of cereals and roots in the late eighteenth century. In order to avoid trampling any crops, mounted hunters could skirt the fields or follow ancient footpaths while the hounds could safely run across the fields. Although grasslands were seen as the ideal, horses could also gallop across fields that were in stubble or in fallow. The benefit of unenclosed landscapes was, of course, that they provided good cover for foxes and other game.[83] Arable fields remained prevalent throughout the eighteenth century. In fact, by 1801, an estimated one-sixth of the region remained devoted to arable. It is clear that the presence of mixed agriculture, at least in Leicestershire, 'undermine[s] the traditional image of foxhounds streaming over uninterrupted Leicestershire grassland'.[84] Meynell was not alone among eighteenth-century foxhunters in his search for unenclosed landscape.

Tom Noel in Cottesmore in southeast Leicestershire kept a diary from 1766 to 1773 that lists chosen locations for hunts, and they overwhelmingly took place in parishes that remained unenclosed until 1800. When a different hand started the diary again in 1780, the pattern remained the same.[85] Bevan also determined that the areas where the third Duke of Rutland's pack were known to hunt were enclosed in phases during the 1760s and 1770s, but were largely left alone until the 1790s. Rutland's pack managed to hunt in diverse arable landscapes.[86] Bevan also found that masters of foxhunts in Northamptonshire shared a preference for unenclosed landscapes with their Leicestershire-based counterparts. Northamptonshire, also dominated by heavy clay soils and champion lands, had long been devoted to arable agriculture. While parts of the county experienced early enclosure, twenty-five per cent of the county remained unenclosed as late as 1797. The Althorpe Chace Books

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[81] De Belin, 134; Bevan, 53–54.
[82] Bevan, 55–62.
[83] Ibid.
[84] Bevan, 62; Finch, "'What more were the pastures of Leicester to me?'", 368.
[85] Bevan, 62–64.
[86] Bevan, 64.

(1773–1793) show that the Earls of Spencer hunted in both enclosed and open landscapes. The Fitzwilliams hunted in the unenclosed parishes surrounding their home base of Milton (which was enclosed in 1576) in the northeast of Northamptonshire. In fact, the parishes surrounding Milton were not enclosed until the Napoleonic Wars, and three were not enclosed until 1895 and 1901. Finally, the third Duke of Grafton preferred to hunt in Euston in Suffolk over Wakefield Lodge in Northamptonshire precisely because the former remained unenclosed until a 1790 parliamentary act.[87]

Bevan reasons that these masters' strong preference for open country had to do with the fact that ancient enclosures were small with deep soils, deep ditches, and numerous hedges, bushes, and trees. In other words, it was difficult and dangerous to ride in these areas compared to open fields.[88] While de Belin did not agree that masters avoided enclosed landscapes because they did not like jumping, she agrees that masters and huntsmen alike were still more interested in the hounds' part in the hunt than in the ride itself in the latter half of the eighteenth century. As such, mixed landscapes provided the perfect setting for that style of foxhunting. Indeed, the choice of landscape was decided by the best places to find foxes and where the best scents could be had. Breeding faster horses was considered paramount, but greater interest still lay in the breeding of faster foxhounds.[89] Eventually, followers yearning for hard riding came to prefer the enclosed grasslands described previously, which became more numerous (and drier) in the first decades of the nineteenth century.[90] In short, both de Belin and Bevan readjust the timeline for the development of the modern sport of foxhunting based on the state of improvement in Northamptonshire and Leicestershire. It is clear that hunting and landscape development and preservation were intertwined throughout the early modern period. Landscapes were dynamic spaces that evolved with the needs and interests of their inhabitants. With that being said, man and animals hunted and enjoyed the landscape together.

The animals involved in hunting—particularly dogs in the early modern period—attained an honorable status on a gentleman's estate. There were two main types of hunting dogs: spaniels were bred to hunt land- and waterfowl and hounds (particularly greyhounds) were bred to chase and coarse 'foure footed beastes [sic]' (from deer to hare).[91] The descendants of *par force*—chasing and driving—that were practiced in the early modern period required the latter type of dog due to their natural abilities for speed and endurance, as well as their keen sight. Spaniels were better suited for hunting by scent. As a category, spaniels were individually split into two groups: land-spaniels hunted in fields and forests for partridges, quails, and the like, and water-spaniels hunted in and near water for ducks and other waterfowl.[92] Gervase Markham describes these dogs as loving and gentle in nature with a sharp sense of smell, a strong build, and keen curiosity.[93] Those three characteristics made them the ideal breed to investigate every nook and cranny of the wilderness, smelling and stalking out their prey.[94] Spaniels' nature also meant that they could easily be trained to alert their owners to the presence of fowl without killing and eating the target themselves.[95]

[87] Bevan, 64–70.
[88] Bevan, 71–72.
[89] De Belin, 152–54, 176–79.
[90] Bevan, 73–75.
[91] Markham, 673–82.
[92] Markham, 680, 682.
[93] Markham, 679.
[94] Ibid.
[95] Markham, 679; Richard Blome, *The Gentlemans Recreation* (London: Printed by S. Rotcroft, 1686), 60, from *Early English Books Online*,
http://eebo.chadwyck.com.ezproxy.is.ed.ac.uk/search/full_rec?SOURCE=pgthumbs.cfg&ACTION=ByID&ID=

Richard Blome advises that dogs 'should be cherish't [sic] as Instruments of your *Recreation*, that they may delight in your Service, and taste of your Bounty, and then doubt not but to have credit of them in the *Field*'.[96] In other words, good care and attention resulted in a dog's best performance on the field.

There was an established process for hunting fowl. After finding the target, a spaniel would 'whimp[er] and whin[e] to give his master a warning of what he scenteth, and to prepare himselfe and his hauke for the pleasure he seeketh, and when he is assured of his game, then to quest out loudly and freely'.[97] Essentially, a spaniel would announce the location of the prey once he sniffed it out, and a hawk would kill it once it had sprung from its hiding place. Spaniels and hawks worked together, under the command of their master, during the hunt. Richard Blome was more explicit in his explanation of this process: the hunter had to 'be prepared with bout [sic] four or five Couple of *Spaniels* that are good Rangers, and such as will hunt at command in compass; whose motion you are to follow on *Horse-back* with your *Hawk* on your Fist, so that you may be ready to cast her off upon their springing any'.[98] The hunters would follow the spaniels on horseback, with hawks hooded and perched on their arms. With the spaniels' signal, the hunters would release the hawks into the air to kill their target. In the early modern mind, hawking and falconry demonstrated man's mastery over nature. Although the peak in popularity of hawking and falconry was during the Middle Ages and Tudor period, they did not become completely forgotten sports like jousting.[99]

Hunting in the early modern period and much of the eighteenth century emphasised the hounds' (and hawks') prowess; however, horses were also integral to aristocratic country life during this period in England and Scotland. According to R. W. Brunskill, 'the horse was the prince of animals' at the turn of the eighteenth century. Richard Blome summed up the significance of hunting and horsemanship to an aristocrat in 1686, stating: 'there is certainly no Exercise more Noble and Manly than this of the *Manege*; It makes a man firm and easie on Horseback, and vigorous and adroit in Action: It increaseth health and strength'.[100] It should be noted that the *manège* was much closer to modern *dressage* than to the hard riding found in foxhunting. Hunting and horsemanship were ideologically inseparable. It was not the favoured animal for draught- and farm-work (in Britain, at least) until later in the eighteenth century.[101] The horse was still most commonly used for sport (and transportation) in this period. Peter Edwards discusses extensively the development and rise in popularity of horseracing during the seventeenth and eighteenth centuries, which ultimately led to the breeding of the thoroughbred racehorse.[102] Horseracing and hunting were two entirely separate pastimes. However, foxhunters eventually came to favour thoroughbreds or mixed-breed thoroughbreds (cocktails) by the end of the eighteenth century due to their speed and endurance.[103] Horses were not just expensive to buy and maintain, they were also temperamental and prone to ill-health and injury.[104] Their care became all the more important

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12757085&FILE=../session/1520526008_23101&SEARCHSCREEN=CITATIONS&SEARCHCONFIG=var_spell.cfg&DISPLAY=AUTHOR (accessed 8 March 2018).
[96] Blome, 68.
[97] Markham, 679.
[98] Blome, 33.
[99] Edwards, 121.
[100] Blome, 4.
[101] R. W. Brunskill, *Traditional Form Buildings of Britain* (London: Victor Gollancz Ltd, 1982), 73.
[102] Edwards, 'Chapter 4: Horse Riding and Status', 89–117.
[103] De Belin, 225–28.
[104] Brunskill, 108–9.

so they could be fit for use. It is now time to discern how the previously described historical context relates to the sport as it was practiced in early modern Scotland.

Unfortunately, very little scholarship has been published on the role that hunting played in Scotland. John M. Gilbert wrote one of the few comprehensive books, *Hunting and Hunting Reserves in Medieval Scotland* (1979), on the subject. It focuses on the sport in the Middle Ages, with 1512 (the year James V ascended the throne) the endpoint of his inquiry.[105] Nonetheless, because this activity held princely associations across Europe from at least the Middle Ages, it follows that it was also essential to the aristocratic lifestyle for an early modern Scottish nobleman. According to Keith M. Brown, 'hunting encouraged good horsemanship and the horse was a potent symbol of royal and noble authority, riding being praised as a noble art by antiquity, and the mastery of the horse being a visual demonstration of rulership'.[106] Indeed, 'hunting was more than a sport, being a means of defining nobility, its complex rituals reinforcing hierarchy' and 'was also an essential part of young noblemen's education and was central to their socialization'.[107] While helpful, this background supplies little information on the type of quarry or the style of hunting that sportsmen enjoyed pursuing in early modern Scotland.

However, what does provide key insight into the hunting practices and culture of post-Restoration Scotland is the Act for Preserving Game (Game Act) of 1685. Renewing and ratifying previous game laws in Scotland (including one passed by Charles II), this law placed more stringent regulations on who could hunt, how one could hunt, and what one could hunt.[108] The first major clause states: 'all persons who are not heritors are prohibited to hunt and hawk, and that neither heritor nor other shoot deer or roe in time of snow'.[109] This law also completely banned the hunting of hare and heron because their numbers were very low by this point in time. There was even a 40 merk (one merk was two-thirds of a pound Scots; one pound Scots was the equivalent of one-twelfth of a pound sterling) penalty if one was discovered to have been hunting either animal.[110] Another clause not only forbade pasturage in royal forests, it permitted private and qualified landowners to 'apprehend such as travel with gun or dogs in forests', or in other words, those who appeared to be poachers.[111] Beyond these basic parameters, the Game Act goes into further detail regarding who could hunt and what could be hunted.

All qualified persons were forbidden from killing 'muirfowl [red grouse], heathfowl [black grouse], partridge, quail, duck or mallard, teal [a type of duck] or atteal, or ptarmigan [in the grouse family] from and after the first day of Lent to 1 July yearly'.[112] In other words, this clause limited the hunting of both land- and waterfowl from mid-winter or early spring to mid-summer. The only exception to this rule was that one could hunt waterfowl with hawks if

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[105] John M. Gilbert, *Hunting and Hunting Reserves in Medieval Scotland* (Edinburgh: John Donald Publishers Ltd, 1979).

[106] Keith M. Brown, *Noble Society in Scotland: Wealth, Family, and Culture from Reformation to Revolution* (Edinburgh: Edinburgh University Press, 2000, 2004), 214.

[107] Ibid., 213.

[108] *The Records of the Parliaments of Scotland to 1707*, K. M. Brown et al. eds (St Andrews, 2007–2018), 1685/4/47, http://www.rps.ac.uk/trans/1685/4/47 (accessed 25 September 2018). This law was renewed by William III in 1698 and Anne in 1705. See: *The Records of the Parliaments of Scotland to 1707*, K. M. Brown et al. eds (St Andrews, 2007–2018), 1698/7/159, http://www.rps.ac.uk/trans/1698/7/159 (accessed 25 September 2018); *The Records of the Parliaments of Scotland to 1707*, K. M. Brown et al. eds (St Andrews, 2007–2018), A1705/6/11, http://www.rps.ac.uk/trans/A1705/6/11 (accessed 25 September 2018)

[109] Ibid.

[110] Ibid.

[111] Ibid.

[112] Ibid.

dredging a body of water.[113] As landowners were beginning the initial steps of agricultural improvement, this is certainly an area in which agriculture and hunting were intertwined. It was also forbidden to kill the younglings of black fowl before 1 August yearly (their off-season was the first day of Lent to 1 August).[114] Meanwhile, quail and partridge could not be hunted between the first day of Lent and 1 September yearly.[115] Further limitations were placed on hunting qualifications in that only inheritors worth £1,000 Scots or more (and their servants) could hunt with dogs; this form of hunting also required a special license.[116] A special license was also required to hunt within six miles of any royal palace (such as Linlithgow, Falkland, or Stirling) in order to protect the local populations of royal game.[117] In an effort to stymie illegal poaching and preserve numbers, this law prohibited the commercial sale of deer, hares, red and black grouse, ptarmigan, partridge, and quail for the following seven years.[118] A regional official, called the master of game, was permitted to enforce this clause and was expected to search out and penalise these black markets.[119] Besides further clauses regarding fishing regulations, these are the chief clauses of the Game Act of 1685. The aforementioned clauses remained largely unchanged when the Game Act was subsequently renewed in 1698 and 1705.

A great deal can be pulled from the 1685 Game Act, all of which goes to show there were both similarities and differences between Scottish and English hunting. One had to be a landowner through inheritance in order to hunt legally; those who purchased land were excluded from this activity. Thus, a certain degree of pedigree was legally required in order to be able to hunt. Furthermore, the ability to hunt with dogs—an essential aspect in all varieties of the sport—was limited to the wealthiest echelon. It is clear that hunting was viewed as an exclusive privilege, not a universal right. Furthermore, the high level of autonomy granted to private landowners over (alleged) poachers indicates that game did not possess *Res nullius* status in Scots law.[120] Instead, it was considered the property of landowners. Although social restrictions on hunting were not quite the same in Scotland as they were in England, they were still put in place to preserve animal populations for the pleasure of land-owning aristocrats.[121] Finally, no mention is made of foxes in the 1685 Game Act or those renewed in 1698 or 1705. This does not necessarily mean that they were not hunted, but rather that, as in England, they were not yet considered quarry fit for aristocratic sport.

However, there remain significant differences between Scottish and English hunting. Unlike England, the hunting of hare (and heron) was completely forbidden in Scotland due to low numbers. It is perfectly possible that they continued to be hunted (or rather, poached) but steps were taken to preserve the animals' numbers legally. The hunting of deer, which was still listed as valid game rather than property, was limited to spring, summer, and autumn.

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[113] Ibid.

[114] Ibid.

[115] Ibid.

[116] Ibid.

[117] Ibid.

[118] Ibid.

[119] Ibid.

[120] In Roman law, *Res nullius* is the idea that property belongs to no one. Within the confines of hunting laws, it meant that one could keep hunted game no matter where it was killed. However, Scotland (as well as England) did not make use of this system: both countries had laws protecting the game on an individual's property. In other words, one could hunt on his or her own property but had no right over the kills on another's property. However, ownership of land determined the rights to hunting in Scotland rather than a royal grant. Furthermore, game was not considered property like livestock. Instead, ownership of the game depended on the kill. For more information, see: Griffin, 5–7.

[121] Brown, *Noble Society in Scotland,* 214.

The continued popularity of the deer chase is illustrated by John Slezer's inclusion of one in his engraving of the town of Hamilton (where Hamilton Palace, the illustrious seat of the Duke of Hamilton, was located).[122] In addition, that the Act lists a variety of both land- and waterfowl with special hunting seasons suggests that they were popular prey. Establishing designated hunting seasons helped to preserve game populations. Given how limited hunting actually was, it is clear that the purpose behind any legal efforts to protect Scotland's game population was due to a desire to preserve numbers for the hunting-hungry elite.

The Game Act of 1685 also summarises why the Scottish aristocracy considered hunting such an important sport. Without measures to try to preserve game populations, not only did the law claim that there would be 'a danger of utter decay of so useful creatures, but the manly exercise of hunting and hawking [would] likely to be altogether neglected'.[123] It should first be noted that the Act's explicit reference to hawking, alongside listing a variety of fowl as viable game, strongly suggests that this sport was still widely practiced in post-Restoration Scotland. This was quite different from contemporary English custom. In addition, no mention is made of the consumption of the creatures; the fact that the endgame of hunting resulted in an edible prize was a bonus. More important to its practitioners was that it was considered a key method for a gentleman to showcase the characteristics associated with proper noblemen. Indeed, 'at its heart, hunting involves an attempt to pit human wits against the wiles of the natural world'.[124] Hunting represented an aristocrat's dominance over his land, his strength and vigor; this sport was the emblem of noble masculinity. Richard Blome sums up this philosophy best:

> To tell you that *Hunting* is a commendable *Recreation,* and hath always ben [sic] practiced and highly prized by all *Degrees* and *Qualities* of *Men,* even by *Kings* and *Princes*; that it is a great preserver of *Health,* a Manly *Exercise*, and an increaser of *Activity*; that it recreates the *Mind*, strengthens the *Limbs*, and whets the *Stomach*; and that no *Musick* is more charming to the *Ears* of *Man,* than a *Pack* of *Hounds* in full *Cry* is to him that delights in *Hunting,* is to tell you that which experimentally is known, and what hath been sufficiently treated by others.[125]

The question remains as to how agriculture and hunting were related in the post-Restoration Scottish country house landscape.

Conclusion

The main aim of this paper was to try to begin to answer the questions of how and why country house landscapes in post-Restoration Scotland were designed the way they were. Since formal gardens took up comparatively little space within the broader estate, it was considered important to consider the landscape more broadly. What quickly became apparent was that two significant activities, agriculture and hunting, took place within the same spaces. Scottish agricultural history is distinct from its English counterpart. It is true that both countries had similar communal, open-field farming systems. However, whereas the English landscape experienced waves of enclosure from the fifteenth century, the Scottish agricultural landscape remained untouched until the end of the seventeenth century. As a consequence, the Scottish landscape suffered from a deadly combination of soil exhaustion and deforestation, which is widely believed to have resulted in numerous blights, bad harvests,

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[122] John Slezer, 'Thirlestane Castle,' 1693, engraving, dimensions unknown, *Theatrum Scotiae* (London: printed sold by J. Smith, 1719), National Library of Scotland, https://maps.nls.uk/view/91169183 (accessed 29 April 2020).
[123] *The Records of the Parliaments of Scotland to 1707*.
[124] Griffin, 5.
[125] Blome, 67.

and famines in the 1690s. The introduction of such improvements as enclosure, rudimentary crop rotation, modernised ploughing methods, and liming practices became all the more important. At the same time, it meant transforming ancient fermtouns into single farmsteads and doing away with the ancient runrig system. As this was an enormous undertaking that required large investments in time and money on the part of landowners, agricultural improvement did not start to flourish in earnest until the 1730s to 1750s (and even later in the Highlands). However, landowners began to experiment with the first stages on their principal estates at the end of the eighteenth century.

Little published academic research is available on hunting in early modern Scotland, especially compared with the immense bevy of scholarship that is available on early modern Scottish agricultural history. This paper has instead had to rely on literature discussing hunting in early modern England. Hunting was essentially limited to England's aristocracy and royalty from 1389 to the nineteenth century. While there were several popular forms of the sport (such as bow and stable and coursing), the most popular and ennobling was the chase. The ancient form of the chase was derived from *par force* hunting, which involved mounted hunters observing and following the hounds finding, drawing out, and chasing the selected prey to exhaustion, and then killing it. This form of hunting was considered to be the most useful for training noblemen for their martial duties. However, it was not a fast and furious sport; it was slow-going, with the greatest focus being placed on the hounds. The most popular quarry during the Middle Ages and much of the early modern period was the deer because it was considered to possess the same martial qualities that noblemen were expected to have. Although not as popular, the hare was considered good game, too, because of its speed and endurance. The traditional form of hunting and choice of quarry began to shift in England over the course of the eighteenth century, with the lowly fox starting to displace the deer.

This was not due to massive deforestation and corresponding low deer numbers, as has been put forth by historians for decades. Nonetheless, what distinguished foxhunting from deer hunting was that the former could take place within the agricultural landscape. The careful and meticulous work of de Belin, Finch, and Bevan have all made it clear that much of the East Midland Shires had yet to be enclosed for much of the eighteenth century (some parishes as late as the nineteenth and twentieth centuries). As a consequence, foxhunting at the turn of the eighteenth century took place largely in mixed, open landscapes. Riding was slower due to boggy fields dominated by ridges and furrows but was also unencumbered by enclosure fences. Foxhunters, like their forebears, were also most interested in the hounds' activities and were careful to breed faster dogs with greater stamina and scenting abilities. The image of hard riders galloping over rolling grasslands and jumping over the fences that divided enclosures instead comes from the early nineteenth century. However, foxhunting parties (which were much smaller than their nineteenth-century equivalents) did not carelessly trample over tenant farmers' crops. Since the foxhunting season took place in the winter, the hunting arena was in fallow or in stubble. If there was any winter wheat in cultivation, hunters could follow the hounds on footpaths or on the borders of fields. In any case, it is abundantly clear that agriculture and hunting interacted closely in England in the early eighteenth century. It is better to think of them as co-existing and adapting to one another as the needs and desires of landowners changed, rather than as activities that directly influenced each other's development.

The Act for Preserving Game of 1685 (which was renewed in 1698 and 1705) is the biggest source of information that could be found on hunting in early modern Scotland. Similar to England, hunting was essentially limited to wealthy landowners and even more restrictions were put in place on who could hunt with dogs (a key aspect of the sport). It also

was considered an important pastime for the development of martial prowess and aristocratic character. However, the 1685 Game Act still kept deer on the list of legal game, whereas deer was made the property of landowners in England. This, alongside Slezer's illustration of the town of Hamilton, suggest that deer were still popular game in Scotland. Meanwhile, the 1685 Game Act banned the hunting of hare and heron. Although landowners and poachers alike may have still hunted both animals, they may have been too difficult to find due to low numbers. This is another key difference between post-Restoration Scottish and English hunting practices. Finally, the 1685 Game Act recorded a long list of fowl and their hunting seasons, implying that they were among the most popular quarry in Scotland. That the 1685 Game Act states that hawking, as well as hunting, was invaluable to the aristocratic life strongly infers that the sport remained popular among Scotland's elite compared to England's. While the scholarship on English hunting practices is essential, it is clear that post-Restoration Scottish hunting practices must be considered independently from England's.

Landowners were human and naturally sought out entertainment; hunting was the most exclusive form available. At the same time, agriculture was an essential part of the landscape because it was the primary source of income for most landowners throughout the Middle Ages and early modern period. Considering all of this contextual data together, it follows that hunting took place alongside and among agricultural activities in post-Restoration Scotland. As Smout makes clear, forests were few and far between in Scotland and so hunters likely did not have access to this type of arena. Scotland was also still dominated by large and unenclosed fermtouns into the eighteenth century. Finally, the type of quarry popular in Scotland (mostly land- and waterfowl) likely thrived in the country's ancient, water-logged, runrig fields. Given these circumstances, it seems highly unlikely that farmers and hunters could have avoided each other. The way in which hunting was carried out in post-Restoration Scotland likely resembled the way in which the earlier forms of foxhunting took place in the Shires before parliamentary enclosure (albeit in the forms of hawking and deer-chasing). However, more research also needs to be done on early modern Scottish hunting because it is clear that this area of study is sorely lacking. More research needs to be done on individual country houses in order to gain a better, broader, and more thorough understanding of this three-dimensional approach to landscape design. Nonetheless, this paper has taken an important first step in promoting awareness of the complexities of Scottish landscape design and the relationship between hunting and agriculture. Indeed, what is clear is that the post-Restoration Scottish landscape was a dynamic and active space and was not solely restricted to or separated by economic or ornamental functions. As with buildings, they were experienced spaces that were influenced by the people that lived within and owned them.

References

Primary Sources
Blome, Richard. *The Gentlemans Recreation*. London: Printed by S. Rotcroft, 1686. From *Early English Books Online*. http://eebo.chadwyck.com.ezproxy.is.ed.ac.uk/search/full_rec?SOURCE=pgthumbs.cfg&ACTION=ByID&ID=12757085&FILE=../session/1520526008_23101&SEARCHSCREEN=CITATIONS&SEARCHCONFIG=var_spell.cfg&DISPLAY=AUTHOR (accessed 8 March, 2018).

Markham, Gervase. *Maison Rustique*. London: Printed by Adam Islip for

John Bill, 1616. From *Early English Books Online*.
http://eebo.chadwyck.com.ezproxy.is.ed.ac.uk/search/full_rec?SOURCE=pgthumbs.c
fg&ACTION=ByID&ID=99856540&FILE=../session/1520937355_21842&SEARC
HSCREEN=CITATIONS&SEARCHCONFIG=var_spell.cfg&DISPLAY=AUTHOR
(accessed 7 March, 2018).

The Records of the Parliaments of Scotland to 1707. K. M. Brown et al. eds. St Andrews,
2007–2018. 1685/4/47. http://www.rps.ac.uk/trans/1685/4/47 (accessed 25 September
2018).

The Records of the Parliaments of Scotland to 1707. K. M. Brown et al. eds. St Andrews,
2007–2018. 1698/7/159. http://www.rps.ac.uk/trans/1698/7/159 (accessed 25
September 2018).

The Records of the Parliaments of Scotland to 1707. K. M. Brown et al. eds. St Andrews,
2007–2018. A1705/6/11. http://www.rps.ac.uk/trans/A1705/6/11 (accessed 25
September 2018).

Secondary Sources

Ackerman, James S. *Palladio*. London: Pelican Books, 1966; New York: Penguin Books,
1991.

Bevan, Jane. "Agricultural Change and the Development of Foxhunting in the Eighteenth
Century". *Agricultural History Review* 58, no. 1 (June 2010): 49–75, https://www-
ingentaconnect-
com.ezproxy.is.ed.ac.uk/content/bahs/agrev/2010/00000058/00000001/art00005.

Brown, Keith M. *Noble Society in Scotland: Wealth, Family, and Culture from
Reformation to Revolution*. Edinburgh: Edinburgh University Press, 2000, 2004.

Brunskill, R. W. *Traditional Form Buildings of Britain*. London: Victor Gollancz Ltd, 1982.

de Belin, Amanda. "Transitional Hunting Landscapes: Deer Hunting and Foxhunting in
Northamptonshire, 1600–1850". Doctoral thesis. University of Leicester, 2011,
http://hdl.handle.net/2381/10256.

Dixon, Piers. "Rural Settlement in the Pre-Improvement Lowlands". Alexander
Fenton and Kenneth Veitch, eds. *Scottish Life and Society: A Compendium of Scottish
Ethnology*. Edinburgh: John Donald, an Imprint of Birlinn Ltd, in association with the
European Ethnological Research Centre, 2011: 87–110.

Edwards, Peter. *Horse and Man in Early Modern England.* London: Hambledon Continuum,
2007.

Fenton, Alexander *Scottish Country Life*, Edinburgh: John Donald Publishers Ltd., 1976.

Finch, Jonathan. "'Grass, Grass, Grass': Fox-hunting and the Creation of the Modern
Landscape". *Landscapes* 5, no. 2 (2004): 41–52,
https://doi.org/10.1179/lan.2004.5.2.41.

Finch, Jonathan. "'What more were the pastures of Leicester to me?' Hunting, Landscape
   Character, and the Politics of Place". *International* Journal of Cultural Property 14
   (2007): 361–83, https://search-proquest-
   com.ezproxy.is.ed.ac.uk/docview/232075672?accountid=10673&rfr_id=info%3Axri
   %2Fsid%3Aprimo.

Gibson, A. J. S. and T. C. Smout, eds. *Prices, Food and Wages in Scotland,
   1550–1780*. Ebook. Cambridge, UK: Cambridge University Press,
   1994.
   https://doi-org.ezproxy.is.ed.ac.uk/10.1017/CBO9780511660252.

Gilbert, John M. *Hunting and Hunting Reserves in Medieval Scotland.* Edinburgh: John
   Donald Publishers Ltd, 1979.

Griffin, Emma. *Blood Sport: Hunting in Britain Since 1066.* London: Yale
   University Press, 2007.

Lowrey, John. "Practical Palladianism: The Scottish Country House and the concept of the
   villa in the late seventeenth century". *Architectural Heritage* 18, no. 1 (Nov 2007):
   151–167, https://www-euppublishing-
   com.ezproxy.is.ed.ac.uk/doi/abs/10.3366/arch.2007.18.1.151.

Hamilton, John, Lord Belhaven. *The Country-Man's Rudiments or, An Advice
   to the Farmers in East-Lothian how to Labour and Improve Their Ground.*
   Edinburgh, 1713. Reproduction from Bodleian Library (Oxford).

Moskowitz, Marina. "Back yards and Beyond: Landscape and history". In Karen Harvey,
   ed. *History and Material Culture: A Student's Guide to Approaching Alternative
   Sources*. Abingdon-on-Thames: Routledge Ltd, 2013: 67–84,
   https://www.dawsonera.com/abstract/9780203717738.

Smout, T. C. "The Improvers and the Scottish Environment: Soils, Bogs and
   Woods". From T. M. Devine and J. R. Young, eds. *Eighteenth Century
   Scotland: New Perspectives*. Phantassie, East Linton, East Lothian,
   Scotland: Tuckwell Press, 1999: 210–24.

Whyte, Ian. *Edinburgh & the Borders: Landscape Heritage.* Newton Abbot, Devon: Charles
   & David, 1990.