

**Enclosure Resistance in Middlesex, 1656 - 1889: A Study of
Common Right Assertion**

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Paul Carter

School of Humanities and Cultural Studies

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ABSTRACT

This study provides a detailed examination of resistance to enclosure in Middlesex from the closing stages of the English Republic to the late Victorian period. The evidence presented in the following chapters establishes that resistance was widely spread both over time, (before, during and after any individual enclosure) and geographical location within the county. The study itself is divided into four general sections. The first section is divided into two chapters each having a separate function in setting the scene prior to examining any of the Middlesex evidence. The first chapter sets out both the terminology used by contemporaries and later by historians to describe farming practice in general and the enclosure process in particular. Contemporaries, whether agriculturists or commentators on rural life, and historians have a myriad of terms and conventions to explain the way in which life was organised in the countryside of the past. This introduction to the terminology is necessary. Although I am primarily concerned with labour, and the transition from a rural community with access to the material benefits of common rights to one of exclusive wage dependence, it is still required that we are able to understand the description of agricultural practices as this transition progresses. The second chapter is an examination of previous historians' analysis of enclosure, and their accounts of the responses of commoners to enclosure and the threat of enclosure. The part played by this chapter is to summarise the historical record regarding the commoner as an active player in history or a passive casualty of capitalist improvement.

The second section concentrates on the Middlesex rural experience. This is divided into three chapters each dealing with a specific aspect of rural life and work, and acts as a background for

the later examination of enclosure resistance. The first of these chapters establishes the agricultural setting of Middlesex throughout the period and assesses the landholding patterns within the county. The second examines how common rights operated locally from parish to parish and from manor to manor. The third chapter shows the use of rights of common in the community and what value was placed on those rights by the commoners themselves. This chapter also surveys the county in order to establish geographically how widespread common rights were in Middlesex.

The three following chapters make up the third section and respectively examine the evidence for enclosure resistance between 1656 - 1765; 1766 - 1825 and 1826 - 1889. The reason for this is that each period represents a different era of enclosure. The first era is that of the pre-parliamentary period from 1656 up until 1765. By 'pre-parliamentary' I am referring to local experience. In the sixteenth century the Crown initiated a largely unsuccessful act for the enclosure of Hounslow Heath and this is further discussed in chapter seven. However it was not until 1766 that Middlesex landlords began to use parliament to enclose their Middlesex estates. Enclosure by personal coercion was a popular device of Middlesex landlords in the seventeenth and eighteenth century and one which they were well prepared to use. Enclosure by act of parliament did not of course remove the coercive element in restricting or extinguishing common rights, however the process was different as was the role of the state; thus the period from 1766 to 1825 has a chapter to itself. This period ends with the 1825 enclosure act for Northolt; the last parliamentary enclosure act for the county. The third chapter deals with the period 1826 to 1889. This final period saw no further individual acts of enclosure although the common fields of several

parishes were enclosed under the general enclosure acts of 1836 and 1845, and other commons were enclosed through purchase. Although by this time common rights were severely diminished people were nevertheless willing to fight to keep those rights which had been retained, as well as expressing their dissatisfaction at the loss of previous common rights.

The fourth and final section is divided into two chapters. The first examines how the way of life of the commoners was criminalised as the ruling class looked to enclosure as a means of extending their control into every aspect of the lives of those around, (or rather below) them. The purpose of this chapter is to examine how the physical commonfields and commons, and the ideas of common use right and access, interfered with the ability of the local ruling class and their representatives to control the English people. It charts how ideas of crime and anti-social behaviour were attached to the existence of commonlands and how the eradication of the latter would lead to the control of the former. The second chapter of this section examines the evidence in relation to the Marxist interpretation of class struggle and expropriation of the rural peasant. It is also within this chapter that I relate those struggles to the conclusions of earlier historians who have investigated the activity or passivity of the commoners to enclosure. Finally I argue that this struggle was vitally important to class formation, and establishes rural struggles as central to an understanding of class and class consciousness in England during its time as an emerging and maturing capitalist economy. Such conclusions concur with the Marxist view regarding the social and economic condition of commoners and the position of the rural proletariat after enclosure.

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ABBREVIATIONS USED IN FOOTNOTES

BA&LSC	Barnet Archive & Local Studies Centre
BCM	Bruce Castle Museum
BPP	British Parliamentary Papers
DL	Duchy of Lancaster
EA&LHU	Enfield Archive & Local History Unit
ELHL	Ealing Local History Library
GC/HC	Greenford Church of the Holy Cross
HAD	Hackney Archives Department
H&FA&LHC	Hammersmith & Fulham Archives & Local History Centre
HHS	Hillingdon Heritage Service (Uxbridge Central Library)
H(H)L	Hounslow (Hounslow) Library
HCJ	House of Commons Journals
HLJ	House of Lords Journals

HLRO	House of Lords Record Office
LMA	London Metropolitan Archive
PRO	Public Record Office
OBSP	Old Bailey Sessions Papers (Oyer and Terminer)
Rep. Poor	Report From the Poor Law Commissioners on the Administration and Practical Operation of the Poor Laws, Appendix (B. 2.) Answers to Rural/Town Queries. (1834).
TLMAS	Transactions of the London & Middlesex Archaeology Society
VMB	Vestry Minute Book
VOB	Vestry Order Book
WD&DLHS	West Drayton & District Local History Society
S&SLHS	Sunbury & Shepperton Local History Society

PREFACE

This study of enclosure resistance does not set out to act as a list of cases of opposition in Middlesex between 1656 and 1889. History cannot be condensed into a list or a series of lists; history must provide an explanation or interpretation alongside the provision of evidence. Nevertheless the evidence provides the starting point for historical investigation and I want to say something about the collection of evidence regarding the resistance of commoners to enclosure. A practical approach in terms of the research has an important part to play in any class analysis of rural England. In researching this work I have attempted to cast a rather wide net in terms of sources, and set myself targets which on occasion appeared to be beyond the time of a single researcher; undoubtedly a common feeling for research students. A systematic search of secondary sources complemented research of the more obvious primary sources such as the Old Bailey Sessions Papers, Middlesex Quarter Sessions Papers and local manorial records.¹ Although such sources were essential it is necessary to remember that enclosure was a local experience at the parish level. This may appear somewhat paradoxical when we talk of enclosure in terms of several 'movements'. There is of course no paradox; the enclosure of one parish was not necessarily the result of the enclosure of a neighbouring common. Thus the enclosure movement/movements did not produce an anti-enclosure movement beyond the purely local, usually parish, level.² This in itself presents a problem for a study such as this. In the course of

¹ Researchers need to bear in mind that sources do not always have to be written records. In Sandy Lane at Hampton Wick, a memorial relating to Timothy Bennett, a local shoemaker who championed the right of free access at Bushy Park during the eighteenth century against the then Ranger Lord Halifax, is fixed to the park wall. Less well open to public view is a tea tray kept at Bedfont parish church. The tray is illustrated with a picture showing the commons at Bedfont and triumphantly describes a failed attempt to enclose the parish in 1801. I have been unable to trace any documentary evidence of the attempted enclosure at Bedfont at this time. For a picture copy of the tray see Appendix 10.

² For a discussion of middle-class Victorian anti-enclosure organisations see chapter eight.

surveying material for this study I have made use of national repositories such as the Public Record Office and the Rural History Centre. I have also used the London Metropolitan Archive which embraces the old Middlesex County Record Office. However I have also drawn extensively from the various borough history centres set up across the ancient county of Middlesex. If, as I am arguing, enclosure was a local experience then it is only right to follow this reasoning and investigate at the local level myself, and it is here that the problem makes itself felt. The organisation and degree of sophistication exhibited by local history and archive units in terms of indexes and catalogues vary widely and can in themselves lead to problems in terms of local comparisons. For example the surviving letters written by copyholders, members of the homage and the steward of Fulham and Hammersmith manor have been well indexed by name, date and subject by staff at the Hammersmith and Fulham Archives and Local History Centre. In contrast the local history archives at Bruce Castle covering Tottenham has no full time archivist and material is less well indexed making any systematic search on any particular historical theme almost impossible. Although this does not represent any necessary barrier to the researcher, after all part of the point of research is to turn up and collate unused material, it does provide explanations for 'gaps' in the historical record while supplying further impetus for new research. Perhaps my own study under reports the events in Tottenham while over emphasising Hammersmith and Fulham simply because of the points I have made above.³

³ Most archives have staff who have their own areas of expertise. Researchers would do well to contact the appropriate repositories outlining the project with a view to make an appointment with such staff members. Speaking to the right people at the beginning of a project and taking time to learn the nuances of the indexes and finding aids can make all the difference in the early collection of evidence.

However regardless of these really quite usual problems of historical research it is clear that resistance occurred in most places in Middlesex. It is because of the multifarious ways that enclosure resistance manifested itself that historians in general face such a huge problem in terms of evidence collection. Where should someone look for enclosure resistance? Various legal court papers - yes; manorial records - certainly; estate papers - definitely. These should be supplemented with the House of Commons/Lords Journals, Parliamentary Papers, National Periodicals, and Home Office Papers. However we also need to search records of individual farms, prosecution association records, enclosure commissioners working papers, vestry minute books, solicitors accounts and local newspapers. In essence the dispersed nature of resistance is necessarily reflected in the variety of dispersed sources in which the evidence is located. Thus a wide ranging search for evidence of enclosure resistance is required not because evidence is rare, but because it was documented in disparate material. To put it another way the 'wide net' approach is required, not to show how hard the researcher is working, but simply to make sure adequate examination of materials is made before any judgement is expressed on the resistance offered when enclosure threatened. Without such research enclosure remains outside any class analysis and is reduced to a purely quantitative economic study using the numerical sources, (such as the enclosure awards, claims to the commissioners etc.) which provide few if any opportunities for the poor commoner or smallholder to voice their views.

The evidence of opposition and resistance to enclosure in Middlesex is used to test the Marxist interpretation of the final stages of the separation of the peasant from the land, and to inform a detailed discussion on how this active resistance impacted upon class formation and

consciousness. The dates 1656 to 1889 should not be viewed as concrete barriers beyond which we cannot venture. The people living in the Middlesex common communities did not live such neat and tidy lives that the period 1656 to 1889 would mark the respective beginning and ending of a way of life. Nevertheless this period saw a fundamental change in the experience of life as previously known by generations of commoners in Middlesex.

The first major aim of this project is to re-examine the classical Marxist interpretation of the development of the rural proletariat at the county level during the final stage of separation of the peasant from the land.⁴ In re-examining this historical interpretation other areas of historical significance are opened which becomes the context of the primary study. Thus in the study of struggle to defend common rights in Middlesex there are a number of issues which are illustrated by, and clarified via, enclosure resistance evidence. The timescale itself allows an examination of how the methods of opposition to enclosure by several generations of commoners changed over this period. This in itself constitutes the second major aim of the project. The third major aim is to clarify how the stinting arrangements of common rights contributed to a lack of commoners combining inter-parochially and thus seriously affected the viable resistance to enclosures up until the late nineteenth century; by which time of course practical agricultural enclosure had reached its economic conclusion. This leads to the fourth major aim of the proposed study; what impact on class alignments did the loss of customary rights and the activity of enclosure resistance have on the commoners themselves?

⁴ Marx, K. Capital Vol. I. (London, Lawrence & Wishart, 1954) pp 667-693.

The project revolves around how commoners viewed enclosure, what experiences determined these views, and how these views were expressed. We also need to ask whether there were any occasions when inter-parochial resistance occurred and for what reason. Finally, what did the commoners hope to gain from any resistance they may have put up against the enclosure process? A number of controversial points will be covered during this study; three are worth bearing in mind as we review the evidence and arguments contained in this study. The first is the interpretation of anti-enclosure material as to whether commoners were against enclosure *per se*, or whether disagreement related to terms and conditions of individual enclosures. The second is the analysis of whether land once enclosed was in fact 'improved' or if the older land use methods were retained. The third is theoretical and involve notions of the class consciousness of labourers and/or smallholders which led them to see themselves (and others in their particular economic position) in opposition to the large and rich influential landlords and farmers.

I feel that something has to be said about the choice of location, (Middlesex); and the period of study, (1656 to 1889). The history of Middlesex is closely tied to the history of London. This is particularly true for the modern period as London expansion took it primarily into the north and west, thus encroaching on south and east Middlesex. Coupled with this the importance of the domestic London market and the identification of the city as a truly international centre for import/export and finance has undoubtedly led to a reduction in any county identity and a subsequent lack of interest from rural historians. This is a theme which I take up in some detail in chapter three. The effect of London has to a severe extent removed features of county characteristics.⁵ London was a large and growing market for Middlesex agricultural produce.

⁵ Pope, M. Middlesex in Prose and Verse (London, Elkin Mathews & Marriot, 1930) p xi. Pope writes

Central and western parishes sustained Middlesex's earlier reputation for wheat, or at least for a mixed agriculture. However in the northern parishes of Edmonton, Enfield, Harrow, Hendon and Finchley, hay was produced in vast quantities. In the southern part of Middlesex from Kensington, west along the Thames through Hammersmith, Chiswick, Brentford, Isleworth and Twickenham, the expansion of fruit and market gardens dominated the area from the eighteenth century. Although pushed further west by the increased urbanisation of those parishes nearest to London, the Middlesex market gardens retained their key economic position until the relatively late industrialisation of the county in the 1920s and 1930s. Both hay and market garden produce were to meet the London market. The city was also a source of increasing urbanisation which saw Middlesex first as a dormitory area for the rich London merchants, and ultimately as a hinterland into which the city would grow.⁶ Pressure for enclosure was initiated then, not only to consolidate agricultural holdings and increase the financial worth of agricultural and country estates, but also to establish building plots for the insatiable growth of the city of London.

The proximity of Middlesex to the centre of early monarchical authority made successive governments uneasy about having any large and powerful individual landowners so close to

that: 'The Compiler of an anthology of Middlesex suffers from a certain initial disadvantage. Other counties have their own distinguishing characteristics. We are accustomed, for instance to speak of the Yorkshire moors, the Sussex downs, the Surrey hills, the Norfolk Broads, the Devon Combes or the Cumberland lakes. But Middlesex can boast no individual distinction. It is the most urban of all the counties. We dwellers in Middlesex are perhaps a little too London-conscious - we are too near the town, and too much of it - to realise that we are indeed the inhabitants of no mean county. There is no society of Middlesex Men in London, nor do people say of a man that he speaks with a Middlesex accent.'

⁶ As the propertied classes took up residence outside of the City of London we can see a profound effect taking place in terms of the 'electoral geography' of Middlesex. In 1768 Westminster and the Middlesex 'out' parishes to the north and west of the city accounted for 61% of the county electorate. By the early nineteenth century this had risen to between 75% to 80%. Thorne, R.G. The House of Commons 1790 - 1820 Vol. 2 (Secker & Warburg, 1986) p 258.

London. Since Geoffrey de Mandeville led a rebellion against Stephen in 1144 no great lord built any significant estate near the seat of royal power, and it was the church which came to dominate the landowning pattern in medieval Middlesex. At the Reformation the majority of Middlesex fell to the crown. In particular Henry VIII took the south and south west manors around Hampton to make and extend a royal chase. Thus the immediate effect of the dissolution of the monasteries in the second quarter of the sixteenth century was an increase in Middlesex crown lands. However the need to realise capital for war finance, and the problems associated with inflation ensured that much of the recently acquired lands were sold and the crown property amounted to about the same in 1630 as it had one hundred years previously. The new landowners were 'new men' rather than from established noble landowning families. They were important for their work at the court like Thomas Lake and Lionel Cranford, or their role in representing the English abroad such as Francis Cottingham, or had made their fortunes in the city such as Thomas Gresham and Edmund Wright.⁷ The newly private lands changed hands often from this time onwards and the result was that no dominating gentry evolved to form any cohesive county interest. Indeed this in itself accounts for much of the lack of 'county' identity.

The royal authority was correct in assuming that the physical area of Middlesex would play an important part in any constitutional change in the government of the nation. The close proximity to London made this inevitable. The civil war encounter at Turnham Green in 1642 was the second engagement of the war and the first military defeat for the Royalist force, and the abortive conference between the representatives of Parliament and Crown in January/February 1645 took

⁷ Robbins, M. A New Survey of England: Middlesex (London, Collins, 1953) pp 23-5 and 106.

place at Uxbridge. Over one hundred years later the radicalism of the Middlesex freeholders and popular support for their parliamentary representatives at the county elections in Brentford in 1769 and 1806 added immensely to the constitutional and class histories of England.⁸

This study of enclosure resistance in Middlesex begins in the final period of the seventeenth century English Republic. In 1646 parliament had resolved that military feudal tenures be converted to 'free and common socage'. An act of 1656 confirmed the resolution and this was repeated in the first restoration parliament.⁹ In the same year that the 1646 resolution was confirmed the English parliament dismissed the last attempted bill designed to check enclosure; from this time onwards encouragement of agricultural improvement was always a matter of government policy.¹⁰ It is this last attempt to control enclosure through parliament in 1656 that marks the beginning of this work. With the settlement of 1660 the claims of English commoners were set against a new state perspective and the legislature was to become a systematic anti-commonland body. After the end of the Republic there were no further commissions into

⁸ Ibid. pp 24-5.

Rude', G. Wilkes and Liberty: A Social Study of 1763 to 1774 (Oxford, Clarendon Press, 1962) p 87. Linking popular parliamentary reform with enclosure in the home counties Rude' states that: 'Enclosure had aroused resentment among the small freeholders and cottagers even in the rural parishes adjoining London. In 1767, the villagers of Stanwell in Middlesex had marched to Westminster to protest against an Enclosure Bill; while it did not appear overtly as an issue in the county elections that followed, who can tell how far it stimulated the lesser freeholders to seek the support of new men in Parliament?' On the same page, (footnote four) he also claims that: 'It is no doubt significant that two prominent signatories of a petition against the Stanwell Enclosure Bill of 1767 were Wilkite supporters in the Middlesex elections of 1768-69: John Bullock Esq. and George Richard Carter Esq., both substantial property owners in the parish'.

⁹ Allen, R.C. Enclosure and the Yeoman: The Agricultural Development of the South Midlands, 1450-1850 (Oxford, Clarendon Press, 1992) pp 304-5. At each time the legislature excluded copyholds and indeed copyhold tenure remained until 1922 when all remaining land under such tenure was enfranchised.

For a discussion on the different tenures in early modern England and the free nature of socage see Overton, M. Agricultural Revolution in England: The Transformation of the Agrarian Economy 1500-1850 (Cambridge U.P., 1996) pp 32-33.

¹⁰ Hill, C. The Century of Revolution (Edinburgh, Thomas Nelson & Sons, 1961) p 149.

illegal enclosures, and with the advent of the parliamentary enclosure act the government itself became the agency of enclosure. Such is the rationale for beginning this study in 1656; on the other hand the decision to end this study in 1889 stems from purely local considerations. In 1889 the Middlesex/London boundaries were altered and fourteen Middlesex parishes disappeared into an expanding city.¹¹ This process has of course continued into the twentieth century. In 1965 local government reorganisation saw London swallow the whole of Middlesex, and spread into parts of Buckinghamshire, Essex, Kent, Hertfordshire and Surrey.¹² This pragmatic reasoning is complemented by a desire to provide a reasonable time span to examine any changes which commoners may have made in the way in which they sought to resist enclosure. A time span of some two hundred and thirty odd years maybe regarded as unusually large when studying topics within English social history, yet the decision to survey such a time span has been a conscious one. As recently suggested by Keith Wrightson English social history has been 'enclosed' within accepted time periods. The first running from the mid-late sixteenth century to c. 1660 and concentrating on studies leading up to the English revolution, establishment of the Republic and the subsequent restoration of 1660. Social history then takes a break until the mid eighteenth century when parliamentary enclosure and issues relating to industrialisation takes centre stage. The century from 1660 to 1760 is thus largely excluded from much of English social history.¹³ Davidson, Hitchcock, Keirn and Shoemaker point to a smaller time period, from 1689 to the mid-eighteenth century, missing from English social history. Thus there is much agreement that

¹¹ Vict. 51 & 52. c 41.

¹² Trent, C. Greater London (London, Phoenix House, 1965) p 257.

¹³ Wrightson, K. 'The Enclosure of British Social History', Rural History: Economy, Society, Culture 1, 1 (1990) p 75.

the period covering the latter part of the seventeenth and the first half of the eighteenth centuries 'has generally been represented as a period of calm situated between two historical storms.'¹⁴ This study, by locating the agricultural practice of rural Middlesex from the beginning of the seventeenth century and examining the resistance to enclosure from the middle of that century to the close of the nineteenth century, begins to develop the often 'missing' period of English social history.

The investigation of commoners and commonland can appear a nostalgic look at the past, a hazy glimpse back at our ancestors through the rose tint of the late twentieth century, a harmless but not particularly useful pastime. Such a view should and can be refuted. Firstly the thirst for sentimental nostalgia has to be confronted by the evidence of labourers and smallholders struggling to survive through hard continuous toil, little money, few rights; and when old and incapable of providing for themselves the as call of the parish or union workhouse beckoned. Secondly the usefulness of the study itself. An examination of common rights and communal agriculture gives a different perspective of society than the one in which we have grown up and accept uncritically as conforming to self evident norms. In modern western society property rights have developed to such an extent that precise descriptions are often outside the general abilities of property owners themselves, and only those with specific legal training can identify 'property' in its modern sense. Common rights were never so precise although the legal authorities had been sharpening their definitions over the centuries.¹⁵ Studies of such rights, even

¹⁴ Davidson, L. Hitchcock, T. Keirn, T. & Shoemaker, R.B. Stilling the Grumbling Hive: The Response to Social and Economic Problems in England, 1689-1750 (Stroud, Allen Sutton, 1992) p xii.

¹⁵ Thompson, E.P. Customs In Common (London, Merlin, 1991) Chapter 3, especially pp 132-43.

when we take into account the qualifications attached to common rights, provide a useful indication that the world of the late twentieth century is simply one of a number of possibilities. Ideas of communal property rights offer the potential of a different ordering of life.

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PART I

CHAPTER ONE

ENCLOSURE: TERMINOLOGY AND CONVENTIONS

In seventeenth century England the majority of people would have been familiar with the terms used to describe the process of agricultural production. They would also have been well acquainted with the variety of words used to describe those rights claimed by a variety of owner occupiers, farm tenants, smallholders and landless commoners to land used in common. Although there may have been disagreement as to the nature of rights attached to a particular piece of land, there would have been general agreement on the types of rights which land in general may have had attached. At the latter stages of the twentieth century we have lost this familiarity with the words, definitions and conventions associated with agricultural production and those common rights which were second nature to the seventeenth, eighteenth, and early nineteenth century rural inhabitant. There is of course no reason why this should not be the case. Less people are now directly involved in agriculture and even less have any first-hand knowledge of common rights. When E.C.K. Gonner published Common Land and Inclosure in 1912 he used the first chapter to contrast the knowledge of past rural inhabitants regarding 'common rights' language with contemporary ignorance.

'Its [the common] existence now is taken as denoting the claims, somewhat vague and precarious, of the public as against those holding the land and engaged in its cultivation... The early rights of common were anything but vague, and were invariably vested in those employed in cultivation, or their representatives.'¹

¹ Gonner, E.C.K. Common Land and Inclosure (London, Macmillan, 1912) p 3.

Although I will later argue that Gonner was too preoccupied with the legal niceties of common right regulations, he was undoubtedly right to stress the loss of the intimate understanding of customary agricultural terminology which had taken place throughout the nineteenth century. If this was the case in 1912, we are well advised to reflect that the proportion of the population involved with English agriculture has been further reduced as we reach the close of the twentieth century. Thus the current generation is even more removed from any accurate agricultural vocabulary than those late Victorians and Edwardians who were the contemporaries of Gonner.

Bearing this in mind there is much to be said for the claim that many of the terms used in the following chapters are in some degree 'technical'. What I mean by this is that they are specific to English rural life of the period under consideration. The point of this chapter is to explain the terminology of both contemporary commoners from the seventeenth to the nineteenth centuries, along with the conventional terms used by later historians attempting to explain the nature of the society they were examining. Notwithstanding the criticisms which I will later make of Gonner's preoccupation with the 'legal right to' as opposed to the 'common use of', Common Land and Inclosure is still a useful text for giving an introduction to any discussion of what common rights were, and how in theory they were to be applied.² Therefore much of this chapter relating to the definitions of the type of different common rights are based on the first section of Gonner's opening chapter except where otherwise indicated.³ In order to tie this chapter to this particular study I have, where appropriate, used the Middlesex variation of customary terms and where I

² For a contemporary seventeenth exposition of common rights see Anon. The Law of Commons and Commoners: or a Treatise Shewing the Original and Nature of Common and Several Kinds Thereof (London, 1698).

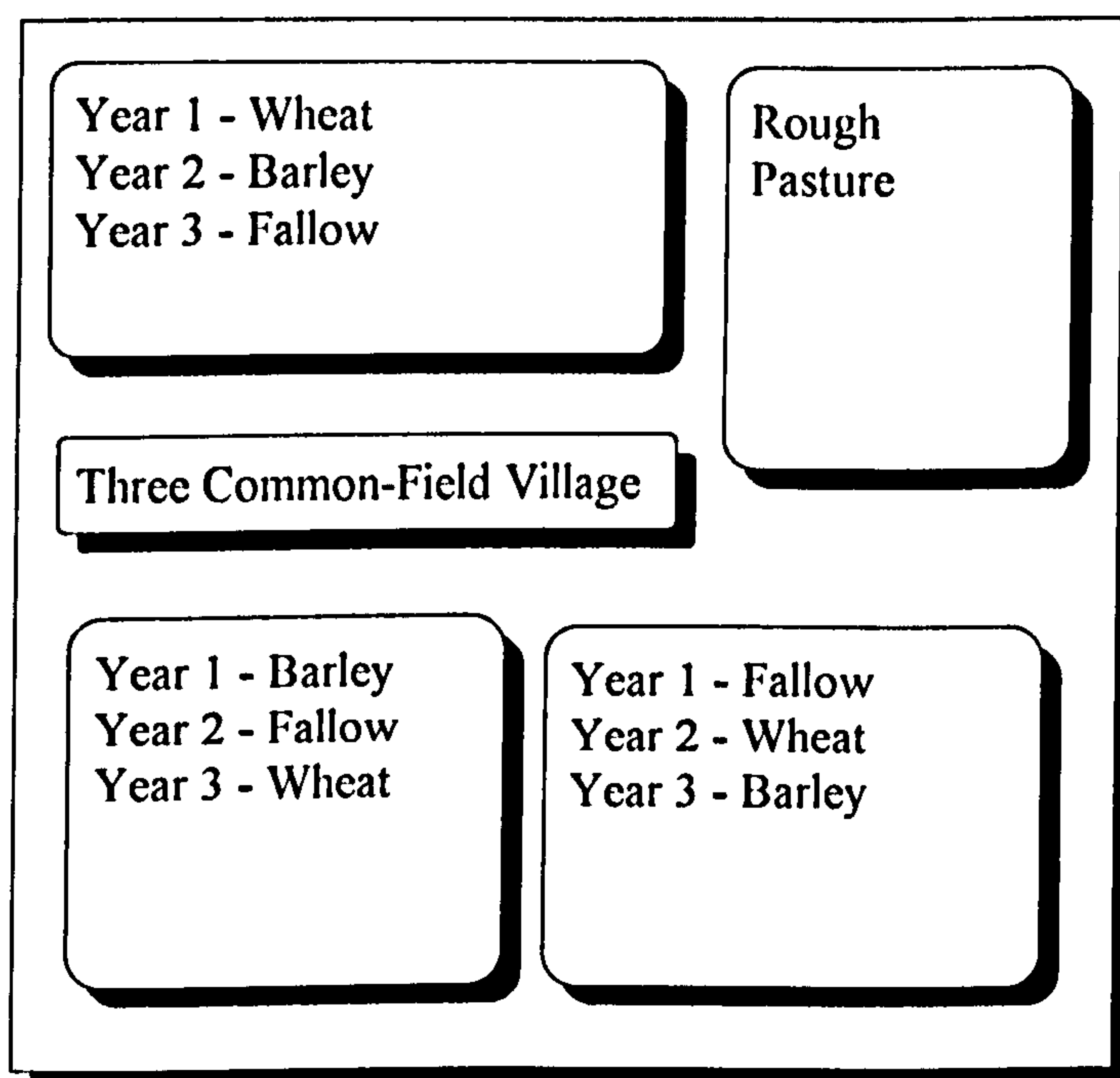
³ Any quotes from Gonner will be individually footnoted.

have done so I make this explicit in the text. However it is necessary to signal a cautionary note at this early point. Regulations concerning common rights rarely remain fixed throughout the seventeenth, eighteenth and early nineteenth centuries. Rights of common were essentially local rights, determined by local custom and regulated through the local manor court and/or parish vestry. Therefore the following description of common field practice and terminology is necessarily a generalisation. This is not a problem in itself as subsequent chapters deal with Middlesex agriculture in localised detail. However, before we can count the trees, we need to be able to see the wood.

Common rights were sometimes attached to the inhabitation of certain houses or properties, restricted to the number of beasts usually kept by an individual during the winter, or fixed in proportion to the number of arable acres farmed by a particular individual. A mixture of the above, and other criteria used in commonfield agricultural parishes and manors, could and did limit who had common rights, and how far those common rights were enjoyed by individuals. The chapters on the nature of common rights and on the practical use and value of commons and commonfield agriculture give a detailed analysis and explanation on the contentious matter of who used the commons and how this 'use' was regulated. What follows in this chapter is a far more simplified introduction relating to the terms I have used throughout this work to describe contemporary agricultural practice.

Agricultural production is typically divided into two general classes; arable and pastoral. The first relates to crop cultivation while the latter refers to the rearing of animals. Specialisation of arable

or pastoral farming is a feature of modern English agriculture, however 'mixed' farming, where an individual farm invested resources in both arable and pastoral activities to lesser or greater proportions, was to be found in many areas well into the nineteenth century. Therefore this division of agricultural specialisms in some cases can be contrasted with others where there is continuity. For modern historians these two features present problems for the unwary in terms of historical description. One of the major problems is the way in which familiar words are used



which have slightly different modern meanings. I have referred to the word 'farm' in the sentences above. However the common field farm of the seventeenth century differs greatly from the closely nucleated farm of the twentieth century. The modern farm may be well defined as a collection of functional buildings, (for example the farmhouse, barn, dairy/milking shed

etc.) surrounded by the accompanying fields. There may be varieties on this theme but nevertheless the definition holds good. In the seventeenth century there were farms which would also fit such a description. However other farms were significantly different. Open-field or common-field farmers would have their land distributed across the several open-fields of the parish or village. Farm buildings could not therefore be located in close proximity to all of the land held by an individual farmer. Some Middlesex parishes had three large open fields which

survived in a truncated form up until the period of parliamentary enclosure in the late eighteenth and early nineteenth centuries. In the north west of the county irregular field systems had developed. In 1572 there were forty common fields at Enfield and seventeen at Edmonton in 1605.⁴ In both the three field and irregular common field systems the land was tilled, that is to say the crop was cultivated, by the local farmers. Open-field farming is sometimes referred to as 'strip farming'. The fields were divided into strips and an individual farmer would cultivate several strips which would be located across the several common fields. Common field agriculture, by systematically dividing an individual farmer's land across the common-fields, increased the likelihood of all holding some of the better land in the parish as well as some of the poorest. The system also allowed the soil to rest and regain the chemical nutrition required for arable production. For example in a common three-field system one third of the land was left fallow. That is to say it was kept free from tillage every three years. However while one third of an individual farmer's land was fallow the farmer's land in the remaining two fields remained in production. The three common-field system village diagram as shown on the previous page would ensure that a particular farmer (if he held ten acres in each field) had ten acres of wheat and ten acres of barley in production each year. The remaining 10 acres were left fallow to allow the soil to regain its productive strength. The fallow would also be used as common pasture which allowed the beasts owned by those with common rights within the manor or parish to fertilise the land. Because farms were divided up into strips and distributed across the common fields, an individual farmer may have had several strips in each field thus meaning that the arable land of a

⁴ Pam. D. A History of Enfield - A Parish Near London: Volume One, Before 1837 (Enfield Preservation Society, 1990) p 65.

Avery, D. The Irregular Common Fields of Edmonton (Edmonton Hundred History Society, 1965) p 14.

particular farm comprised of perhaps three, four, five, ten, twenty, (or more) strips of arable. In addition many parish farmers had access to rough pasture for their animals. Rough pasture on the wastelands or commons was a valuable right for many families throughout the seventeenth to early nineteenth centuries. This is of course a simplified account. After all individual parishes and manors also had land which was held in severalty. That is to say land which had already been enclosed at some earlier date and was under the private ownership of a particular individual. Nevertheless the diagram of the commonfield village on the previous page is a simplified but useful guide.

The terms 'waste', 'heath' and 'common' were used interchangeably by commoners and contemporary commentators discussing common pasture. Although most records describe the 'depasturing' of animals on the waste or commons, (meaning putting the animal out to feed on the grass or scrub land) there are local terms which were sometimes used. For example at Staines common pasture rights are described as 'farrens'. To have three 'farrens' at Staines was to have the right to depasture three animals on the Staines commons. Although some farmers had enclosed pasture for their own particular animals, the access to common pasture increased the number of animals which they could successfully keep and so in themselves made up part of the farm. Eighteenth and nineteenth century farm sale details would often include the number of common pasture rights in the sale details, reflecting their desirability. Bulls Cross Farm in Enfield was sold in August 1773. It was advertised as a farm of just over 119 acres and having 'UNLIMITED RIGHT OF COMMON ON ENFIELD CHASE'.⁵ As late as July 1859 the tenant

⁵ EA&LHU. 25 August 1773. Breton Estate Papers.

farmer at Ickenham Manor Farm still had a right to brushwood on Ickenham Marsh and common of pasture there from May to November.⁶ Additional pasture rights were annexed to those on the strictly rough pasture commons through the use of lammas or half year lands. The status of such lands meant that for six months of the year they were in exclusive use to one or more individuals or corporations, while for the remaining six months they moved to being commonland for the use of those commoners which met the criteria for use within a specific manor or parish. Indeed the sale particulars for Bulls Cross Farm which claimed unlimited rights on Enfield Chase were annotated with '& Marsh from Lammas Day'. Thus lammas lands could significantly increase the pasture available for commoners.

The importance of common rights is evidenced by their often strict legal definition, (although we must always be aware that 'definition' and 'usage' are not always the same). The most important common rights were those of pasture, estover, turbary and piscary. Of these rights it is common pasture which is usually afforded the importance of centre stage. Gonner accounts the earliest use of common pasture as being the right of the freeholders of an ancient manor, (prior to the statute of Quia Emptores in 1290) to depasture their beasts which they use in agricultural production. In this way the common right of pasture of the freeholders was inextricably linked to arable production; this was termed *common appendant*. With the rise of specialised animal husbandry the depasturing of beasts was separated from arable production. Access to commons for pasture became a necessary part of gain for the purely or mainly pastoral farmer. In theory these common rights were attached to the land worked for arable production. Equally in theory as land originally

⁶ LMA. Acc 85/295.

used for arable production was turned over to pasture the right to depasture beasts on the common was retained. Although this meant that the origin of such common right may no longer reflect current usage, the fact that *common appendant* was attached to the land and could not be severed without extinguishing those rights ensured that lands were not stripped of those attendant rights.⁷ As commented by Janet Neeson landlords had recourse to enclosure if they wished to relive lands of common rights and the law saw no reason to provide another route for the process.⁸ The separation of the arable and pastoral production could, and did, lead to rural tension. How was a limit to the number of beasts to be set when the practical arable requirement had now vanished? The test which was used in such cases was that of *levant and couchant*. That is to say that the farmer could depasture only that number of beasts on the common which his enclosed land, and its products, would sustain throughout the winter months. Therefore if a farmer or smallholder's own lands would sustain 2 oxen, 20 cattle and 20 sheep during the winter then he or she would have had the right of common pasture on the manorial common for 2 oxen, 20 cattle and 20 sheep.

Common of pasture for freeholders in newly created manors, (those after the statute of Quia Emptores) for copyholders, and for any others to whom it was simply granted was legally referred to as *Common Appurtenant*. It could be granted to include beasts not necessarily used in agriculture and so include pigs and geese as well as cattle, oxen and sheep and could relate to land not used for arable production, (meadow, pasture etc.). Like *Common Appendant* such rights

⁷ Law of Commons and Commoners pp 13-4.

⁸ Neeson, J.M. Commoners, Common Rights, Enclosure and Social Change in England 1700-1820 (Cambridge U.P., 1993) pp 82-3.

were limited by the calculation of animals *levant and couchant*.⁹ *Common Appendant* was proved by the position of individuals as freeholders of an ancient manor. Those claiming *Common Appurtenant* can refer to the original grant (if possible) or by claiming uninterrupted usage 'time out of mind'.¹⁰

Although in general pasture rights have been afforded the major place in commons historiography other rights were important for the success of the common economy.¹¹ It would be useful to end this explanation of common rights by outlining those most useful and commonplace. *Common of Estover* was the right to take wood from the common. Divided into *Plough Bote* for the repair of carts, ploughs and other agricultural implements, *Hedge or Hay Bote* for the repair of gates, posts, fences, etc., and *House Bote* for the repair or rebuilding of an existing tenement; *Common of Estover* was an important element of a commoner's self sufficiency. To this we should add *Common of Turbary*. This was the right to dig turf for fuel. It was usually restricted to a place and limited to the needs of the house/cottage. Once established as an amount it can be separated

⁹ Law of Commons and Commoners p 17-9.

¹⁰ 'Time out of mind' or 'from time immemorial' are phrases found in many depositions regarding customary rights of common made by, (usually elderly) members of the community when such rights were in dispute. E.P. Thompson examines the notion of law deriving from custom in 'Custom, Law and Common Right' in Customs pp 97-184. The contemporary legal backing for customary practice was to be found in the practical legal essays of the period. A reasonable act when repeated over and over again 'becomes a Custom; and being continued without interruption time out of mind, it obtaineth the force of a Law.' S.C Carter, Lex Custumaria; or, A Treatise of Copy-Hold Estates 2nd edition (1701). Quoted by Thompson above p 97.

The longevity of this idea can be illustrated by the Fulham homage which presented as a custom of the manor in June 1879 the right of copyholders 'from time immemorial for brick earth sand & gravel to be taken and used without payment, let or hindrance'. H&FA&LHC. DD 14/190/2.

For a discussion of oral testimony 'from time out of mind' and the growing authority of the written word see Fox, A. 'Custom, Memory and the Authority of Writing', in The Experience of Authority in Early Modern England edited by Griffiths, P. Fox, A. & Hindle, S. (Basingstoke, Macmillan Press Ltd., 1996) pp 89-116.

¹¹ By common economy I mean the local economics where common rights were of significant benefit to commoners. This produces a 'dual' economy whereby the standard of living is determined by a) common rights, and b) waged income.

from the tenement. Less important in terms of general agricultural practice but certainly important in terms of diet and nutritional intake was right of *Common of Piscary*. This was the right to fish in the rivers of the manor. Gonner was relatively dismissive of both *Common of Turbary* and *Common of Piscary*. These rights he felt while '...often of considerable interest, are not of much importance from a practical point of view.' He followed this by asserting that *Common of Piscary* was '...a source of additional gain [rather] than a part of the chief means of livelihood. It added to the comfort of life, but it was no condition of living'.¹² These conclusions were perhaps less than generous. Gonner was right in seeking to place common rights in some form of order of importance to the lives of commoners. However for many commoners, particularly the smallholders and landless squatters, even a small reduction in the material benefits afforded by the collection of fuel and the catching of a few fish may have tipped the balance of semi-independent life against them. There were several less well known rights of common. I am not going to deal with them here, not because they were unimportant, but because they lose their meaning in a generalised account of common rights. Where these 'less common' of common rights appear in the experience of those living in Middlesex I have given a full account of them in appropriate subsequent chapters.

The different ways in which contemporary and historical accounts detail how common rights were attached to wastes, commons, heaths, open fields and lammas lands are essential in dealing with any examination of individual cases. However when referring to various types of common land, often spread across several parishes I have adopted the use of the word 'commonlands'.

¹² Gonner, *Op Cit.* p 8 and 16.

Obviously when examining the particular, for example the open fields of eighteenth century Hanwell, it is easy to be specific in detailing the nature of the common rights under consideration. However, when referring to the general, for example the common fields, lammas lands and various heathlands of seventeenth to nineteenth century Middlesex, the term 'commonlands' provides a useful short hand for all lands with some form of common right attached.

CHAPTER TWO

RESISTANCE TO ENCLOSURE DEBATE

Since the closing stages of the nineteenth century there have been a number of studies wholly or partially relating to the loss of land and rights suffered by the English agricultural smallholder, cottager and labouring poor.¹ This in turn has produced the debate as to whether the smallholder and labouring poor perceived this loss of rights and actively defended themselves against these losses.² In viewing these debates and discussions it is essential that there is a clear understanding of the emotive impact which the study of enclosure has brought with it. This in part is a reflection of the contemporary views regarding the moral implications of enclosure. Contemporary local views will be examined in parts three and four. That such views were couched in passionate language is easily explained. Immense vested interests were at work when enclosure was being considered. For the enclosing landlords there was an opportunity to add to their estates, for the landless or land-poor there was the chance that they may lose valuable land access rights which would undermine any elements of independence they may have and thus increase their dependence on waged work.³ However I would like to suggest that for the historian the passion raised in

¹ A non exhaustive list between 1883 and 1915, (with full publication details) would include:
 Dunlop, O.J. The Farm Labourer: The History of a Modern Problem (London, Fisher Unwin, 1913).
 Ernie, Lord. English Farming Past & Present (London, Longmans Green & Co., 1912).
 Gonner, E.C.K. Common Land and Inclosure (London, Macmillan, 1912)
 Gray, H.L. English Field Systems (Harvard University Press, 1915).
 Hammond, J.L & B. The Village Labourer 1760-1832 (London, Longmans Green & Co., 1911).
 Hasbach, W. The History of the English Agricultural Labourer (London, P.S. King & Son, 1908).
 Heath, R. The English Peasant (London, T. Fisher Unwin, 1893).
 Johnson, A.H. The Disappearance of the Small Landowner (Oxford, 1909).
 Seebohm, F. The English Village Community (London, 1883).
 Slater, G. The English Peasantry and the Enclosure of the Common Fields (London, Constable, 1907).
 Tawney, R.H. The Agrarian Problem in the Sixteenth Century (London, Longmans Green, 1912)

² A useful recent and brief summary of this debate can be found in Nacson, Op Cit. pp 260-2.

³ The phrase 'landpoor' is used here as in Ibid. pp 65-71 - to indicate a holding of a couple of acres, a garden or yard. In some instances this would include those who technically have no land but access to its use through running their animals with someone else's; where this someone has a right of common.

discussions of enclosure is just as real. Like all studies which deal with the human experience there is much argument relating to justice, right and wrong, and profit and loss. Historians can no more ignore these issues than contemporary commentators. To side-step questions of justice in a social analysis of enclosure would render such an inquiry impotent. Some historians have objected to a non-quantitative social history of enclosure, complaining that questions of equity and justice obscures the quantitative advances which agricultural improvements made possible.⁴ Others counter that the reduction to a purely quantified history leads to refusal to ask questions not answerable by a set of statistics. The reason for pursuing such quantifiable research thus turns out to be the existence of quantifiable data. Judt thus asks, and then answers, 'So why do we do it? Because it is there'.⁵

The emotive aspect of the historians analysis is explicit or implicit, but never absent. In effect any investigation of enclosure, (apart from one which is purely quantitative) cannot avoid an emotive content.⁶ In Annals of the Labouring Poor Keith Snell reminds us that as historians we may be more comfortable dealing with the quantifiable issues surrounding enclosure, for example the size of farms, the numbers employed and output of production. He comments that the keeping of a cow or goat may indeed be low on the list of desirable property for the modern British historian. However the modern British historian is not the object of study here; the English family in the

⁴ McCloskey, D.N. 'The Economic of Enclosure: A Market Analysis', in Porter, W.N. & Jones, E.L. European Peasants and Their Markets: Essays in Agrarian Economic History (New Jersey, Princeton U.P. 1975) pp 125-7.

⁵ Judt, T. 'A Clown in Regal Purple' History Workshop Journal 7 (1979) p 74.

⁶ By this I mean for example a simple handlist of enclosure acts or dates as found at Appendix One.

seventeenth, eighteenth and early nineteenth centuries placed the keeping of livestock very high on their own list of desirables.⁷ Snell's emotion is clearly visible in his decision to close the chapter on enclosure and employment with what he calls 'a note of empathy', where he illustrates the justification of the poor commoners distrust of, and anger at, those advocating, promoting and benefiting from this particularly dispossessing form of agricultural improvement.⁸ This emotive content is often supplied in a purely descriptive fashion although a more explicit reference may be later added. Eric Hobsbawm defines enclosure as 'the rearrangement of formerly common or open fields into self contained private land units, or the division of formerly common but uncultivated land (woodlands, rough grazing, 'waste', and so on) into private property'.⁹ This may appear neutral and Hobsbawm is loath to blame all the ills which befell the English agricultural labourer and peasant on enclosure. However he regarded enclosure as a disaster for the marginal cottager and smallholder. As well as devastating them economically enclosure

'would transform them from upright members of a community, with a distinct set of rights, into inferiors dependant on the rich. It was no insignificant change.'¹⁰

Edward Thompson's condemnation of enclosure was as emphatic. In his discussion of the rural workforce in The Making of the English Working Class Thompson cuts through the morass of the legal historians terms and phrases and delivers his conclusion with a typical Thompsonian invective.

⁷ Snell, K.D.M. Annals of the Labouring Poor: Social Change and Agrarian England 1660-1900 (Cambridge U.P., 1985) p 175-77.

⁸ Ibid, pp 226-27.

⁹ Hobsbawm, E.J. Industry and Empire (Harmondsworth, Pelican, 1969) p 100.

¹⁰ Ibid, p 102.

'Enclosure, (when all the sophistications are allowed for) was a plain enough case of class robbery, played according to the rules of property and law laid down by a parliament of property owners and lawyers.'¹¹

Neeson's contention that, 'Enclosure - rightly named - meant the closing of the countryside,' is less class oriented but just as emotionally charged.¹² However not all historians have felt the need to accuse the enclosers of reducing commoners to poverty, or as Hoskins phrases it of 'legalised theft'.¹³ Chambers description of parliamentary enclosure was to contrast earlier enclosures effected by agreement. In doing so he claimed that 'Whatever may be said of the method of enclosure by act of parliament, it represents a milestone in the recognition of the *legal* rights of humble men'.¹⁴ Thirsk also implied her overriding approval by defining enclosure 'as a method of increasing the productivity or profitability of the land'.¹⁵ Mark Overton's recent and most useful text omits completely any judgement or emotive conclusions concerning enclosure. As the sub-title suggests, The Transformation of the Agrarian Economy 1500-1850, Overton leans towards the quantifiable history of the countryside. In providing a rich and wide ranging discussion concerning institutional change he declines to draw any overt morality yet still manages to stress that the

¹¹ Thompson, E.P. The Making of the English Working Class 2nd edition (London, Penguin, 1968) pp 237-8.

¹² Neeson, Op Cit. p 5.

¹³ Hoskins, W.G. & Stamp, L.D. The Common Lands of England and Wales (London, Collins, 1963) p 60.

¹⁴ Chambers, J.D. 'Enclosure and Labour Supply in the Industrial Revolution', Economic History Review 2nd. Series, V. (1953) p 327. Italics as per Chambers. However many 'humble men' and women were without legal redress, or knew how it, the law, worked. Chambers reflects too much on whether the process was fairly followed and not enough on whether the process itself was fair.

¹⁵ Thirsk, J. The Rural Economy in England: Collected Essays (1984) pp 65-6. Originally printed as Tudor Enclosures (pamphlet no. 41) by the Historical Association in 1958.

'establishment of private property rights does not seem to have been brought about primarily by illegal coercion as some have argued, but by a variety of means depending on the interplay between national economic trends and the details of local customary practice. In some instances, as in the fenlands for example, force and coercion were involved, but this seems to be exceptional.'¹⁶

It appears then, that the use of emotionally charged words cannot, (and in my opinion should not) be held against the historian. Neither does this make history any less a social science or consign history to the wild assertions of the emotionally charged. The passion raised over any contentious historical issue may have given an initial impetus to a particular historical investigation, but it does not replace the investigation nor supply an overview of the historical process itself. The choice of study may indicate sympathy with a subject, but history is dependent on evidence and theoretical rigour as much as psychology or anthropology. The claims and counter claims, which historians may make as cold or emotional as they wish, must rest upon their ability to provide a theoretical framework within which to place the evidence.¹⁷

The first serious historical critique of the English process of enclosure was undertaken by Marx in the first edition of Capital in 1867.¹⁸ Marx's concern was not to simply give a narrative description of agricultural change in England during the medieval and early modern period. He wanted to give an analysis in class terms of the process by which the means of agricultural

¹⁶ Overton, Op Cit. 191.

¹⁷ For a still useful and readable account of the arguments against a deterministic history while retaining a scientific view of process see: Carr, E.H. What is History? (Harmondsworth, Penguin, 1964). For an up-to-date-discussion of the same see also Appleby, J. Hunt, L. & Jacob, M. Telling the Truth About History (London, W.W. Norton & Co., 1994).

¹⁸ This was the German first edition.

production, (land) passed from a shared and communal property at the level of the peasant proprietor to one of private exclusiveness. For Marx this rested in the process of the separation of the peasant from the land during the primitive accumulation of capital.¹⁹ Along side this analysis of change Marx also examined how the emerging capitalist society legislated against the emerging working class through an assortment of acts designed to keep down wages, and to bring the newly dispossessed under a new discipline as unemployed vagabonds. As a historian Marx charged his analysis with an emotive content combined with a most original historical critique.

'The proletariat created by the breaking up of the bands of feudal retainers and by the forcible expropriation of the people from the soil, this 'free' proletariat could not possibly be absorbed by the nascent manufactures as fast as it was thrown upon the world. On the other hand, these men, suddenly dragged from their wonted way of life, could not as suddenly adapt themselves to the discipline of their new condition. They were turned *en masse* into beggars, robbers, vagabonds, partly from their inclination, in most cases from stress and circumstances. Hence at the end of the 15th and during the whole of the 16th century, throughout Western Europe a bloody legislation against vagabondage. The fathers of the present working-class were chastised for their enforced transformation into vagabonds and paupers. Legislation treated them as "voluntary" criminals, and assumed that it depended on their own good will to go on working under the old condition that no longer existed.'²⁰

Thus began a historical controversy which is as loud today as it was some 130 years ago. Perhaps it is because of the highly emotive content which Marx injected into the debate that the arguments surrounding enclosure have so often led to moral judgement being passed. As I have already commented this is not something which in itself needs necessarily to be criticised. Indeed as a

¹⁹ Marx, Op Cit. p 688.

²⁰ Ibid. p 686.

tool it can be useful in itself in determining a multitude of historical processes. For the moment I would narrow the scope of investigation to the role of commoners themselves and the judgement made by later historians as to whether they resisted their final separation from the land through enclosure. This is more than idle curiosity. Expropriation indicates an unwanted removal of land ties. Resistance would be a manifestation of the commoners' negative response to enclosure. To judge resistance as significant is to accept that enclosure was expropriation in Marxist class terms.

It would be useful at this point to conduct a brief survey of twentieth century historians to determine their opinions regarding commoners resistance. It would serve to provide context for the chapters giving evidence of resistance in Middlesex, and also indicate the fierce debate which this controversy has maintained throughout the last 80 years or so. The classic and near legendary account of the dispossessed can be found in the Hammonds' The Village Labourer 1760 - 1832. This work, which of course concentrates on the later part of the eighteenth and early nineteenth centuries, was first published in 1911 and has been continuously reprinted up until the present time.²¹ The Hammonds' contention was that the smallholder, cottager and squatter had been the victim of a vindictive, manipulative and bloodthirsty piece of class legislation. The poor had been forcibly torn from their rights in the land and there was no question as to the class nature of removing rights of common in favour of private property rights. The Hammonds were concerned to show that the poor had been active in the defence of their rights. Although the evidence of this defence was found to be scanty the Hammonds accounted for this by asserting

²¹ Hammonds', Op Cit. First published in 1911 it has been subsequently re-printed in the form of new impressions/editions in 1913, 1919, 1920, 1927, 1932, 1936, 1948, 1966, 1978, 1987 and 1995. The edition referred to in the following footnotes is the fourth edition which was published in 1927.

that whereas the ruling class had left its mark on society by leaving its autobiography in the shape of its buildings, art mementoes, libraries, letters and other more symbolic relics, the story of the poor could only be told through the archives of the overseers, constable, judiciary and other offices of the state. A substantial proportion of the deeds of the poor were thus lost to the historian as the poor themselves had no means to preserve their actions or ideas.²² The Hammonds' pessimistic account of enclosure and its effects was not left unchallenged for long and the following year saw the publication of Gonner's Inclosure And Common Land. Gonner's work covered a larger timescale than the Hammonds'; from the fifteenth to the nineteenth century. His contribution to the social controversy of enclosure contrasted sharply with the Hammonds.

'That discontent was so small and satisfaction so general is the greatest testimony which can be adduced as to the advantage of the change'.²³

Furthermore Gonner was immensely impressed with the fairness of the eighteenth and nineteenth century enclosure commissioners who were appointed by the acts in the dividing and distribution of the land enclosed. The poor cottagers were often recompensed for these dubious rights to which Gonner asserted they had no legal title. This was presented as another illustration of the fairness of the commissioners in particular, and the enclosure process in general.²⁴ Gonner's conclusion that the poor commoners were treated fairly as victims of national improvement was later supported by Tate's investigations in the 1940s which emphasised a lack of active opposition to an essentially fair and popular movement.²⁵ Tate's insinuation of bias in the Hammonds' social

²² Ibid, (1911). Chapter XII, esp. p 302-4 for the ruling class; and pp 307-8 for the poor.

²³ Gonner, Op Cit. p 83.

²⁴ Ibid, pp 31-2, 94-5.

²⁵ Tate, W.E. 'Opposition to Parliamentary Enclosure in Eighteenth Century England', Agricultural History XXIX (1945) pp 137, 141-2. Also:

and economic analysis has been followed on numerous occasions by later historians and social commentators to the extent that the Hammonds work is often presented as less of an analysis and more a fairy story of epic proportions. In 1960 Parker in his Enclosures in the Eighteenth Century describes the Hammonds' work as 'a brilliant piece of propaganda', and he warns us that The Village Labourer is an 'explosive book which must be handled with care.' In Mingay's 1966 introduction to the reprint of Gonner's Common Land and Inclosure he contrasts the Hammonds' popularity with their emotional and unhistorical account of the agricultural labourer. Two years later Hardin similarly criticised the Hammonds for their insistence in analysing enclosure in terms of social justice. Such an analysis 'has probably contributed to a widespread insensitivity to the evils of the commons'. Even Chaloner and Richardson, in their Bibliography of British Economic and Social History feel the need to warn the unwary reader that The Village Labourer is, 'Well written, sentimental and misleading.'²⁶

The pessimistic account of enclosure was given fresh stimulus in the 1960s by Thompson in his analysis of the English working class and was countered almost immediately by Chambers and Mingay in their review of the agricultural revolution. For Thompson the experience of the field workers, including smallholders, had the effect of a growing consciousness which took them outside of purely parochial affairs and into the mainstream of working class concerns sometime

Tate, W.E. 'Parliamentary Counter Petitions During Enclosure of the Eighteenth and Nineteenth Centuries'. English History Review LIX (1944) p 238.

²⁶ Parker, R.A.C. Enclosure in the Eighteenth Century (London, Routledge & Kegan Paul, 1960).
 Gonner, Op Cit. 2nd edition (London, Frank Cass). Introduction, pp xlv.
 Hardin, G. & Baden, J. eds., Managing the Commons (San Francisco, W.H. Freeman, 1977) p 46-7.
 Chaloner, W.H. & Richardson, R.C. Bibliography of British Economic and Social History 2nd edition (Manchester U.P., 1984) p 97.

between 1790 and 1832.²⁷ Like the Hammonds before him Thompson's work on the field workers lacked the mass of evidence which his conclusions required. However Thompson was aware of this and did provide an important impetus to further study in this area. In pointing out our ignorance of the responses to the loss of common rights by the rural poor in hundreds of villages which experienced enclosure, Thompson touches upon the intricacies of the agricultural social community which is currently better served by local investigation than a national survey. On the question of historical evidence Thompson's major contribution was to effectively discount legal measures as a method of enclosure resistance open to the poorest sections of the common economy. The legal niceties and distinctions drawn by the wealthy proprietors, solicitors, judges and the House of Commons constituted an 'alien culture and an alien power' to the poor; and the complex procedures of the law courts were hardly understandable to the unadvised poor, let alone useful.²⁸

Thompson's suggestion of local study regarding enclosure opposition was largely ignored by Chambers and Mingay's The Agricultural Revolution 1750 - 1880. Their account of agricultural change in the eighteenth and nineteenth centuries offers no direct evidence of smallholders opposing enclosure at all. Although commenting that early enclosures proceeded where there were only few smallholders present, they concluded that it was the small absentee owners who were the most vocal oppositionists.²⁹ With regard to cottagers and squatters Chambers and

²⁷ Thompson, E.P. The Making pp 231-2. Thompson chooses the field labourer as one of three occupational groups which he gives particular attention to, (the other two being the urban artisans and the hand loom weavers) because '...their experience seems most to colour the social consciousness of the working class in the first half of the [nineteenth] century.

²⁸ Ibid, p 240.

²⁹ Chambers, & Mingay, Op. Cit. pp 90-1.

Mingay suggest at first that the Hammonds were right in stressing the importance of access to the commons and waste for the economy of the poor. This is subsequently contradicted as they suggest this access was really of little advantage to the poor labourer. The evidence for this conclusion was the difficulty which parishes had in finding labourers to take on the new garden allotments set up in enclosure awards or by philanthropic landowners.³⁰ However we must be cautious of such assertions. First of all a labouring family who find their right of common confiscated would not find an allotment, rented often at market rates or above, a fair exchange. Even less so if we consider that these were often let on the condition that the allotment would be immediately lost upon an application for parish relief.³¹ Moreover the potential tensions in the early nineteenth century English village, especially after an enclosure had taken place, did not encourage trust between labourers and those offering allotments. A recent study by Jeremy Burchardt found that suspicion on the part of the labouring community explains much of the initial opposition to the setting up of allotments. Furthermore Chambers and Mingay's assertion that labourers refused allotments may have been based on this initial opposition. Usually this suspicious hostility appears to have diminished within a year to be replaced by the desire of the labourers to extend the size of allotment holdings.³² Notwithstanding the obvious strengths of Chambers and Mingay's study of agricultural change in the eighteenth and nineteenth centuries,

³⁰ Ibid, pp 96-7.

³¹ Hammonds, *Op Cit*, p 61 gives the example where allotments were lost upon application to the parish for relief apart from in cases of accidents or sickness. This should not be a surprising condition for allocating allotments as the principal argument in favour of such schemes was the reduction of the poor rates: Barnett, D.C. 'Allotments and the Problem of Rural Poverty, 1780-1840', in Land, Labour and Population in the Industrial Revolution edited by Jones, E.L. & Mingay, G. (London, Edward Arnold Ltd., 1967) p 168.

³² Burchardt, J. 'Rural Social Relations, 1830-50: Opposition to Allotments for Labourers', Agricultural History Review 45 (II) (1997) pp 174-175.

the sections relating to the social effects of enclosure and the smallholder are often confused. This appears to be due to a continuous re-definition throughout the book as to the acreage commonly held by this group; anything from 12 to 100 acres.³³ The Chambers and Mingay thesis concludes that the lack of evidence to the contrary shows enclosure to have been a popular movement and that it 'represented a major advance in the recognition of the small man'.³⁴

Taken uncritically by economists such views enter 'systems' or 'theories' in order to 'contribute to the shaping of human endeavours', and to be used to observe economic problems 'of the past, and to gain thereby a fresh perspective on many contemporary issues.' This was the view of Karl J Dahlman in The Open Field System and Beyond. A dangerous view which traced back through Mingay, Chambers, Tate and Gonner leads to Dahlman's conclusion that

'Later research has discredited this view, [the Hammonds thesis that the landed classes used parliament to expropriate the land of poor tenants] and the current theme in the literature is rather to wonder at the fact that complaints about the fairness of the decisions of the commissioners effecting enclosure were not so numerous. Clearly one finds here little support for the contention that the landlords were able to use Parliament as an instrument in their class struggle against the labouring classes.'³⁵

³³ Chambers & Mingay, Op Cit:
p 21. The small farmer; '...more than a dozen acres or so.'
p 89. The 'true small farmer' now held 30 to 40 acres.
p 93. Small farmers were now lumped together with those holding anything under 100 acres.

³⁴ Ibid. p 88.

³⁵ Dahlman, K.J. The Open Field System and Beyond: A Property Rights Analysis of an Economic Institution (Cambridge U.P., 1980) p 54.

The lack of evidence argument was later turned on its head by Hill who argues that sixteenth and seventeenth century enclosure has too easily been described in polite terminology. He sarcastically comments that

'Much enclosure was by "agreement" between the freeholders of the village. It is difficult to avoid the suspicion that an "agreement" was exacted from the weak by the strong.'³⁶

Hill is further unwilling to accept assurances from the optimists that the increased involvement of parliament in matters of individual enclosures from the eighteenth century afforded any protection for the poor. If anything the difficulties for the poor in retaining their common rights had been increased.

'There was no coercion, we are assured.' [With regard to enclosure]. '...the poorest cottager was always free to oppose a Parliamentary enclosure. All he had to do was to learn to read, hire an expensive lawyer, spend a few weeks in London and be prepared to face the wrath of the powerful men in his village.'

The loss of his rights, increase in rents, cost of fencing, lack of capital for fertiliser, etc., may assist him in making his free decision to leave his home. 'But coercion - oh dear no! Nothing so un-British'.³⁷ In a recent examination of a seventeenth century enclosure attempt by agreement at Caddington on the Bedfordshire/Hertfordshire border, Steve Hindle concludes that the phrase 'enclosure by agreement might be a dangerously unstable compound. Agreement, like arbitration, could conceal many forms of coercion'.³⁸ In fact Hindle regards the particular agreement at Caddington, (and by inference other agreements) as 'a belated offer to secure acceptance of a fait

³⁶ Hill, C. Reformation to Industrial Revolution (London, Penguin, 1969) p 70.

³⁷ Ibid, p 270.

³⁸ Hindle, S. 'Persuasion and Protest in the Caddington Common Enclosure Dispute 1635-1639', Past and Present 158 (1998) p 78.

accompli which the commoners would be impotent to resist'.³⁹ Neeson established a broader conception of enclosure resistance in her study of eighteenth century Northamptonshire. Based largely on local sources she set out clearly the basis from which commoners would begin the defence of their common rights. Neeson concludes that counter petitions, which are at the heart of the optimistic view of the popularity of enclosure, were actually the least effective of eighteenth century methods of enclosure resistance.⁴⁰ Her analysis is broadly in agreement with two of the conclusions popularised by the Hammonds. Firstly that enclosure was the legal theft of common property rights due to the increased preference by parliament for private property rights. Secondly that commoners perceived this injustice and were active in their own defence. However where the Hammonds believed that there was a lack of evidence to support the second conclusion, Neeson asserts that the problem of finding this evidence has been in the social historian's insistence that such evidence can only be found in the papers of parliament regarding counter petitions; and the law courts regarding rioting, fence breaking, etc. Both of these sets of records ignore the wealth of material at a local level and thus gives only a small indication of the breadth of resistance to enclosure. The local level materials often show enclosure resistance over an extended period of time prior to the draft of petition to enclose until well after the award has been enrolled; thus establishing a 'tradition' of resistance in some parishes.⁴¹

³⁹ Ibid. , p 3.

⁴⁰ Neeson, J. 'The Opponents of Enclosure in Eighteenth Century Northamptonshire' Past & Present 105 (1984) p 125.

⁴¹ Ibid. p 117-8

In Customs In Common Thompson has recently returned to the resistance of the English peasantry to changes in their relationships with land access and usage. In a series of essays which fits enclosure resistance into a broader eighteenth century conception of customary rights he builds upon his earlier work surrounding the 'moral economy'.⁴² Thompson takes this opportunity to challenge the analysis of the purely 'legal' conception of enclosure and property rights which are stressed by historians such as Gonner, Tate, Chambers and Mingay; with the wider notion of custom as it operated in eighteenth century England. The optimist account of 'fairness' in the enclosure debates has always assumed the common sense victory of modern conceptions of private ownership over common rights of property. This has tended to condone the act of allotting land to the owners of cottages in lieu of common rights, and not to the users of those rights. Chambers and Mingay have claimed that such actions made

'...a perfectly proper distinction between the owner and tenant, and involved no fraud or disregard for the cottagers on the part of the commissioners'.⁴³

However in the common communities of eighteenth century England a majority of the population would not necessarily agree with this legalist interpretation. The legal process is identified by Thompson as class motivated and militating against customary expectations of common property rights. Ideas concerning 'property' were being redefined in the early modern period and this played a major part in class struggle throughout the early modern and modern periods.

⁴² Thompson, E.P. Customs This collection of essays include previous and newly researched work relating to a broad popular customary consciousness in the eighteenth century.

⁴³ Chambers & Mingay, Op Cit. p 97.

The struggle between competing notions of the ownership of property in land with or without reference to the monarchy found a companion in the class struggle of the commoners and their plebeian allies supporting a customary system of rights against a rising ruling class ideology of strict private property rights.⁴⁴ Thompson identifies the disaffection of ordinary people towards the 'sharpening' of private property rights not in terms of regional uprisings, but more as local public and covert demonstrations of resistance; such as riots, assaults, fence/gate breaking, uprooting quickset hedges, poaching, pulling down notices of intended enclosure from church doors, counter petitions and the removal of encroachments during parish perambulations. The fact that some resistance was sullen and covert rather than vibrant and public is indicative of the commoners level of confidence in opposing their more rich and powerful neighbours rather than their popular acquiescence to enclosure.⁴⁵

Even into the 1990s the Hammonds are often the starting point in the historical investigations into the social effects of enclosure. Unfortunately one has the impression that at times they are set up simply to be shot down. One of John Beckett's recent enquiries into the fate of the English smallholders, cottagers and squatters is subtitled, 'The Hammonds Revisited'. This essay purports to establish how the continued existence of the commons would not have been enough to maintain the old community. This is essentially a local parish study which investigates in detail the smallholders, cottagers and squatters of the Nottinghamshire village of Laxton. Beckett's

⁴⁴ Thompson, Customs, pp 98-101.

Aylmer, G.E. 'The Meaning and Definition of "Property" in Seventeenth Century England', Past & Present 86 (1980) especially pp 89-95 where he illustrates the intellectual, (and ideological) difficulties of separating landownership from the crown.

⁴⁵ Ibid., pp 115-19.

conclusion was that in this instance the decline in the number of cottagers did not occur due to enclosure as the common land remained, and thus the Hammonds were wrong to assume that enclosure was responsible for the elimination/reduction of this particular class.⁴⁶ Beckett conceded that the small farmers' resilience from the seventeenth to the nineteenth century in Laxton could not be doubted and that the Hammonds were justified in their assertion 'that where enclosure did not take place the small farmer enjoying common rights could survive'.⁴⁷ As to the story of the Laxton squatters, this is left open and Beckett concludes that their fate will perhaps always be open to debate due to the lack of information which historians necessarily have to work with.⁴⁸ Although Beckett approaches the Hammonds' analysis with a supposed common-sense style, the approach itself is limited in viewing the change in local social relations. In essence Beckett sums up a closed-view conception of common rights which is typical of what Peter Linebaugh calls conservative history.⁴⁹ Beckett's insistence on relying so heavily upon estate records and surveys demonstrates his adherence to records which almost by their definition would seek to exclude those who may have a history or custom of access to land without explicit permission. The practice of lords of the manor excluding poor squatters or cottagers from estate surveys is well documented, and should always stand as a warning against using only legal and

⁴⁶ Beckett, J.V. 'The Disappearance of the Cottagers and the Squatters from the English Countryside: The Hammonds Revisited' in Land, Labour and Agriculture 1700 - 1920 edited by Holderness, B.A. & Turner, M. (Hambleton Press, 1991) p 56.

⁴⁷ Ibid. p 64.

⁴⁸ Ibid. p 61.

⁴⁹ Linebaugh, P. '(Marxist) Social History and (Conservative) Legal History: A Reply to Professor Langbein', New York University Law Review 60 (2) (1985) pp 212. Here Linebaugh takes J.H. Langbein to task for his purely legalistic approach to eighteenth century legislation in 'Albions Fatal Flaws'. Past & Present 98 (1983) pp 96-120. Beckett exhibits much the same analysis in relation to common rights and is open to Linebaugh's criticism of straitjacket history.

semi-legal documents in describing contemporary events and practices without corroborative evidence. W.B. and F. Marcham were keen to warn the users of their Court Rolls of the Bishop of London's Manor of Hornsey 1603-1701 that a powerful lord could ensure that official documentation could be a structured point of view and not some neutral record free from bias.

'These records are legal. Herein lies a certain danger unless it be fully recognised that such records did not always mean what they say. Truth is indeed many sided, and truth as presented by the legal mind requires careful examination. Unfortunately most of the material for local history has this defect. The lawyers who held courts and wrote these records were actuated by a single-minded devotion to the material interests of their clients, their own being usually identical. Much of the legal theory and so-called manorial law embodied in the old text books is simply a reflection of the landlord's point of view'.⁵⁰

Fox makes a complimentary point when he claims that those able to 'control and manipulate the documentary evidence' were best placed to influence the outcome of any initiation to change customary practice. This was of course open to both sides, but through their bailiff's social standing and ability to overawe a section of the tenantry, along with the inability of many tenants to read the relevant documents, meant that such influence resided more in the sphere of the manorial lords.⁵¹

Beckett seems not to heed such warnings and accepts too easily the description of the surveys over any indication of actual usage. The following quote relating to his analysis of Laxton demonstrates his preference of theory over practice.

⁵⁰ Marcham, W.B. & F. eds., Court Books of the Bishop of London's Manor of Hornsey 1603-1701 (London, Grafton & Co., 1929) p xxvii.

⁵¹ Fox, Op Cit. pp 101-3.

'Despite these changes, because Laxton was not fully enclosed the village commons were never forcibly removed from the grip of the cottagers and squatters, and even today - *in theory if not in practice* - the farmers retain their communal grazing right'.⁵²

I have italicised the phrase 'in theory if not in practice' because of its importance. The practice of common rights was important because it was often the practice which led to its theory in custom. Any historian who keeps to 'legal' definitions of common right will not account for those cottagers or squatters at the bottom of rural society who materially benefited from the commons and who lost those benefits at enclosure. A less legalistic approach was adopted by Neeson in Commoners; Common Right, Enclosure and Social Change In England, 1700 - 1820. Unlike Beckett who plays down the social impact of enclosure by indicating that only one in four or five persons were directly affected, Neeson asserts that enclosure cannot be so easily dismissed. It disrupted, disturbed and dispossessed large numbers of men, women and children in the agricultural community, which was the largest sector of the eighteenth century economy. Emphasising the role of the state in enclosure Neeson indicates the institutional and political intervention of a parliament welded to class interests determined to break customary rights and to impose their own conception of private property.⁵³

Notwithstanding the recent work of historians such as Neeson and Snell the optimists have made great strides to undermine the central position of Marx, and later the Hammonds and Thompson, in regard to the 'social' effects of enclosure. Moreover the idea that commoners simply gave up their rights and remained passive to this confiscation is currently widely accepted as orthodoxy.

⁵² Beckett, *Op Cit.* p 57.

⁵³ Neeson, Commoners p 329.

This is an area which I will be returning to throughout this piece of work. In particular the evidence of Middlesex enclosure resistance will be essential in reviewing the Marxist understanding of class struggle and the final stages of the expropriation of the peasantry in the English countryside. Before turning to the way in which that struggle was manifested we need to examine in some detail the background of rural Middlesex and the part played in the local communities by the access to commonlands across the county. It is to this background that we now turn.

CHAPTER THREE

MIDDLESEX - THE RURAL SETTING

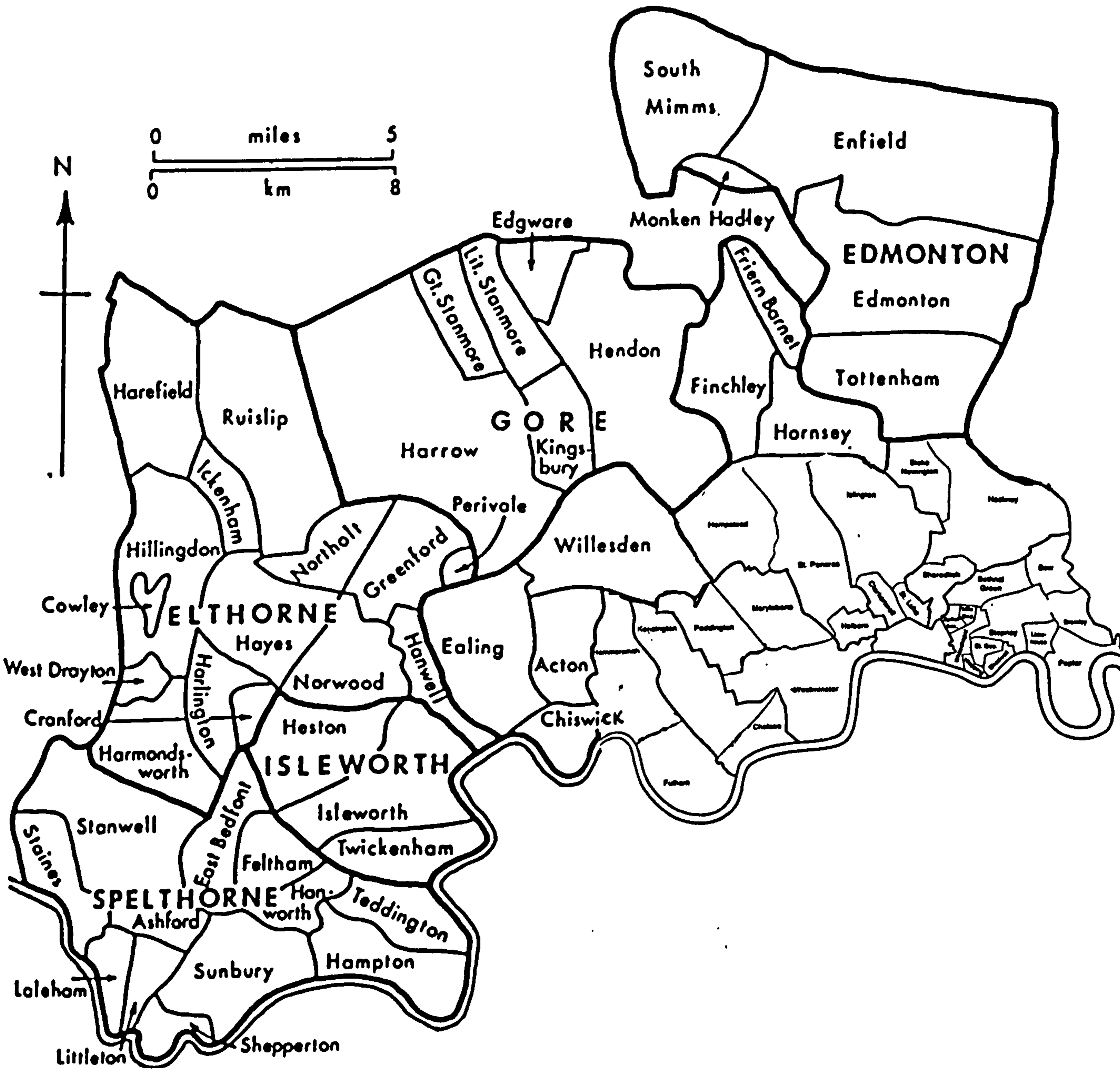
A fair proportion of this chapter divides Middlesex into mini-agricultural regions. To aid the reader in coming to grips with the geographical layout of Middlesex, the county map overleaf illustrates Middlesex prior to the boundary changes of 1888-89. The red line indicates the new London County limits set by the Local Government Act of 1888 and shows those parishes which Middlesex lost to the capital at the establishment of the London County Council. To further complicate matters some of the Middlesex parishes were divided thus forming new separate parishes during the eighteenth and nineteenth centuries. An example of this would be Pinner which was created out of Harrow parish in 1787.¹ As such divisions may lead to confusion in the geographical relationships between parishes referred to in the text, I will where necessary also refer to the original parish out of which it was created.

Before the re-organisation of the county in the late nineteenth century Middlesex covered 178,466 acres and can thus be described as being a small county; indeed of the English counties only Rutland covered a smaller area.² It was also overshadowed by London. This perhaps explains the paucity of serious published research into Middlesex history apart from local government studies looking to use some of the Middlesex parishes as case studies which examine the

¹ The formal establishment of Pinner as a separate parish from Harrow came in the form of a perpetual curacy from a benefaction from Queen Anne's Bounty. LMA. Acc 76/1095a.

² Rutland covered 92,096 acres as opposed to the 178,466 acres of Middlesex. Total county acreage from the table showing the returns of waste lands 1873 in Hoskins, W.G. & Stamp, L.D. The Common Lands of England and Wales (London, Collins, 1963) pp 92-93.

MIDDLESEX - INDIVIDUAL PARISHES: PRE 1889 BOUNDARIES



transition from a predominately rural community to one which is predominately urban.³ It is perhaps too easy to simply criticise historians for this view. Contemporary reports also blurred the line between the two. In 1724 Cox believed it possible to view Middlesex in such a way as to

'call it almost all London, being inhabited chiefly by the citizens, who fill the towns in it with their country houses, to which they often resort that they may breathe a little sweet air, free from the fogs and smoke of the City'.⁴

Such opinions have led historians to view Middlesex-London as a totality, rather than Middlesex and/or London individually. For example when devising a methodology for explaining migration in later Stuart London M.J. Kitch comments that

'By 1700 so much of Middlesex was either part of the London conurbation or very close to it that the county has been excluded from the model'.⁵

The reality was in fact more sophisticated than this. Blome's map of Middlesex, (1673) which is shown on the following page clearly illustrates the seventeenth century rural county and the restricted area of London and Westminster. Middlesex and London had a close relationship; but Middlesex was not London. As early as the twelfth and thirteenth centuries citizens and merchants of London had Middlesex residences. Humphrey Bocointe, the son of a justicer of

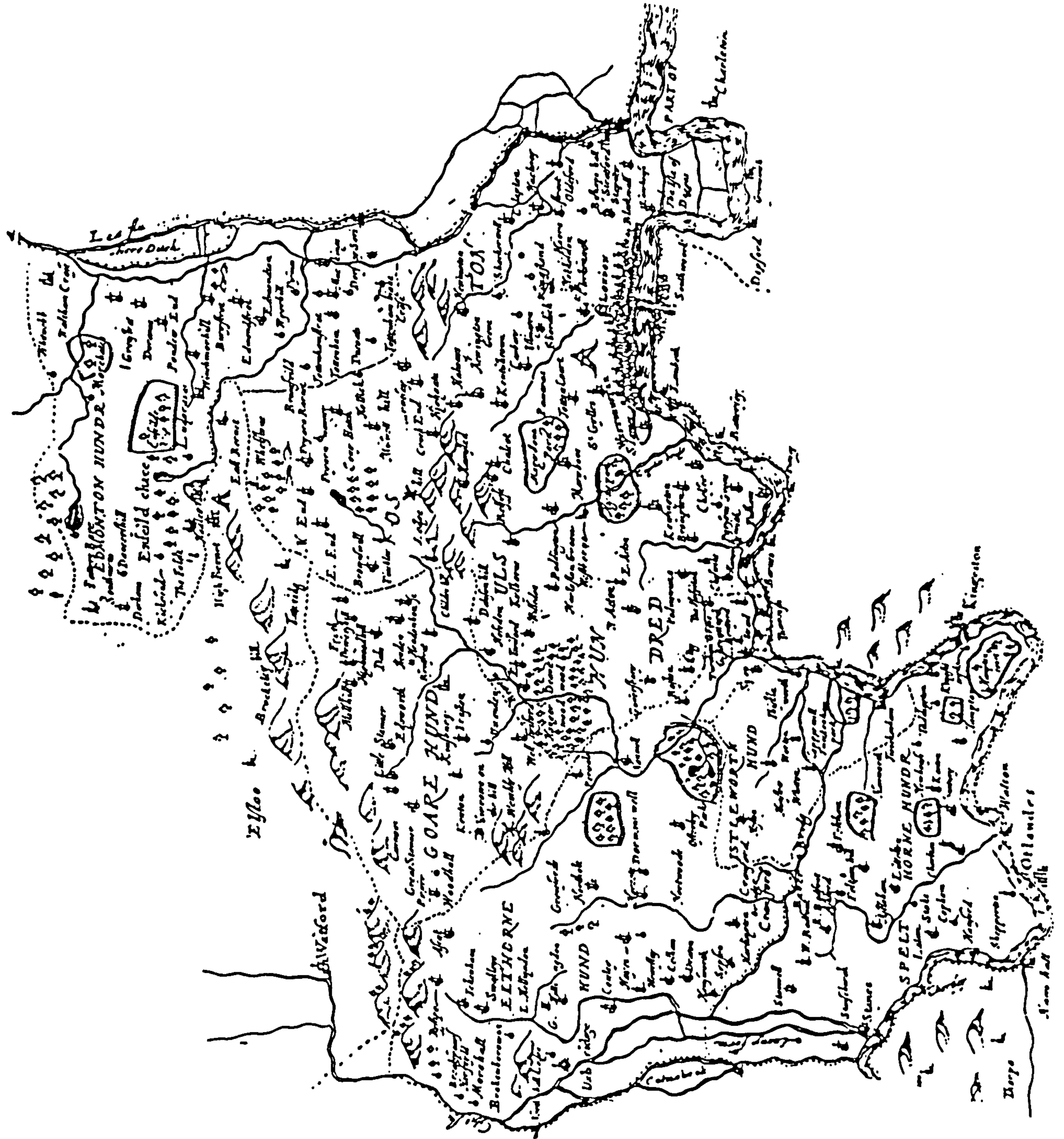
³ Excepting 'parish' histories some notable exceptions are:
Rees, M. The Economic and Social History of Extra-Metropolitan Middlesex in the Nineteenth Century (1800-1914) MSc, University of London, 1954.

Robbins, Op Cit.
Shoemaker, R.B. Prosecution and Punishment, Petty Crime and the Law in London and Rural Middlesex 1660 - 1725 (Cambridge U.P., 1991).

⁴ Robbins, Op Cit. p 191. Quoting from Cox, T. Magna Britannia et Hibernia Antiqua et Nova Vol. III (1724) p 1.

⁵ Kitch, M.J. 'Capital and Kingdom: Migration to Later Stuart London' in The Making of the Metropolis, London 1500 - 1700 edited by Beier, A.L. and Finlay, R. (Essex, Longmans Group Ltd., 1986) p 240.

RICHARD BLOME'S MAP OF MIDDLESEX (1673)



London, held land at Edgware in 1170. Andrew Buckerel, mayor of London from 1231 to 1235 had a country house at Edmonton. Also in the thirteenth century the FitzAlufs had property at Acton, while both the Blunds, (London merchants) and the Paynes, (Aldermen of Castle Bayward) resided at Edmonton.⁶ Investigations of landholders in mid-sixteenth century Ruislip reveal no evidence that Londoners were looking to buy large plots of agricultural land in those Middlesex parishes most distant from London.⁷ However the practice of having a Middlesex county house residence was certainly growing and in the 1590s John Norden claimed that many Londoners built houses in rural Middlesex as somewhere to get away from London for summer recreation, or as a place of safety when London was suffering any common sickness.⁸ By the late eighteenth century Londoners of more modest means also had Middlesex country residences at Turnham Green and Tottenham.⁹ At the same time the Middlesex agricultural activities were being moulded to the needs of the city. Thomas Baird, the author of the first report on Middlesex for the Board of Agriculture, believed that

'Middlesex. may in General be very properly considered. as a sort of demesne to the metropolis, being covered with its villas, intersected by the innumerable roads leading to it, and laid out in gardens, pastures, and inclosures of all sorts for its convenience and support'.¹⁰

The descriptions of Middlesex as a dormitory area for wealthy Londoners and as an agricultural resource for the city were essentially correct. Both also correctly show Middlesex as a separate

⁶ Robbins. Op Cit. p 190.

⁷ Bowl, E.M. 'Ruislip in 1565', TLMAS 30 (1979) p 172.

⁸ Norden, J. Speculum Britannic (London, Theatrum Obris Terrarum Reprint, 1971) I, p 12. Originally printed in 1593.

⁹ Robbins. Op Cit. pp 192-3.

¹⁰ Baird, T. General View of the Agriculture of the County of Middlesex (London, 1793) p 10.

area; either as somewhere to go in order to escape from London, or somewhere as a characteristic agricultural producer supplying the needs of an urban community. It is true that London grew geographically into much of the countryside around it. This however reflected the growth of many of the Middlesex villages and hamlets themselves and it was the nineteenth century which ultimately saw the suburbanisation of much of Middlesex at the expense of the county's agriculture. It was at this time that suburbanisation caused a stir. The extension of London bricks and mortar at the expense of the surrounding countryside was graphically portrayed in George Cruikshank's 'London Going Out of Town'.¹¹ This was true in relation to extra-metropolitan Middlesex, (those parishes which remained in Middlesex after the creation of London as an administrative county in 1889) only from the final decades of the nineteenth century.¹² Thus the Middlesex economy for almost the whole of the period under investigation was dependant upon its agricultural and horticultural activities.

By the early seventeenth century Middlesex agriculture had essentially been geared towards the London market. The success of the Middlesex agricultural economy explains the lack of industrialisation and rural by-employment in the county, particularly on the western side, up until the early part of the twentieth century. The proximity of London stimulated two major responses in Middlesex agriculture. The first of these was the development of market gardens. To the north and east of seventeenth century London, at Islington, Hackney, Bethnal Green, Mile End and Stepney, market gardening grew in importance. However it was in the west and south-west that

¹¹ See Appendix 8.

¹² Rccs. Op Cit. p 5.

the market gardens came to predominate. From Kensington and through Chelsea, Chiswick, Brentford, and thinning out into Hampton, Twickenham, Isleworth and Sunbury, market gardens supplied the growing metropolis with fruit and vegetables.¹³ As early as 1597 Hackney was well known for the small turnips which the parish produced for sale in London. The women brought them from the village to sell on Cheapside. By 1610 Fulham was well known for producing carrots and turnips for the London Market. This activity was possibly only 20 years old at the time as in 1651 old men of the village could remember the first market gardeners setting up.¹⁴ In 1635 the husbandmen of Chelsea, Fulham and Hammersmith were reported to

'Sowe seedes for parsnippes, turnoppes and the like in thir common fields where the most of them they plough upp and others they digge up with the spade according to the nature and richness of their grounds ...Some of them have belonging to their houses one two or three acres of ground in orchards and gardens'.¹⁵

Although no doubt some produce found its way onto local tables, the market gardens grew up around London as an essential part of the city food supply. By the mid seventeenth century it was commented that London

'is a market which will take up all they [the market gardeners] bring. so that nothing vendible need to stick on their hands; and by garden stuffs and by peas and beans and turnips, they can make more gain than poor country tenants can do of ten times the same quantity'.¹⁶

¹³ Thirsk, J. ed. The Agrarian History of England and Wales, 1640 - 1750, V,I Regional Farming Systems (Cambridge U.P., 1984) p 250.

¹⁴ Kerridge, E. The Agricultural Revolution (London, Allen & Unwin, 1967) p 177.

¹⁵ Thirsk. Op Cit. p 260.

¹⁶ Ibid. p 251.

By the early years of the eighteenth century inroads had been made into the grain producing parishes in the western portion of the county. In 1724 it was commented that

'great parts of the Common fields and Clooses of Isleworth have been Inclosed and Converted into Gardens orchards and nurserys of fruit Trees and Greens and that within 50 or Sixty Years last past Several hundreds of Acres of Arable and Common field Grounds of said parish have been Converted into Such Gardens & Inclosures and very often Peas and Beans had been and were Sowed Planted and set therein and great quantities thereof gathered green and others let to grow to seed and Sold at the Market'.¹⁷

Twickenham was said to produce vast amounts of vegetables and fruit, particularly strawberries for the London market from the 1780s onwards.¹⁸ It was however the specialist garden parishes around the city which by the middle of the eighteenth century were dedicated to the London market and which saw agriculture give way to horticulture. These gardens drew comments from visitors such as the Swede Peter Kalm, on his way to America in 1748. He spoke favourably that 'at all places between Fulham and Chelsea, which is a distance of two English miles and round at Chelsea, we saw little else than mere gardens, and especially vegetable market gardens.' This whole area, he continued, was 'nothing but a garden and a pleasurance'.¹⁹ At the close of the eighteenth and the beginning of the nineteenth centuries John Middleton's reports on Middlesex to the Board of Agriculture also emphasised the vast area surrounding London which was rented by

¹⁷ PRO. E 126/23 ff. 191b-192.

¹⁸ Ironside, E. History and Antiquities of Twickenham (London, 1797) p 112. This is from a volume which is part of Miscellaneous Antiquities (In continuation of the Bibliotheca Topographica Britannica). The volume number is given as X on the spine but V on title cover page.

¹⁹ Kalm, P. Kalms Account of His Visit to England on His Way to America in 1748 Edited and translated by Lucas, J. (London, Macmillan & Co. 1892) pp 35-6.

gardeners and nurserymen. For Middleton this was a growing characteristic of the inner Middlesex parishes.

'From Kensington, through Hammersmith, Chiswick, Brentford, Isleworth, and Twickenham, the land on both sides of the road, for seven miles in length, or a distance of ten miles from the market, may be denominated the great fruit-garden, north of the Thames, for the supply of London'.²⁰

The continued success and importance of the market and fruit gardens saw Daniel Lyson's second edition of The Environs Of London, which was published in 1811, dedicate an appendix to the market gardens near the city.²¹

During the nineteenth century the increasing urbanisation of inner Middlesex saw the market gardens increase in concentration in the north and east parishes of Enfield and Edmonton, and to the west from Kensington along the Thames to Twickenham. By the 1860s the urbanisation in those parishes immediately west of London squeezed out the earlier market gardens and the western parishes of Bedfont, Feltham and West Drayton saw horticulture encroach upon agricultural land use.²² In 1885 Middlesex accounted for around 14% of the total acreage of market gardens in England and Wales.²³

The second response to London stimuli was the production of hay for the London market. In the late sixteenth century the holdings around Pond Street at Hampstead were exclusively meadow or

²⁰ J. Middleton, View of the Agriculture of Middlesex 2nd edition (London, 1807) pp 323-4. First published in 1798).

²¹ Lysons, D. The Environs of London 2nd edition (London, 1811) II, pp 839-42.

²² Bennett, L.G. The Horticultural History of Middlesex (University of Reading, 1952) pp 9-14.

²³ Robbins, Op Cit. p 41.

pasture apart from a small area which remained wooded.²⁴ By 1636 the demand for hay was enormous and at Marylebone, St Pancras and Islington there were many specialised hay farms.²⁵ In 1649 the 325 acre demesne at Stoke Newington contained c.241 acres under grass.²⁶ A survey at Belsize at Hampstead the following year shows that arable totalled just 5 acres while meadow and pasture covered 186 acres.²⁷ The development of the hay farms extended to the northern parishes. This was definitely an extension and not a transplantation of activity from one place to another. In 1748 Hampstead still received comments on the number of enclosures laid out as meadow while the northern parishes built up their own reputations as hay producers.²⁸ In 1750 William Ellis was enthusing that at Hendon the farms 'are reckoned the best' at producing high quality hay for the London market.²⁹ There is no doubt that landowners, perceiving an increase in rents which could be achieved by exploiting the growing demand for hay and pasture, played a part in encouraging their tenants to specialise in its production. At Harrow in 1671 one quarter of the then current pasture was to remain under grass for full term of the twenty-three year lease or a fine of one pound per acre would be payable to the landowner. A second Harrow lease in 1672 insisted that one quarter of the then current pasture was to remain under grass for the final seven years of the twenty-one year lease or once again a fine of one pound per acre would be payable. These 'fines' were infact added to the rent for each year or half year they remained in tillage and

²⁴ LMA. E/MW/III. In Baker, T.F.T. (ed.) A History of Middlesex (Oxford U.P., 1989) VCH, IX, p 118.

²⁵ Kerridge, Op Cit. p 179.

²⁶ Guildhall. MS 11816B, pp 127-30.

²⁷ PRO. C 54/3553, no 33.

²⁸ Kalm, Op Cit. p 81.

²⁹ Ellis, W. The Modern Husbandman (London, 1750) VI, p 76.

were not one-off payments by the tenant.³⁰ At Harefield in 1763 there was a penalty of £6 for every acre of meadow or pasture ploughed for arable use. In 1766 this penalty was increased to £10 per acre converted.³¹ In 1775 there were 769 acres of arable and 1,022 acres of meadow at Greenford. Penalty clauses at Greenford at this period were higher with some early nineteenth century leases specifying £20 per acre for conversion from meadow to arable.³² At Kingsbury £20 per acre fines for converting grass to tillage had been inserted in leases as early as 1796.³³ Punitive fines continued throughout the nineteenth century. In 1844 the fines for ploughing grasslands and converting to tillage were £40 per acre at Edgware and the same amount was inserted in leases at Harrow in 1860.³⁴ In 1879 the Edgware Manor Farm lease, running up to September 1900, specified a fine of £50 per acre.³⁵

The success of the north Middlesex landlord's policy of promoting grass and excluding any growth in arable production by such measures undoubtedly assisted the drive towards hay and pasture specialisation throughout this period. Its effects can be seen in such changes as the movement of the Greenford children's holiday being from the corn to the hay harvest in 1807.³⁶

³⁰ LMA Acc 76/2003-4.

³¹ LMA. Letter from the Middlesex County Record Office archivist to Mr H.E. Purser, Town Farm East, Stanwell, Middlesex, dated 25 July 1955. The letter was composed from research on records of the Newdigate estates deposited in the mid 1950s. This was a short, (one year) term loan of the material for researchers into rural Middlesex. The current set of Newdigate papers in LMA Acc 1085 do not contain the leases relating to Copthall Farm and are possibly still with the family.

³² LMA. Acc 473/Bundle 5. Rough copy lease between Benjamin Way Esq. and Mr Thomas Woodbridge, 19 July 1812.

³³ LMA. Acc 307/14.

³⁴ LMA. Acc 307/9 and 76/364.

³⁵ LMA. Acc 307/10.

The proportion of arable land in Middlesex was reduced through the extension of the area under grass. This important feature of Middlesex agriculture was highlighted by Peter Foot's 1794 detailed explanation of the hay harvesters work which 'by a long course of practise and experience, [has] been attended with almost invariable success'.³⁷ Both market garden produce and the hay crop remained the most important parts of the Middlesex rural economy up until the end of the nineteenth century. Both were specialised and did not compete with the bulk food imports from America and Australia. In fact the importance of local hay production began to wane only with the replacement of the horse with motorised transport in the early twentieth century.³⁸ Those parishes to the south and west of the county, from Hayes and Harmondsworth down to Laleham, Littleton and Shepperton retained a mixed arable economy well into the nineteenth century. This was essentially a continuation of Middlesex arable farming which had a reputation for excellence since at least the sixteenth century.³⁹

I have already mentioned that landowning patterns in Middlesex were scattered due to the lack of large holdings by the nobility and gentry, (see above pp 6-7). By the second quarter of the seventeenth century most of the acquisitions made by the crown at the Reformation were now gone.⁴⁰ This lack of large aristocratic estates does not exclude the existence of local landowners

³⁶ Evidence for this is in the Greenford School Minute Book 1784-1884. S. cd. A History of Middlesex (Oxford U.P., 1963), III. p 213. The item was in the custody of the GC/HC in 1963 when the above volume was published. However it is currently missing from the church.

³⁷ P. Foot General View of the Agriculture of the County of Middlesex (London, 1794) pp 55-6.

³⁸ Robbins, Op Cit. pp 40-1.

³⁹ Norden, Op Cit. p 11-12.

⁴⁰ See above. p 15.

of national importance or of the nobility owning some Middlesex land; only that these properties would be dwarfed by their other holdings elsewhere in the country. This is a feature of Middlesex landholding throughout the period under discussion and a number of examples will illustrate the point. During the late 1620s and early 1630s Sir Francis Cottington purchased the lease of the manor of Hanworth manor and park as well as some property at Feltham, although it was his estate at Fonthill Gifford in Wiltshire which was Cottington's most prized possession.⁴¹ Cottington had risen from relative obscurity to become an administrator of national prominence. James Brydges, 1st Duke of Chandos, began further up the social scale yet never reached Cottington's political heights. Brydges family held land in Gloucestershire, Herefordshire, Nottinghamshire, Radnorshire, Shropshire, Warwickshire and Worcestershire.⁴² Born in 1674 he was married to Mary, the daughter of Sir Thomas Lake of Stanmore, in 1696. For the first 16 years of married life Brydges lived in London until in 1712 he took an out of town house at Isleworth before settling down at Canons in Edgware.⁴³ Brydges was very much an 'improver' in the eighteenth century meaning of the word, and was keen to maximise the profit of his estates. He was a member of the Royal Society which advocated progressive agriculture; favoured enclosure as evinced by his promotion of enclosure across the Middlesex/Hertfordshire border at Barnet, and favoured turnpikes as a way of improving the roads between Radnorshire, Herefordshire and London in order to assist his drovers in bringing the cattle in from his western estates. To keep his land in good condition at Edgware he instructed his agent that when hay was taken down by wagons to be sold at the London markets they were always to bring back dung

⁴¹ Havran, M.J. Caroline Courtier: The Life and Times of Lord Cottington (London, Macmillan, 1973) p 87.

⁴² Johnson, J. Princely Chandos: James Brydges 1674-1744 (Gloucester, Alan Sutton, 1984) p 15.

⁴³ *Ibid.*, pp 28 and 62.

with them to be spread on the land.⁴⁴ He was also interested in business and commerce, having interests in the Turkey, Royal Africa and East India companies as well several other less well known organisations. Although his business activities veered from the successful to the not so successful, (he lost £50,000 when the South Sea Co. collapsed) he continued to add to his properties.⁴⁵ In 1720 he bid for or purchased Tufston below Burlip, and Dowton in Gloucestershire as well as land at Mynd in Herefordshire. In 1726 he bought the Shaw Hall estate near Reading in Berkshire and spent a fortune in developing it.⁴⁶ Like Cottington the Middlesex property of Brydges was important for its role as a residence rather than as a key profitable estate. These rather detailed cases illustrate a typical trend in Middlesex land holding patterns. Without wishing to swamp this part of the study with endless recitals of landholding statistics, comparing the holdings of Middlesex and non-Middlesex lands, the evidence strongly suggests that large landholders held only a small proportion in Middlesex. Further examples rather easily come to hand. Sir John Rushout, Lord Northwick of Harrow during the closing stages of the eighteenth and first half of the nineteenth centuries, had an important role as a north Middlesex landlord; however the majority of his lands and his country seat were in Worcester.⁴⁷ In 1837 out of 56,823 acres held by the Duke of Buckinghamshire only 1,640 acres were in Middlesex.⁴⁸ This pattern

⁴⁴ Ibid. p 142.

⁴⁵ Ibid. pp 53-61.

⁴⁶ Ibid. pp 61 and 105-6.

⁴⁷ Hewlett. G. 'Rushouts and their Family Connections', Wembley History Society Journal n.s. V, (4) (1982) pp 69-74.

Gibbs. V. The Complete Peerage of England, Scotland, Ireland, Great Britain and the United Kingdom (London, St. Catherines Press, 1913) IX, pp 751-3.

⁴⁸ Spring. D. The English Landed Estates in the Nineteenth Century (Maryland-USA. John Hopkins Press, 1963) p 16.

for the nobility and gentry was unchanged throughout the nineteenth century. In 1873 the great landowners held only 4% of land in Middlesex.⁴⁹

In part the land use of the county was reflected in the size of individual holdings. In the market gardens and nurseries around the Chelsea, Chiswick, Hammersmith and Kensington area, the trend was for smaller plots. This can be seen for example in the Ealing area where in the 1830s and 1840s the pattern of land ownership exhibits an evident divide between the market gardens area south of the main Uxbridge-London road, and the more compact estates to the north.⁵⁰ As commented earlier, a family could earn ten times the amount from the same sized plot in these areas in the late seventeenth century than on the outskirts of Middlesex. The commercial benefit of smallholders in the inner suburbs continued through the eighteenth and into the nineteenth century. Middleton claimed that his estimates of financial reward for those kitchen gardeners established the high proportionate value of specialist garden plots around London. Such gardeners

'provide as well for their families, on five acres of the best ground, nine acres of the second best, or twenty acres of inferior soil, as the generality of farmers can on one hundred and fifty or two hundred acres'.⁵¹

Farm size varied from place to place as well as over time. At the beginning of the nineteenth century Middleton considered Middlesex farms to be rather smaller in comparison with those of

⁴⁹ Porter, J.H. 'The Development of Rural Society' in The Agrarian History of England and Wales: 1750-1850 edited by Mingay, G.E. (Cambridge U.P., 1989) Vol. 6, p 838.

⁵⁰ Jahn, M. 'Suburban Development in Outer West London, 1850-1900', in The Rise of Suburbia edited by Thompson, F.L.M. (Leicester, U.P. 1982) p 97.

⁵¹ Middleton, Op Cit. pp 336-7.

Sussex, Wiltshire and other counties which included sheep-walks and large downs as a part of the total farm acreage. Although he mentioned Hanworth Park Farm as covering 600 acres and a 500 acre farm at Marylebone as the largest farms in the county, and claimed there were many covering 200 acres, he estimated 100 acres to be the average size of Middlesex farms at this time.⁵² Certainly the size of farms was increasing. Cophall Farm at Harefield covered a little over 16 acres in 1708, 30 acres in 1763, 53 acres in 1766 and 113 acres in 1877.⁵³ Immediately before specific parliamentary enclosures the rural Middlesex farm, although growing in size, still provided an option for the small farmer. At Northolt in 1806 there were eight tenants with holdings of more than 100 acres, five with 50 to 99 acres, and twelve with 5 to 50 acres.⁵⁴ In 1780 Hanwell had seven farms with half the parish under arable production. In 1803 a parish survey shows that there were still seven occupiers with more than 55 acres with a further ten occupying 10 to 50 acres. By 1843 smallholdings had all but disappeared with only two relatively large farms of covering 80 and 170 acres.⁵⁵ By the beginning of the nineteenth century many of the western arable farms were also large concerns. In 1816 the Sherborne family held land in Ashford, East Bedfont, Feltham, Harmondsworth, Heston and Stanwell.⁵⁶ By 1824 they had also added lands in Hillingdon.⁵⁷ It may be dangerous to generalise from only a few detailed examples

⁵² Ibid, pp 52-53.

⁵³ LMA. Letter from the Middlesex County Record Office archivist to Mr H.E. Purser, Town Farm East, Stanwell, Middlesex, dated 25 July 1955.

⁵⁴ See Appendix 4.

⁵⁵ Tremenheere, H. 'Agricultural and Educational Statistics of Several Parishes in the County of Middlesex', Journal of the Royal Statistical Society 6 (1843) p 124.

The 1803 survey is reproduced at Appendix 3.

⁵⁶ LMA. Acc. 3259/SE 1/02/A-D. This does not give the acreage but values the estate at £22,875.

⁵⁷ LMA. Acc. 3259/SE 1/03F This time the acreage is given and the estate covered a little over 1,129 acres.

but by 1834 the land at East Bedfont, Feltham and Hayes was described as being in few hands.⁵⁸

The continued emphasis on agricultural production well into the nineteenth century ensured the continued dependence on migrant labour. By the late eighteenth and early nineteenth centuries the market gardens attracted many migrant women workers from Shropshire, Wiltshire and as far as Wales to tend the gardens and to carry baskets of fruit and vegetables from the nurseries to markets at Covent Garden and the surrounding areas.⁵⁹ Many Irish labourers were also attracted by harvest work. In the mid eighteenth century the population of those areas immediately lying to the north and east of London was seasonally increased by the Irish labourers who

'remain there the whole summer, leaving their own dwellings at home in Ireland to the care of their wives and children; but towards autumn after the seedtime and harvest are past, they return home with their money which they have been able to earn'.⁶⁰

The influx of people and the increase in relief expenditure brought many complaints from parish authorities as itinerant and local labour vied for work. Local authorities were aware that outside labour was required at times but wished to separate harvest work from other employment. In the late seventeenth century the Tottenham vestry resolved that work outside of the harvest period would be given to their own poor and not to strangers.⁶¹ Even so the necessity of travelling

⁵⁸ BPP. Rep. Poor; IV Rural Queries (Shannon, Irish U.P., 1970) 10, pp 299a, 300a.
BPP. Rep. Poor; III, IV and IV Town Queries (Shannon, Irish U.P., 1970) 16, p 101h.

⁵⁹ Eden, F.M. The State of the Poor (London, Frank Cass, 1966) p 419. Reprint - originally published in 1797.
Middleton, Op Cit. pp 325-6

⁶⁰ Kalm, Op Cit. pp 82-3.

⁶¹ BCM. D/PT/2A/1. Tottenham VMB 1675 - 1735. 23 April 1698/9.

agricultural workers swelling the ranks of poor parish labourers during the summer led to calls on the parish relief officers to spend money on those who would usually be seen as outsiders. Poor relief documentation for the eighteenth and nineteenth centuries testifies to the temporary increase in population in the Middlesex hay producing parishes due to itinerant haymakers. In June 1704 the Harrow overseer was directed to '...allow one Thomas Fowler what relief he deems necessary, ye said Thomas Fowler falling sick in his coming to Labour in ye Parish hay harvest'.⁶² The Stoke Newington accounts for 1708-09 shows that two shillings were paid 'to Mr Price for Bur[y]ing the haymaker'.⁶³ Almost one hundred years later in 1804 Elizabeth Ofield of Warpole in Norfolk had 'worked her Way up to London as a Haymaker... she was then taken extremely ill in the Parish of Stoke Newington'.⁶⁴ The Ealing vestry complained in 1803 of the increase in its population which it attributed to the influx of people moving around the area, some going to and from the metropolis, some of them falling ill at some stage and claiming relief to the detriment of the ratepayers' interests.⁶⁵ This pull on migrant labour was necessary for the Middlesex seasonal agricultural and horticultural economy. As the numbers of resident labourers grew, then competition for work often became fierce. The reason is not too hard to find; in the early nineteenth century no work meant no food. In 1816 over 300 hundred Irish labourers and other strangers were found to be almost starving in Edgware when heavy rain prevented the harvest.⁶⁶

⁶² LMA. DRO 3/C1/1. Harrow on the Hill VMB 1704 - 1756. 22 June 1709.

⁶³ IAD. P/M/1. Stoke Newington VMB 1681-1743. f 140.

⁶⁴ IAD. P/M/P/9. Stoke Newington Examinations Book 1786-1806. Examination taken 31 October 1804.

⁶⁵ ELHL. Acc 85/17. Ealing VMB 1797 - 1832. 16 February 1803.

⁶⁶ Tootell, W.S. A Brief Sketch of the Town of Edgware p 37. (Manuscript).

When the crop failed in 1830 there were deaths from starvation amongst the migrant labourers in Acton, Willesden and Hampstead.⁶⁷ In the same year the Irish rioted at Barnet, and a fight between Irish and local labourers took place at Edgware in 1833.⁶⁸ Middlesex agriculture continued to attract migrant wage labour. In 1841 there were 415 migrant haymakers, chiefly Irish, living in barns and sheds at Harrow and Pinner, while in the same year haymakers had increased the population at Ashford, Ealing, Hammersmith, Hendon, Hampstead, Isleworth, Potters Bar and Northolt.⁶⁹ In the late 1860s labourers from Berkshire, Buckinghamshire and Oxfordshire regularly assisted in the hay harvests although it was claimed that the influx of Irish labourers had died out by this time.⁷⁰

⁶⁷ See chapter ten for details of distress in the 1830s.

⁶⁸ BA&LSC. DD. Mill Hill Society no. 823. p 2.

⁶⁹ BPP. Abstract of the Answers and Returns. Enumeration Abstract 1841 (London. 1843) pp 177-180.

⁷⁰ Clutterbuck. J.C. 'The Farming of Middlesex', Journal of the Royal Agricultural Society of England 2nd series. 5 (1869) pp 10-11.

CHAPTER FOUR

MIDDLESEX - THE NATURE OF COMMON RIGHTS

Common rights were not of course universal rights. Right of common was local in its nature, and thus restricted. This restriction took the form of parish or manorial rights. These could be further restricted to those paying parish rates or by some other local criteria and were further complicated by the different rights which a person may have been claiming; for example to depasture animals, take timber for repairing the house, buildings, fences etc., to collect fuel, to fish the common waters, or a host of other less general rights. These common rights were an integral part of the local by-laws of the particular community and can be traced back through the medieval period, after which they are lost to an earlier oral tradition.¹

The modern period thus began with a fragmented collection of rural regulations and seemingly anarchical agricultural rules. However such a conclusion is reached only as a result of a simplistic survey of village by-laws. Such may be the work of the contemporary commentator, (as opposed to use right user) or the interested historian; local rules of agriculture were of no great mystery to the individual commoner of the early modern period.² For these people the field systems and seemingly complex activities and regulations which supervised the allotting, sowing, cropping and fallowing of the land, along with the rules which governed the rights to glean and depasture their animals, were as familiar as our own understanding of a bus timetable, cinema film guide or

¹ Ault, W.O. 'Open-Field Husbandry and the Village Community: A Study in Agrarian By-Laws in Medieval England'. Transactions of the American Philosophical Society new ser. 55. (7) (1965) p 51. Ault comments that even in the early modern period some of the non-manorial meetings which supervised the local agricultural practices retained an oral tradition, apart from a small number of exceptions.

² Ibid. p 9.

knowing on which side of the road motor vehicles are to be driven. It is certainly important that we recognise the system's complexity. Yet it is also essential to understand that the complex regulations which governed agricultural practice were well within the understanding of the people who, after all, devised and implemented them.

By the seventeenth century common rights in Middlesex often differed as soon the parish boundary was crossed. The by-laws for each parish or manor had its own history and were unlikely to appear mysterious or overtly complicated to local people. They were however discriminatory, and as a short study of Ealing common rights demonstrate, they were divisive in their nature and undoubtedly engendered local jealousies.³ During the fifteenth century the commoners of Ealing and Acton would depasture their cattle on the commons of both parishes as the Bishop of London was the lord of both manors. By 1520 intercommoning was restricted between Ealing and Acton, with the inhabitants of the latter being excluded from the commons of the former even though tenants in both parishes still shared the Bishop of London as the manorial lord. In 1524 the inhabitants of Old Brentford were denied access to Ealing Haven Green, and the residents of Ealing Village were shut out of Old Brentford Field. Inhabitants of New Brentford and Gunnersbury manor were excluded from Old Brentford Field in 1545. From 1582 Ealing common rights were denied to strangers, and from 1615 to lessees of land in Ealing. In 1630 it was decided that the servants of Ealing inhabitants would be denied right of common, and from 1652 out parishioners were also similarly denied.

³ The following example of Ealing and Acton common rights can be found in Baker, T.F.T ed., A History of Middlesex (Oxford U.P., 1982) VCH. VIII, p 133.

Such local rules were the norm and not exceptions. A brief examination of the records shows the importance of the localising and the enforcement of the boundaries of common rights from the early sixteenth to the end of the seventeenth century. From around 1563 the commoners of Edmonton blocked the entrances to the marshes to exclude cattle from Enfield.⁴ Presentments of people from Friern Barnet for cutting and carrying away bushes and furze on Finchley Common as well as for depasturing cattle there in 1650 show Finchley inhabitants seeking to exclude their neighbours.⁵ Nevertheless it would appear that Friern Barnet inhabitants continued to use Finchley Common during the seventeenth century. In 1696 the two parishes went to court to try the rights of those in Friern Barnet.⁶ I cannot find the outcome of the case, however presentments against Friern Barnet inhabitants no longer appear in the records. This may simply indicate that they stopped depasturing their animals in Finchley. However when the enclosure of Finchley Common was being discussed in 1811 there were 16 deponents from both parishes, of various ages up to 82 years old, who were willing to swear from personal memory that inhabitants from both Finchley and Friern Barnet had exercised shared rights of pasture and turbary on Finchley Common.⁷ Throughout the seventeenth century the inhabitants of Hornsey manor were concerned not only with excluding people from other parishes, but also fellow parishioners from outside the manor who were using their waste to depasture livestock. In March 1638 Matthew Holt and Gilbert Odell "being noe tenautes of this mannor shall ...avoyde their cattle and sheepe

⁴ Pam. D. The Fight for Common Rights in Enfield and Edmonton 1400-1600 (EHHIS, 1974) p 4.

⁵ Guildhall MS 25,358. Finchley Manor Roll. April 1650.

⁶ LMA. DRO 12/1/C1/1. Friern Barnet VMB 1760-1821. This was copied into the Vestry Book in 1811 when the Friern Barnet vestry first minuted a discussion regarding the proposed enclosure of Finchley Common. 28 January 1811.

⁷ Ibid. 6 May and 4 November 1811.

from of the Common and not put any more sheepe or cattle thereon...'.⁸ In March 1649 inhabitants of Friern Barnet were warned that they would face a £10 fine should they put any animal whatsoever on the Hornsey commons.⁹ Although the Hornsey homage may have succeeded in preventing other parishes from using the commons as pasture, it would appear that out-parishioners were still using the commons as a source of fuel, and in April 1676 the homage presented that no-one from Friern Barnet or Finchley were to cut furze or bushes on any of the wastes.¹⁰ There were also complaints in 1584 from Paddington parish that Kensington were using the Paddington commons for pasture.¹¹ We can find this sharpening of boundaries continuing into the eighteenth and early nineteenth centuries as Hounslow Heath, which afforded common pasture to several west Middlesex parishes, was enclosed piecemeal through several parliamentary enclosures. In November 1793 the Harmondsworth vestry ordered the cattle drivers who were appointed at the manor court '...to pay due care and attention...' to the problem of Stanwell cattle coming into the parish via Hounslow Heath and grazing on the Harmondsworth waste and commons. This follows earlier orders to impound stray Stanwell cattle in July 1789. Interestingly enough this resolution comes only six weeks after the Stanwell enclosure act in May 1789; prior to this time intercommoning on Hounslow Heath had caused no complaint between the two parishes.¹²

⁸ Marcham, W.M. & F. Op Cit. p 95. 11 April 1638.

⁹ Ibid. p 108. 31 March 1649.

¹⁰ Ibid. p 174. 7 April 1676.

¹¹ Baker, T.F.T ed., A History of Middlesex (Oxford U.P., 1989) VCII. IX. p 233.

¹² Harmondsworth Vestry Minute Book 1789 - 1816. (WD&DLIIS). No accession number. 22 July 1789 and 29 November 1793.

On some of the commons, such as the marsh commons along the river Lea, commoners were said to be able to graze as many animals as they wished. The meadows here were lammas lands and were 'opened for the reception of the cattle of every inhabitant of those parishes, [Enfield, Edmonton and Tottenham] from the 12th of August in every year, until the 5th of April in the following year'.¹³ However attached to the majority of commons and common fields were a set of rules or 'stints' which set out the details of those rights which belonged to each commoner. Such rules were a feature of common rights and many examples for Middlesex can be found in the individual records of the manor and parish as they relate to both the commons and common fields. For example in 1564 tenants with common rights in Sheveshill common field should not

'depasture or keep there more than two cows and horses for every acre of fallow, and for every acre of meadow or pasture five sheep, and for every acre of fallow three sheep under penalty of three shillings and fourpence for every beast beyond that number'.¹⁴

In 1637 burgage holders, freeholders and copyholders of Colham manor were to have common pasture on all the wastes of the manor across Harefield, Hillingdon and Cowley.¹⁵ Numbers are not specified but common was to be levant and couchant, which as we have already seen set the limit for the numbers of beasts to that number which each individual can keep on their land during the winter. In Hanwell the stint for turning sheep on the commons was no more than ten per cottager. Landowners were to have two sheep for every acre of arable, and three for every acre

¹³ Middleton, *Op Cit.* p 217. (1st edition).

¹⁴ Brett-James, N.G. 'A Survey of the Manor of Hendon in the County of Middlesex by Presentment of the Homage (1574) *TLMAS* n.s. 7, (1937). p 62.

¹⁵ LMA. Acc 538/1/1/1. Relating to 1637. p 112.

of common meadow. This stint was first ordered in 1687 and was being reinforced in the Hanwell vestry in the late 1790s.¹⁶ In Harmondsworth the stint per family in 1764 was set at six sheep.¹⁷ In 1799 the regulations for the pasture common at Monken Hadley was 2 beasts for each house assessed at £20 or above per annum, 1 beast for each house assessed at below £20 per annum, and 1 beast for every 3 acres held elsewhere in the parish.¹⁸ It is by no means unusual to find such regulations regarding the Middlesex commonlands or for commonlands elsewhere in the country. Commons were 'managed' throughout the whole of the period we are concerned with and commoners were not against the management of their commons. Furthermore individuals were appointed or elected to ensure the commons were managed to the appropriate level. At Hornsey the homage elected 'Overseers of the Commons', at Monken Hadley they were 'Cuvators of the Common' and at Staines they were known as the 'Moor Masters'.¹⁹ At a time when the vast majority of people had very little access to the decision making process at the national level in parliament we should not belittle what influence relatively small landowners or occupiers may have on those local structures which organise and manage the economic routine of agricultural production. This is not to suggest that the influence of any smallholder equated to the lord or large landowners and farmers. However custom in the forms both of written text and the memory

¹⁶ ELHL. 15/1. Hanwell VMB Transcript 1785-1800. 31 August 1798.

¹⁷ LMA. Acc 538/1/1/1. Relating to 1637. p 14.

¹⁸ LMA. DRO 17/B1/1. Monken Hadley VMB 1794-1820. 6 April 1799.

¹⁹ The following are simply individual references and should not be taken to be dates or periods when such appointments were more important than at other times.

Marcham. Op Cit. p 93. 31 March 1638. (Hornsey).

LMA. DRO 17/B1/1. Monken Hadley VMB 1794-1820. 21 November 1796.

LMA. DRO 2/C1/3. Staines VMB 1802-20. 28 May 1811.

of those living in the past provided a basis from which the poorer sections of the local community could legitimise dissent; and enter the decision making process at the local level.

Regulations of agricultural practices, including the stints set on commonfields and commons, were usually the business of the manor court. These manorial 'customs' or set regulations of which the stints were often simply one part set out the agricultural routine of the manor. However as the examples above show the vestry began to vie with the manor court as an authority of jurisdiction over the Middlesex commons and common fields as we move into the eighteenth and nineteenth centuries. Although this represents a movement from one authority to another, the rights as such retained their theme of localism, and continue to demonstrate how these rights as 'mine', were not necessarily 'yours'. Furthermore the descriptions of these rights were becoming more and more precise from the early modern period onwards. However within the locality itself other restrictions were at work which divided the commoners. In some parishes or manors the rights were widespread and were claimed by all householders; such as Enfield in the late seventeenth century, Harrow between 1796 and 1803, and at Staines between 1812 and 1819.²⁰ In 1760 all Laleham inhabitants who owned or rented their tenements had rights of pasture on Greenfield Common as long as they resided in the parish.²¹ In other parishes some common rights were the preserve of those paying specific parish rates. In West Drayton all householders had fishing rights until 1790 when they were restricted to copyholders. In 1824 the lord of the manor at West

²⁰ These particular cases are covered in depth when we deal with individual enclosure and attempted enclosure in chapters 6 and 7.

²¹ Johnson, J. 'A Short History of Agriculture', in The Laleham Common Place Book (London, Laleham Society, nd. c.1976), p 126. Johnson is quoting from the Lowther Papers which are kept in the Carlisle Record Office.

Drayton unsuccessfully attempted to appropriate these rights for his exclusive use.²² In South Mimms in 1849 it was the ratepayers who claimed right of common pasture in the common fields.²³ These conditions of use can be, and often are, overstated. We must bear in mind that written rules were often the preserve of the lawyer or lord of the manor and not necessarily to be found reflected in usage. It may appear common-sense to suggest that only those who are legally entitled to common rights had any active interest in their survival. This was certainly the line pursued by Chambers and Mingay who, when discussing the effects of enclosure on the cottager and squatters, were at pains to emphasise that

'it must be remembered that even before enclosure the majority of cottagers had no right of common.

Such rights did not belong to every villager but were attached to open field holdings or certain cottages, and only their owners or occupiers were certainly entitled to make use of them'.²⁴

This however puts formal identification of rights above usage. Reports of poor families building illegal cottages on the commons at Enfield, Hampstead, Hanwell, Hornsey and Tottenham during the seventeenth and eighteenth centuries, indicate that the poor felt entitled to the use of Middlesex commons even if formal rights were not recognised.²⁵ Poaching and the removal of wood for fuel, building material or sale, depended upon the extensive popular access rights which the commons afforded. It was easier to explain your presence on the common than if you were

²² LMA. Acc 448/4.
LMA. Acc 539/145.

²³ LMA. DRO 5/C1/4. South Mimms VMB 1846 - 1888. 9 May 1849.

²⁴ Chambers and Mingay, *Op Cit.* p 97. Mingay reinforces this in his Parliamentary Enclosure in England: An Introduction to its Causes, Incidence and Impact, 1750-1850 (Harlow. Addison Wesley Longman Ltd., 1997) pp 126-127. 'Enclosure Commissioners were bound to give due compensation to the *legal owners* of the houses and lands to which common rights were attached: this meant of course, that they could not offer compensation to those persons who were merely the tenants of such houses and lands, who often exercised the rights to use the commons'. [His italics].

²⁵ See Chapter 6 below.

found in some private field or paddock. As we shall see in part three of this study the practice of common rights was necessarily more flexible in their nature than those of private property.

Several conclusions follow from the Middlesex evidence. These are that common rights were usually different from parish to parish, and often from manor to manor. The major exceptions were those parishes which intercommoned around Hounslow Heath and the marshes along the river Lea. The evidence also demonstrates that common rights within any specific locality could be held by different people depending on specific criteria such as the tenure held and/or local rates paid although we need to understand that legal criteria was sometimes overtaken by popular conceptions of usage. We can also see that common rights themselves were becoming more specific in their recorded description; and as these records became more specific there was a tendency to restrict rather than increase common rights. Such a move was designed to combat those popular conceptions of usage which over time became customary in specific localities. Such divisive tendencies were to play a decisive role in the lack of solidarity between commoners of different parishes as they opposed enclosure from the closing stages of the English Republic to the end of the nineteenth century.

CHAPTER FIVE

MIDDLESEX - PRACTICAL USE AND VALUE

For the idea of the common economy in the Middlesex communities to have any meaning there has to be some evidence that the rights of common had a material contribution to make to the lives of the people who lived in those communities. Neeson's work on commoners and social change in England between 1700 and 1820 has recently investigated the contemporary debate regarding the value placed on common rights in England for this period.¹ In her national study Neeson has tended to rely not only upon the contemporary pamphlet propaganda, but has also highlighted the ideological commitment of the reports to the Board of Agriculture.² Neeson rightly views these reports as part of the enclosure debate which from the 1790s sharpened the broad agreement as to the social results of enclosure. Commentators were agreed that enclosure would result in an increase in a wage earning rural workforce; disagreements were now concerned with whether this result was desirable. Useful as the county reports are for this purpose they do minimise the value which commoners put upon the commons and waste. The reporters had to admit some of the value which commoners placed on their common rights, and as we will see this was considerable in Middlesex for much of the period under investigation. However the Board of Agriculture was an organisation with a mission and as such they were far from impartial observers. In reading those sections of the county reports relating to commons and their value to commoners we should not be too surprised to see the reporters tripping over themselves to explain the value which commoners 'mistakenly' attached to the rights in the light of their real (i.e.

¹ Neeson, Commoners. Especially chapter 1, 'Question Of Value', pp 15-52.

² Ibid. p 7.

in Board of Agriculture (monetary) values. To demonstrate the value of common rights as seen by Middlesex commoners we have to establish two specific points. The first is the existence of commonable lands throughout the county. The second is to determine whether commoners were regularly exercising their rights over these lands. There would be little worth in a study of the defence of common rights if there was little or no common land in existence, or if common rights were unused. They must be shown to be commonplace throughout the county and to have been exploited by Middlesex commoners if we are to then make the claim that these were rights worth defending.

It is difficult to estimate the total acreage of commons and commonfield land which existed in the first half of seventeenth century Middlesex. However a cursory glance at contemporary records establishes how widespread commonable land was in rural Middlesex in the seventeenth century.

In 1650 Enfield Chase was recorded as covering a little over 7,900 acres.³ However the chase did not only afford common rights to Enfield. A petition to parliament in 1659 demonstrates the widespread use of the chase by the inhabitants of Enfield, Edmonton, South Mimms and Monken Hadley who claimed they had from

'time out of mind enjoyed Common for all manner of Commonable Beasts without number, and

Common of Estovers, and divers other great Priviledges and Advantages in Enfield Chase'.⁴

Hounslow Heath was only about half the size of Enfield Chase. Still the 4,293 acres it was estimated to cover in 1545 was a considerable benefit to the commoners of Isleworth, Brentford,

³ Madge, S.J. 'Rural Middlesex Under the Commonwealth', TLMAS n.s. 4 (1922) p 292. PRO. E 317 Middlesex 17. 17 A.

⁴ Petition of the Proprietors of Enfield, Edmonton, South Mimms and Monken Hadley to the House of Commons. (1659).

Twickenham, Heston, Feltham, Harlington, Cranford, Harmondsworth, Stanwell, Hanworth, Bedfont, Hampton, Hounslow and Teddington. All of which parishes intercommoned on Hounslow Heath.⁵ These were the largest commons in the county, but smaller though still sizeable commons, could be found throughout Middlesex. Finchley Common was estimated as between 500 and 600 acres in 1647. The size of the common was revised to 1,600 acres in 1717. This second figure appears more credible than the first. When the common was enclosed in 1811 it still covered 900 acres⁶, and the possibility of the common reducing from 1,600 acres to 900 acres during this time is far higher than its growth from 500 acres. Also in 1647 the common land of Hornsey, mainly at Muswell Hill, Fortis Green and Highgate totalled 600 acres.⁷ In 1637 the commons of Colham manor at Harefield covered 457 acres across Harefield, Hillingdon, Cowley and Northolt.⁸ In 1619 the commons of Tottenham Marsh amounted to a little over 300 acres.⁹ In the 1630s at Harrow there were extensive commons at Weald Wood, (c.700 acres) and Sudbury Common, (c.300 acres) as well as smaller wastes at Pinner and Wembley.¹⁰ Common fields in Middlesex were also extensive up until the commencement of parliamentary enclosure. Out of the 33 enclosure acts passed between 1769 and 1825 no fewer

⁵ An Act for the Partition of Hounslow Heath. Hen. VIII. 37. c.2. The act, which estimates the extent of the heath as well as listing the parishes with rights of common, is reprinted in Foot. Op Cit. pp 34-37.

⁶ 1647 Guildhall. MS 10464A, pp 85-86.
 1717 Enright, B.J. 'Rawlinson's Proposed History of Middlesex', *TLMAS* 19 (1958) p 48.
 LMA. MR/DE FIN/1. Preamble to the Finchley enclosure act (1811) estimates the common and waste to cover 900 acres.

⁷ Marcham, Op Cit. p xx.

⁸ LMA. Acc 538/1/1/1 f. 111.

⁹ LMA. Acc 695/9 f. 137.

¹⁰ LMA. Acc 76/1022.
 LMA. Acc 76/779-80.

than 25 included portions of open arable fields. However the distribution of common fields was heavily weighted towards western Middlesex, in the Elthorne, Isleworth and Spelthorne hundreds.¹¹ Although generalisations are always difficult to make, the evidence of extensive commons relating to all parts of the county shows that commons and common fields physically made up a considerable geographical proportion of seventeenth century Middlesex.

Written claims by commoners of their estimation of the value of commons are rare. However evidence can often be gleaned from contemporary sources which demonstrate the importance of common rights. Contemporary records show that the Middlesex commons afforded material benefits to local inhabitants as the following examples from all sections of the county illustrate. In 1676 John Hale, the clerk of Enfield manor court, complained to Charles II that people from South Mimms, Enfield, Edmonton and Hadley were

'an abundance of loose, idle and disorderly persons ...and make great havock and wast of your majesty's best timber and underwood [on Enfield Chase]'.¹²

From 1687 all Hanwell commoners holding no land at all had the right to graze ten sheep on the heath. That commoners used, rather than were entitled to, these common rights can be demonstrated from the evidence of the Hanwell vestry who were struggling with landless commoners in the late eighteenth century and attempting to gain their agreement not to exceed the earlier stint.¹³ In 1727 of the 169 Enfield villagers grazing cattle on the Chase a total of 83

¹¹ Tate, *Op Cit.* p 173.

¹² Cambridge University Library. C (H) 45/40. Memorial of John Hale, Clerk of Enfield Manor Court to George II. Quoted in Thompson, E.P. Whigs and Hunters: The Origins of the Black Act (London, Penguin Books Ltd., 1975) p 169.

¹³ ELHL. Acc 89/3. Hanwell VMB 1780-96. 17 June 1789. 6, 20 and 24 November 1789, 11 July 1791, 14 November 1793, 30 March 1794 and 22 September 1796.

persons were grazing only one or two head of cattle.¹⁴ In 1744 it was reported that the Stanwell commoners highly exploited the common fields, lammas meadows and pasture rights on Hounslow Heath. They kept '...mares and foals, cows and calves, hogs and geese without stint, some of them doing without any work at all'.¹⁵ At neighbouring Staines the inhabitants relied heavily on the customary pasture rights of Staines Moor. The appreciated value is illustrated by the written testimony of John Newman, a Stanwell Farmer and ex-Staines parishioner, who recorded the rights of Staines inhabitants in 1756, presumably when those rights of common pasture were being disputed.¹⁶ In 1793 the first Middlesex reporter to the Board of Agriculture described commoners on Hounslow Heath and Enfield Chase as people '...who seem to live on air, without either labour or any obvious advantage from the common'.¹⁷ In the following year a second report stated that every inhabitant of Enfield, Edmonton and Tottenham had unstinted access to the 1,000 acres of lammas common meadows on the Middlesex side of the river Lea'.¹⁸ When new rules and regulations for the common were drawn up by the Monken Hadley vestry in 1799 there were 200 people using the common.¹⁹ At Harrow in the late eighteenth and early nineteenth centuries it was claimed that the existence of the parish commons benefited approximately 600 houses. This was an overestimate as the 1801 census lists only a little over

¹⁴ EA&LIU. D/222. Account of the Cattle on Enfield Chase.

¹⁵ Bickley, F. ed. Historical Manuscripts Commission: Report on the Manuscripts of the Late Reginald Hastings Esq., of the Manor House, Ashby de la Zouch (London, HMSO., 1934). Vol. III. p 47.

¹⁶ LMA. DRO 2/V1/1. Deposition of John Newman of Staines.

¹⁷ Baird. Op Cit. pp 22-6.

¹⁸ Foot. Op Cit. p 69.

¹⁹ LMA. DRO 17/B1/1. Monken Hadley VMB 1794-1820. 6 April 1799.

500 houses for the parish including the hamlet of Pinner. However the common rights at Harrow were extended to the poor and the proposed enclosure was regarded with apprehension as to

'...the very serious injury which the Poor must necessarily sustain by an Inclosure - It is scarcely possible to yield them a compensation for their present privileges of feeding pigs, geese, sheep, cows, and cutting turf and fern upon the commons'.²⁰

Similar concerns were expressed at Staines, where a concerted effort to enclose the parish took place between 1812 and 1825. In 1815 it was complained by the vestry that the proposed enclosure

'...will if Carried into Effect be attended with very serious injury to the Interest of a large Majority of the Inhabitants of this Town'.²¹

Again in 1815 Samuel Hampstead, a Cranford farm servant, complained that due to the recent enclosure of Isleworth, Twickenham and Heston, he had been reduced to buying fuel for the first time in forty years as the best part of Hounslow Heath for digging fuel was now enclosed²². In 1818 two commentators claimed that the enclosure in 1812 of Uxbridge Common

'...while it may have promised some pecuniary advantage to its promoters, cannot but be viewed, by every liberal mind, as a serious injury to many poor families in the neighbourhood...'.²³

The previous chapter which examined the nature of common rights, has established that common rights were not legally universal. However in describing their use we can see how legal right and use right conflicted and how benefits from commonland were widespread and not occasional.

²⁰ LMA. Acc 77/5. Harrow Anti-enclosure Broadsheet n.d.: c. 1798.

²¹ LMA. DRO 2/C1/2/1. Staines Vestry Minute Book 1802 - 1820. 25 September 1815.

²² LMA. DRO 9/G6. Uses of Cranford Heath. (1815)

²³ Redford, G. & Riches, T.H. History of the Ancient Town of Uxbridge (Uxbridge, Lucy, Reprint 1885) p 62. Originally published in 1818.

The evidence relating to the use of the commonlands shows how 'right' in its legal sense is not always reflected in their usage. This is an important point and it is perhaps best illustrated by the building of houses by and for the poor. The commons had in fact long been a resource for the poor to build their houses. In some cases this was done through a grant by the local lord of the manor. For example in 1657 William Aldman 'now old and past his labours', built a cottage on the waste at Harlington with the consent of George Berkeley.²⁴ In the same year the Hendon parish officers asked to be allowed to build a cottage for Daniel Lyon, his wife and seven children. Again this was agreed by the lord of the manor.²⁵ In 1658 James Taylor, a poor man with his wife and ten children were allowed to build a house on the Fulham waste with the consent of Samuel Harvey.²⁶ The economics of such decisions are clear; the recipients are poor and the house on the waste reduced the poor relief bill. However the other side of this story is the illegal encroachment by the poor in the form of their demand for building plots. This undoubtedly had a history of its own. In 1638 George Pitt was accused by Sir Gilbert Gerard of encouraging the poor to spoil his trees by granting copyhold status to the illegal cottages which they had built in Weald Wood.²⁷ At Hornsey the seventeenth century court rolls deal with many illegal cottages with 16 presented in 1654.²⁸ In 1660 attempts were made to remove 200 to 300 people who had illegally erected cottages on the waste at Enfield.²⁹ In fact the second half of the seventeenth century saw this

²⁴ Middlesex Sessions Book Calendar April 1657, no. 166, p 31.

²⁵ Ibid, October 1657, no. 171 p 38.

²⁶ Ibid, October 1658, no. 180, p 45.

²⁷ LMA. Acc 76/791.

²⁸ Marcham, Op Cit. pp 123-24.

access seriously curtailed. At Islington in 1663-64 the vestry enforced the statute against building cottages without 4 acres attached, while in 1676 the Hornsey homage forbade further grants of the waste for cottages for the poor.³⁰ However custom could still claim that if a cottage could be built from start to finish under the cover of one night, then the house could legally stand; such were the efforts of a Finchley carpenter in 1668.³¹ By the eighteenth century local parish authorities were looking harder at the issues of the poor building their houses on the wastes. However even as late as 1807 John Middleton complained of the Middlesex poor building their houses near the waste and perhaps alongside a scrap of woodland, often with the connivance of the lord of the manor and one or two copyholders in their temporary role of overseer, and then claiming rights of common.³²

The tradition of Beckett, Chambers, Gonner, Mingay and Tate derive the use of commons from documents which were produced to limit or exclude common rights. Such methodology has meant that as we approach the era of the parliamentary enclosure act we can be left with the impression that common right agriculture was self-modernising by moving towards the 'individual control of the land, the freedom in land use, and the compact and larger farm units associated with enclosed farms'.³³ In other words the land use of the parish immediately prior to enclosure by

²⁹ PRO. SP 29/22/153.

³⁰ Islington Central Library. Islington VMB, 1662 - 1708. YL 385/98379. p 10.
Marcham. Op Cit. p 174.

³¹ Dowdell, E.G. A Hundred Years of Quarter Sessions: The Government of Middlesex From 1660 to 1760 (Cambridge U.P., 1932) p 82.

³² Middleton, Op Cit. p 47.

³³ Chambers & Mingay, Op Cit. p 52.

parliamentary act is so like an enclosed parish that the formal enclosure changes little if anything in terms of a loss to the poor. The evidence for Middlesex is in fact the opposite as the case set out above clearly shows. The use of common and waste land was extensive both in terms of the geographical area covered by commons and common right, and in terms of what the land was used for. The wealth of contemporary Middlesex material enables us to make three concrete broad generalisations. These are; firstly that from the middle of the seventeenth century to around 1815, the Middlesex commons and waste were a source of material income, in the shape of fuel as well as grazing rights. Secondly that in citing evidence from Cranford, Edmonton, Enfield, Finchley, Fulham, Hanwell, Harefield, Harlington, Harrow, Hendon, Hornsey, Laleham, Staines, Stanwell, Tottenham and Uxbridge, we have to conclude that it does not make sense to locate the contemporary importance of common rights in only one or two parts of the county. Thirdly that that poor's activity of building their houses near the waste led to a probable large extension in the absolute numbers of commoners during much of this period as these people then adopted common rights themselves.

PART III**CHAPTER SIX****MIDDLESEX - ENCLOSURE OPPOSITION 1656 TO 1765****THE PRE-PARLIAMENTARY PERIOD**

Enclosure opposition and resistance in Middlesex was not a new phenomenon which erupted into being in the last years of the English republic. Evidence of resistance in the county can be traced as far back as 1264 when crowds of Londoners tore down the fences of Richard, Earl of Cornwall's park at Isleworth.¹ Over the next four centuries Middlesex commoners were willing to assert their rights of common in most, if not all, areas within the county.² The difference between pre and post 1656 enclosure resistance lies in the significance of the state's perception of common land as communal property. There is no doubt that prior to the republic much enclosure had taken place and that the crown itself was not averse to such action. However the Tudor legislation and the commissions into enclosures gave the impression that government was open to

¹ Calendar of the Patent Rolls: Henry III, A.D. 1266-1272 (London, H.M.S.O., 1913) p 285.

² Examples can be found at:
Harefield (1315). LMA. Acc 312/247, 276 and 31. (English transcription in Le Hardy, W. 'Harefield Deeds: Tarleton Family Documents.' TLMAS new series 10, 3 (1951) pp 244-51.

Hampstead (1319). Calendar of the Patent Rolls: Edward II, AD 1317-1321 (London, HMSO., 1903) III, pp 464-5.

Edmonton (1413-7). The Publications of the Selden Society: Select cases in Chancery (London, 1896) 10, pp 112-3.

Edmonton, Enfield, Hadley & South Mimms (Various 1400-600). D. Pam. Fight for Common Rights in Enfield and Edmonton 1400 - 1600 (Edmonton Hundred Historical Society, 1974) pp 4 - 5.

Enfield (1493). Pam. D. The Story of Enfield Chase (Enfield Preservation Society, 1984) p 20.

Islington (1513). Holinshed's Chronicle of England, Scotland, and Ireland (London, 1808) III, p 599.

Harefield (1561). Cockburn, J.S. & Baker, T.F.T. eds., A History of Middlesex (Oxford U.P., 1971) VCH. IV, p 80.

Enfield (1575). Jeafferson, J.C. Middlesex County Records (London, Middlesex County Records Society, 1886) o.s. I, pp 187-8.

Greenford (1613). PRO. STAC 8/140/4

Hanwell (1613). PRO. STAC 8/197/14.

Enfield (1613). Hardy, W. Le. cd. County of Middlesex, Calendar to the Sessions Records 1612-14 (London, Ernest Hart, 1935) n.s. I, p 22.

the idea of communal property and would open a number of enclosures which had removed common rights.³ In the seventeenth century this changed. In the localities this change had already occurred and once the social upheaval of the English Revolution had subsided, parliament gave landlords the encouragement of a legislature who saw 'improvement' in agriculture and the development of private property as a matter of policy.

During the struggles of the English Revolution both Enfield Chase and Hounslow Heath were threatened by enclosure. These were the two largest commons in Middlesex, (7,900 and 4,300 acres respectively) and attempts at enclosure were immensely resented by the commoners communities. Significantly both Hounslow and Enfield have associations with the 'digger' movement of the later 1640s. The diggers challenged property rights both in terms of private property and local common rights as examined in chapter four. As an ideology it was no doubt of the poor.

'They (the Diggers) are at work at Barnet and Enfield and they are resolved (that) if they will not let them plant and build, they will leave them (presumably the churchwardens and overseers) in Barnet, seven children, and at Enfield, nine children. They were better leave them than starve them, and themselves too... we hear that they are going to build in many counties and are resolved to pay no more rent, things are so dear they cannot'.⁴

³ Hughes, P.L. & Larkin, J.F. Tudor Royal Proclamations Volume I: The Early Tudors (1484-1553) (Yale U.P., 1964) Proclamation nos. 75, 110, 113-4, 119, 123, 309, 327-8, 373.

Hughes, P.L. & Larkin, J.F. Tudor Royal Proclamations Volume II (The Later Tudors (1553-1587)) (Yale U.P., 1969) Proclamation no. 560.

Printed returns to the Commission of 1517 for Essex (in English) and Warwickshire (in Latin) are printed in Tawney, R.H. & Power, E. Tudor Economic Documents Volume One (London, Longmans Green & Co., 1924) pp 11-16. Instructions to the Enclosure Commissioners who were appointed in June 1548, along with Hale's charge to the juries impanelled to present enclosures are also in this volume pp 39-44.

⁴ Pam. Enfield Chase p 66.

Any specific achievements of the Enfield diggers were unfortunately never recorded or were lost, although as mentioned earlier, (see above p 85) the restoration saw the parish authorities attempting to have many illegal cottages taken down. No other records of actual digger sites have survived for Middlesex, however Hounslow Heath along with Hampstead were planned as future digger colonies.⁵ Although no records were made or have survived to tell us the detailed fate of the Middlesex diggers, the tenacity of the commoners resisting enclosure in these areas earlier in the decade is impressive. In 1641 the House of Lords ordered a special enquiry and search

'in and about the several Towns and Hamlets adjoining near. [Hounslow Heath] for all such tumultuous Persons as have, in a very riotous Manner, endeavoured the disquieting of the said Possession, by pulling down the pales of the said Inclosures...'.⁶

Such activities are important to highlight during the English revolutionary period for they indicate the tensions and struggles of rural England at the time. R.C. Richardson's review of the 1976 edition of Brian Manning's The English People and the English Revolution 1640-1649 was essentially critical of Manning's approach but conceded that

'most [economic historians] will probably agree at any rate that "the central agrarian issue of the 1630s and 1640s and of the English Revolution [was] whether the land lords and the big farmers or the mass of the peasantry were to control and develop the wastes and commons'.⁷

⁵ Manning, B. 1649: The Crisis of the English Revolution (Bookmarks, London, 1992) p 122.

⁶ HLJ, 25 May 1641.

⁷ Richardson, R.C. Review of Manning, B. The English People and English Revolution in Agricultural History Review 26 (1978) p 144.

After the execution of Charles I and the establishment of the republic, the parliament at Westminster began the process of selling crown lands as a means to pay state debts, in particular the arrears for army wages; the chase at Enfield was thus to be sold. In November 1650 the inhabitants of Edmonton, Hadley and South Mimms petitioned the committee and trustees of the crown lands reminding them of the common right they enjoyed on the chase.⁸ The newly installed government put this potentially problematic sale to one side for the moment. However four years later the issue of troops' pay again pushed the government towards the sale of Enfield Chase and in November 1654 the Council of State ordered that one third of Enfield Chase be sold to pay army arrears.⁹ The Enfield commoners were of course in no hurry to lose their privileges and were vocal in their opposition. The military was used to quell the riotous tendencies of the commoners and in 1656 inhabitants were beaten by soldiers and some had their goods stolen.¹⁰ It was a further two years before commissioners were appointed to determine what rights existed on the chase and who could legally claim them. Between 1656 and 1658 the chase was surveyed with the state claiming 4,500 acres from a calculated area of 7,900.¹¹ Before the ink was dry on the survey 1,500 acres were sold to senior army officers many of which raised purchase money through buying

'poor Souldiers Debenters at 1s 6d. 2s. and 2s 6d. in the pound, and expect allowances for the whole Debenter, and interest for the same, when the poor Proprietors and Commoners have payed the

⁸ Madge, 'Rural Middlesex', pp 293-4.

⁹ Pam, Enfield Chase pp 68-9.

¹⁰ Petition of the Proprietors and Commoners of Enfield, Edmonton, South Mimms and Monken Hadley (1659).

A Relation of the Cruelties and Barbarous Murthers and Other Misdemeanors Done... Upon Some of the Inhabitants of Enfield, Edmonton, Southmymys, Hadley (1659) p 3.

¹¹ A Relation p 4.

greater Taxes to the Army for their Land, in regard of their Common belonging to their land: - And if the said Proprietors Common be taken away, their rents of their Lands will fall at least 10s in the Acre, whereby they will be less capable of paying taxes to the Army, and above 200 families who heretofore have maintained their families and payed Taxes to the Army, will be forced to take Alms of the said severall Parishes, and pay nothing at all towards the maintenance of the said Army: And many others will be forced to forsake their several places of habitation in the said several Parishes, in respect of the poverty of the places, by paying Taxes, and maintenance of the poor people, their just Rights being forced from them by strong hand'.¹²

The tensions of the winter of 1658 grew through the following spring and in July 1659 violence exploded across the district. Commoners at Enfield drove their cattle into the newly enclosed lands, completely ruining the corn crop of the new owners. Complaints of the illegal breaking down of the new enclosures brought troops from Colonel Sydenham's regiment of foot. The troops marched to Enfield where

'they received a great Assault from the Countrey, who fell upon them both with Pitch-forks, Long Sythes, Axes, and the like, being about eight score in number, with such inveterate Fury & violence, that the Souldiery (being but 15 in number, and seperated from the rest) were forced to retreat, but ten of them immediatly rallying, disputed the place from twelve of the clock, till towards One: in which desperate Conflict, many were wounded; amongst the rest the a fore-named Sergeant who commanded the Party, who was run through the Thigh with a Half-pike, cut in the Head, and wounded in the Body: so that falling to the ground, the rest being very much cut and wounded, yielded, having neither Powder nor Bullet left to Defend themselves: and being so mightily over-powered, were made incapable of any further resistance: So that this Bloody Conflict ended, a Guard was upon the prisoners, till they had cleared the Field of the dead Bodies, which is said to be two men and one woman of the Countrey-men side; besides many wounded; and one Souldier, the

Sergeant was carryed off in a Chair, but in a dying condition'.¹³

The republic had been a disappointment for the commoners in north-east Middlesex. The government had sought to enclose the major part of the chase and had been willing to use the military against ordinary people defending their common rights. The diggers had been active in Enfield during the late 1640s yet this disappointment led to the Enfield commoners of 1659 calling for the return of Charles Stewart'.¹⁴

With the restoration of Charles II in 1660 common rights were restored although violence was still present on the chase during the 1660s. In November 1660 the farms which had been set up during the English republic were subjected to a campaign of hedge breaking.

'Upon the Complaint of John Nolthorpe Esqr. that ye Inhabitants in and about Enfield Chase in the said County of Middx have already comitted many trespasses & abuses in breaking and destroying ye headges and fences of his ma:ties Lands within the said Chase now holden by the said John nolthorpe Capt Kempe & Lt Coll Allen their Agents or _____ : and doe threaten to comitt more trewsspasses and injuries there to his ma:ties Tenants and Inhabitants p|re|tending to be Countenanced therein by y Gent of Quality ___th may to the disturbance _____ of ye publique sevall as to his Mats name to will and authorise you to defend his mat:s possen and yor. owne p|re|sent enjoyment of his ma:ts Houses and Lands aforesaid: in yor. sevall townes together w.th ye Hedges mounds and ffences of the same. Hereby willing and requiring the Justices of y Peace Constables and other his ma:ts officers of ye. said County to be ayding and asisting unto you in y _____ and p|ro|tecton of the said Houses and p|re|sises agt. all attempts that that shall made by any p|er|son or p|er|sons to disturbe ye peaccable posson thereof and that notice hereof be given in the

¹³ Bloudy Newes From Enfield (London, 1659) p 5-6.

¹⁴ Pam. Enfield Chase p 75.

sevall p[ar]ish Churches after Divine service fully ended'.¹⁵

The commoners themselves were looking to re-establish a flexible 'customary' use of the chase as can be seen in several examples. In the early 1660s Robert White beat a gamekeeper who was attempting to impound his sheep.¹⁶ No doubt White felt aggrieved at such actions now that the chase had been spared systematic enclosure. Presumably White felt that the chase was now there for the benefit of himself and other locals. Also during the 1660s commoners continued to use the Chase as a fuel reserve. William Fairweather and his son were caught chipping trees and had their tools confiscated. It was of course to no avail and it was reported that they were soon back at work. John Clerke, an Edmonton smith, was caught cutting trees. When told to stop by the woodward he disregarded the order and simply continued. In 1669 Richard Garret, Nicholas Thompson and Robert James were all warned by the underkeeper to stop lopping trees on the Chase. They struck the underkeeper and continued with their work.¹⁷

The revolutionary period was a time of struggle between private property and common rights. Although the settlement of 1660 dictated ruling class adherence to private property, the Middlesex commoners were often militant in their defence of common rights. The pace of struggle between the enclosing landowner and local commoners can appear breath taking. No sooner had the common rights at Enfield Chase been restored by Charles II than the fate of the common fields were immediately put in doubt. Lord Rainton and other large local landowners in

¹⁵ PRO. CRES 6/2. 14 November 1660, ff 123-124.

¹⁶ PRO. DL 9/14.

¹⁷ Pam. Enfield Chase p 80.

the parish petitioned for enclosure of the Enfield common fields in 1660.¹⁸ Although unsuccessful in this attempt Rainton was influential as a local large landowner as well as being involved in politics as an unremarkable Middlesex MP between 1681-85.¹⁹ His local authority allowed him to make several enclosures on the Chase sometime after the restoration to the annoyance of the commoners. In 1672 commoners drove their sheep in Rainton's enclosures destroying ten acres of wheat and oats, and a further ten acres of grass. One of the commoners, a Mr Joseph Collet, threatened to open all Rainton's enclosures notwithstanding 'all Mr Raintons injunctions and all his perjured witnesses'.²⁰ The following year Rainton found himself involved in legal action against some of his more powerful neighbours, including the Duke of Albemarle who had taken offence at Rainton's enclosing activities.²¹

The fate of the smaller commons was also fought over during the revolutionary period. In 1670 Sir Thomas Chambers who had recently bought the manor of Hanworth complained that old enclosures were not being allowed to stand. During the 1630s Lord Cottington as lord of the manor had pursued a policy of enclosure. In 1631 he enclosed 40 to 60 acres of Hanworth Common²², and later in 1637 he received from the King a grant of free warren and licence to enclose 100 acres within his park.²³ The enclosures undoubtedly affected the commoners' material

¹⁸ PRO. SP 29/22/153.

¹⁹ Henning, B.D. The House of Commons 1660-1690 (London, Secker & Warburg, 1983) I, p 318.

²⁰ Pam. D. History of Enfield p 147. From PRO. DL 9/14. Joseph Collett was a sword cutler at St. Martins in the Field.

²¹ Ibid. p 148.

²² Nichols, J.G. 'Answer Filed in Equity Respecting the Park and Common at Hanworth, Temp Charles II', TLMAS (1860) o.s.1 p 185.

²³ PRO. C 66/2773.

income through the reduction of common pasture. During 1648 Cottington's enclosures were attacked by the people of Hanworth

'and other townes and places there nere adjoyning [who] did enter upon the said inclosed comon or wast ground... and did throw open the said fences, pulled downe the said pales, and pulled upp the said quicks, and the poore women did cutt downe the said trees planted thercon...'

The result was to re-open about 60 acres of land to common pasture.²⁴ In 1670 Chambers claimed that Cottington's enclosures should stand and that through his purchase of the manor these lands should be under his control and free of any common rights. He claimed that the Hanworth commoners had agreed to his predecessor's enclosing activity. The Hanworth commoners disagreed and counter-claimed that Cottington had originally attempted to evict several copyhold tenants by forcing them to show title in court, with Cottington 'pretending his court rolls were lost'. When the copyholders were able to show title Cottington attempted to bribe the commoners to agree consent to his plans for enclosure by offering reductions in rent and fines. He also offered to alter other manorial customs in their favour and pay ten shillings annually forever into the poor's fund. Forty years after Cottington's offer the Hanworth commoners claimed that Cottington had pressurised no more than four or five commoners into an agreement, however even though this handful of people were later to change their minds Cottington dyked and fenced around 60 acres of the best common land.²⁵ This was probably the land later forcibly re-opened by the commoners themselves. Cottington fled to Oxford during the civil war and died in 1653. Cottington's attempted bribes, threats and lies to the Hanworth

²⁴ Nichols. Op Cit. p 189.

²⁵ Ibid. 187-9.

commoners shows how this Master of the Wards, Constable of the Tower and Lord High Treasurer was willing to manipulate people and facts to improve his estate. Cottington's manipulative qualities were infamous and Clarendon believed that

'his greatest fault was that he could dissemble and make men believe that he loved them very well when he cared not for them'.²⁶

The struggle to retain the common rights at Hanworth continued after the Restoration and the Hanworth commoners responded to Chambers Bill of Complaint in 1670 through an Answer in Equity. The result of the case is unclear, however in 1745 the lord of the manor gave six shillings annually to the Hanworth poor in return for enclosing a portion of the waste. This may have been the realisation of the project 114 years later after Cottington had devised the plan.²⁷

Such resistance was not isolated and similar events elsewhere in the county demonstrate that the experiences at Enfield and Hanworth were not unusual. In 1666 the commoners at Harrow re-asserted their rights to 150 acres of common pasture in Weald Wood. The enclosure had originally taken place some sixty years earlier by agreement between the lord of the manor and his tenants. Weald Wood was said to be over grown and little use as common pasture at this time. As part of this agreement to the lords enclosure, commoners were to be allowed to clear trees and bushes from the wood thus improving the remaining lands potential for grazing. In 1666 a later generation of Harrow commoners decided they had no obligation to abide by an agreement made

²⁶ Clarendon, E. Earl of. History of the Rebellion and Civil Wars in England (Oxford U.P., 1849 ed.) V, p 171.

²⁷ Nichols. Op Cit. p 185.

so long ago and resolved to retake the land into common use. Edward Palmer, the lord of Harrow manor, complained that

'one Richard Page, Beni[j]amin Page, John Bror, John Edlig, Thomas Finch and Richard Aylord being or pretending themselves to be freholders, copyholders or tent's of ye Mannor of Harrow on ye hill howbeit they have or some of them have but very small Tentmt's these having a contentious spirit have combind and confederated together amongst themselves and others whose names your Orator cannot discover (wth when they shall bee discovered your Orator pray may be made parties thereunto) how to defcate and avoid ye said enclosures and in order thereunto have or some of them hath in a private manner throwne downe ye fences and Inclosures of parte of ye said enclosed p[re]mises [premises] and threaten to throw down ye rest and to lay that parte of ye said Weald Wood inclosed all open, and insist upon it yt [that] they are intituled to right of comon therein, and will not suffer your Orator Nicholl peaccably to enjoye ye p[re]mises [premises] soc to him and ye said Finch demised which doings of ye said confederacies are Incouraged in through an opinion they have, that ye agreement for ye establishing ye said Inclosure being made soc long since, and your Oratrice being an infant of tender years, when her said brother died, and ye said Mannor having passed through soc many psons [persons] since ye agrcement for their quiet enjoyment'.²⁸

Harrow commoners were unsuccessful and the lord of the manor won the subsequent lawsuit.²⁹ However tension in the parish remained over rights to wood. When the issue was raised formally in April 1675 the homage insisted that tenants had the right to plant and cut elm and ash trees on the waste in front of their houses. This view was upheld by the homage in the manor court.³⁰

²⁸ LMA. Acc 76/1022. Copy of a bill of complaint.

²⁹ LMA. Acc 76/1022-3, 2195.

³⁰ LMA. Acc 76/1013.

In one sense we can see the first twenty to thirty years after the restoration as a period of re-establishment of common rights on lands enclosed in Middlesex during the first half of the seventeenth century. This may at first sight appear a startling assertion. Especially taking into account the state's new found desire to promote enclosure to increase food production. It also raises problems with Ross Wordie's recent investigation into the chronology of English enclosure. Here the seventeenth century is described as 'the' century of enclosure, with 24% of the surface area of the country being affected at this time.³¹ Wordie may perhaps have attached too much importance to enclosure agreement records. The lords of Hanworth and Harrow in the 1630s had believed that permanent enclosures had taken place within their manors. Only further local research demonstrates that for a time in the latter half of the seventeenth century these lands were 'unenclosed' albeit for differing times scales in each case. At Enfield the threat of enclosure had been fought particularly bitterly. The tenacious commoners had won the chase as a common resource for a further 117 years. The events at Enfield, Hanworth and Harrow show that enclosure was not a foregone conclusion from the perspective of the enclosing lord and these cases illustrate in some detail the struggle to retain and re-assert common rights. However these were not isolated occurrences and other areas in the county were witnessing events which if less spectacular had similar results. In 1686 at Hampton the continuing presence of women in direct action activities is evidenced by the record of Mistress Gource, Mistress Dean and Widow Avery's censure for 'breaking pulling down and destroying of the ancient headges within this Honor and manor'.³² The reference made to 'ancient headges' once again point toward

³¹ Wordie, J.R. 'The Chronology of English Enclosure, 1500-1914'. Economic History Review 2nd series XXXVI, 4 (1983). See table on p 502.

³² Garside, B. The Ancient Manor Court of Hampton on Thames During the Seventeenth Century (Privately Printed, 1949) II, pp 18-9. The Hampton Manor Court Book for 1662-1669 is PRO. LR 3/40/5.

semi-established enclosures being re-opened. Such evidence points to the risk which enclosers ran even when an agreement had seemingly been effected. In 1691 the Enfield vestry agreed to Sir John Battle enclosing his common field land upon payment of £60 to the parish funds.³³ Local people strongly disagreed with the acquiescence of the vestry who had not represented the wider community in agreeing to such a deal. The commoners would now lose winter grazing rights due to the deal struck by the vestry. This was unacceptable and the commoners had destroyed the enclosures by 1703 thus re-opening the land to common usage and prompting Battle to appeal to the vestry to enforce their earlier agreement.³⁴

However we must not view resistance simply in terms of physical force. The ability of commoners to organise other forms of protest is impressive. Commoners engaged in fighting to retain their common rights were unlikely to be powerful individuals in themselves. If this were the case there would be little fighting needed to be done. Their strength came through shared resistance; the 'tumultuous persons' at Hounslow, the Enfield inhabitants which took on the military, the 'poor men, women and sons of tenants' at Hanworth, and those who 'combind and confederated together' to destroy the Harrow enclosures. A further manifestation of this sharing of the resistance to enclosure was the petition or signing of names to a resolution against a proposed enclosure. This act of identifying oneself with ones neighbours indicates the commitment which commoners gave both to their ideals of common usage and also their commitment to their fellow commoners. In 1689 the Enfield vestry resolved that

³³ EA&LHU. II2. Enfield VOB 1691-1744. 2 August 1691.

³⁴ Ibid. 14 June 1703.

'We, whose names are hereby subscribed, inhabitants of the parish of Enfield, do hereby promise and agree to stand by each other, in the behalf of ourselves and the rest of the parishioners, in endeavouring to restore our rights and privileges on Enfield Chase. And that the charge that we, or any of us, shall be at, about the recovery and setting of the same, shall be defrayed out of the parish stocks'.³⁵

There were 21 signatures attached to the resolution. This was perhaps the way in which many instances of enclosure resistance were initiated. In November 1703 the commoners of Monken Hadley opened a voluntary subscription to the threat of losing their common rights on Enfield Chase with each attaching their name.³⁶ Petitions of course consciously brought commoners together to fight as a group. This involved setting out demands and targeting their audience. Once organised commoners could exert pressure on their more powerful neighbours which may include influential landlords; thus in 1718 landlords petitioned against Major General Popper the ranger of Enfield Chase who had enclosed 30 acres of waste to the detriment of their tenants who had right of common there.³⁷ Popper became a hated figure of landlords, farmers and commoners alike in north-east Middlesex due to his enclosing and oppressive tendencies.³⁸ Like the lords Cottington, Rainton and Palmer, Popper found himself struggling to enclose, and keep enclosed, land previously used by generations of Middlesex commoners. It could be a humbling experience. When, during the late 1740s, Lord Halifax attempted to close the footways of Bushy Park at Hampton, a legal case was taken up against him by Tim Bennett. Bennett was a local shoemaker

³⁵ EA&LHU. H2. Enfield VOB 1691-1744. November 1689.

³⁶ BA&LSC. Monken Hadley VMB 1672-1712. 16 June 1703. This item is on loan from the Barnet Museum and subsequently has no accession number.

³⁷ LMA. Acc 349/123.

³⁸ When Popper asked for a commission of local gentlemen to help him to stop wood being stolen from the chase not one person would come forward. Pam. D. Enfield Chase p 106.

who, in taking on Lord Halifax, claimed himself 'unwilling to leave the world worse than he found it'. Lord Halifax gave way and access was once again assured to all wishing to enter.³⁹ Bennett remained a part of Hampton folklore throughout the nineteenth century and in 1900 he was commemorated by a memorial erected in Sandy Lane by local people which bears the inscription:

'In memory of Timothy Bennett shoemaker of Hampton Wick. By whose efforts the adjoining footpath was preserved for the use of and enjoyment of the people'.⁴⁰

The evidence shows that the commoners of Middlesex used a variety of ways to resist enclosure between 1656 and 1765. These range from petitions, using the manor and central legal courts, fence breaking and threats of fence breaking, establishing funds and confronting the military. Impressive as this list may be we cannot detect much evidence that commoners of one parish lent support to commoners of another who had been threatened with enclosure during this period unless the commons under investigation had use rights for two or more parishes. Their solidarity and organisations tended to be restricted to local alliances within the parish or the manor. The one movement which offered such unity was the digger movement of the late 1640s which had a local site at Enfield and apparently had plans for further sites at Hounslow and Hampstead; by the mid 1650s the movement was lost and the voice of universal commons extinguished.

³⁹ Trent, C. *Op Cit.* p 236.
Thorne, J. Handbook to the Environs of London (Bath, Adams & Dort, 1970). p 69. Originally published in 1876.

⁴⁰ Anstead, C.M. & Heath, G.D. Bushy Park - Victorian Playground of the People (Borough of Twickenham Local History Society, 1965). p 3.

CHAPTER SEVEN**MIDDLESEX - ENCLOSURE OPPOSITION 1766 TO 1825****THE PARLIAMENTARY PERIOD**

The era of English parliamentary enclosure is recognised as c. 1750 to 1830 and closely resembles the period covered in this chapter.¹ Although Middlesex commoners had opposed earlier enclosure attempts by landlords or large farmers, these attempts had in the main related to the odd 50, 100 or 150 acres. Attempts at general enclosures in Middlesex which used the mechanism of a parliamentary act prior to the mid eighteenth century were rare. In fact there were only two attempts of large scale general enclosure in Middlesex up to this point. One of these relates to an act of parliament to enclose Hounslow Heath in 1545. Although Henry VIII was personally in favour of the proposed enclosure at Hounslow, the only lasting effect of this measure appears to have been the establishment of agreed boundaries between those parishes which bordered the heath.² The second was the unsuccessful attempt to enclose the Enfield common fields in 1660. Parliament however was not to be denied its role in dividing the commonlands of England although it was not until the eighteenth century that it became the supreme determinant in the enclosure and division of land. Marx as usual gave a more direct analysis.

¹ For example:
 Toynbee, A. Lectures on the Industrial Revolution in England (London, Rivingtons, 1884) pp 38-39.
 Hammonds. *Op Cit.* (Covers the period 1760 - 1832).
 Turner. Enclosures in Britain (covers 1750-1830).

² There was some form of unspecified trouble when gates were set on the heath when the act was passed.
 Act to Enclose Hounslow Heath: 37 Hen. VIII c.2. The act is reproduced in Foot, *Op Cit.* pp 34-37.
Letters and papers, Foreign and Domestic: Henry VIII Addenda, I:ii, p 574.
 Reynolds, S. ed., A History of Middlesex (Oxford U.P., 1962) VCH. III, p 94. From Syon House MSS.

'The advance made by the 18th century shows itself in this, that the law itself becomes now the instrument of the theft of the people's land, although the large farmers made use of their little independent methods as well. The parliamentary form of the robbery is that of Acts for enclosures of Commons, in other words, decrees by which the landlords grant themselves the people's land as private property'.³

By the mid 1760s the Middlesex local elite had the now established legal tool of the parliamentary act to further the cause of agricultural improvement and capitalist property rights; it was to the parliamentary act that enclosers now looked.

The role of parliamentary enclosure opened the opposite, (although not equal) mechanism of the counter petition to parliament and it is perhaps useful to begin this chapter with a discussion on the role of counter petitions. Both right and left wing historians have questioned the use of counter petitions by commoners; Chambers, Gonner, Mingay, Neeson, Tate and Thompson have all played down the use of counter petitions in respect to both their numbers and their effectiveness. Much of this stance has been taken on the basis of Tate's investigation of counter petitions in Nottinghamshire which concludes that a petition for enclosure was rarely met with a counter petition.⁴ Tate criticises the Hammonds for giving the impression that counter petitions were a common and numerous method of protest and resistance by commoners. He points out that the Hammonds refer to 17 petitions for enclosure, 30 counter petitions and 12 subsequent enclosure acts.⁵ Tate's criticism was that such a proportion between petitions for and against

³ Marx, Op Cit. pp 677-8.

⁴ Tate, W.E. 'Parliamentary Counter Petitions During the Enclosures of the Eighteenth and Nineteenth Centuries', English History Review 59 (1944) p 402.

⁵ Tate, W.E. 'Parliamentary Counter Petitions', p 398.

enclosure, and any subsequent acts was inaccurate. In essence Tate's complaint was that the Hammonds' use of counter petitions over emphasised any opposition to enclosure. However such a conclusion is arrived at only by oversimplifying the Hammond's analysis. They were not unaware of the difficulties which faced a community of commoners who desired to petition parliament, in fact they were explicit and asserted that:

'Difficulties of time and space would as a rule deter all but the rich dissidents, unless the enclosure was near London'.⁶

Tate was aware of this and indeed quotes the above passage from the Hammonds himself.⁷ However he then misses the very point which the Hammonds were making which was to explain the fate of the village labourer under the British government between 1760 and 1832. A pertinent question to ask during such a study has to be, *what notice did the British government take of landless and smallholder commoners during this period?* The most direct discourse between poor commoners and parliament was the former's counter enclosure petitions and the latter's subsequent disregard of them. It is then no criticism to accuse the Hammonds of not mentioning those bills which saw no parliamentary opposition as such evidence gives no specific indication of parliament's attitude to the village labourers; only the general attitude articulated by Thompson's 'alien culture' thesis which excluded the labourers from any role in the decisions of government at all.⁸ Nevertheless Tate appeared to see the issue of counter-petitions as absolutely crucial in undermining the general thrust of resistance to enclosure as argued by the Hammonds. Such a stance enabled later historians to gloss over much of the class analysis of the Hammonds by

⁶ Hammonds, *Op Cit.* p 23.

⁷ Tate, W.E. 'Parliamentary Counter Petitions', p 397.

⁸ Thompson, *The Making* p 240.

quoting Tate's work on parliamentary records. Tate himself investigated the House of Commons Journals and established that for Nottinghamshire there were 179 petitions to bring in enclosure bills, only 9 counter petitions and 129 subsequent enclosure acts.⁹ This shows that of the petitions to promote enclosure in Nottinghamshire only 5% met with counter-petitions. Neeson's study of Northamptonshire shows that 18 counter petitions were sent to parliament during the period 1750 - 1815 amounting to 11% of enclosure acts coming up against this type of opposition throughout the county.¹⁰ In Middlesex the picture is different. The following table below shows the Middlesex petitions to bring in enclosure bills and contrasts these to counter petitions and subsequent enclosure acts.

TABLE 1 - MIDDLESEX ENCLOSURE DATA:

PROMOTION PETITIONS/COUNTER-PETITIONS AND ENCLOSURE ACTS ¹¹

Petitions to bring in a bill of enclosure	Counter petitions	Enclosure acts
60	22	30

This appears to confirm the Hammonds point that counter petitions increased in number in those counties nearer London; Nottinghamshire 9, Northamptonshire 18 and Middlesex 22. In percentage terms the difference in the use of counter enclosure petitions against petitions to bring in bills of enclosure were Nottinghamshire - 5%, Northamptonshire - 11%, and Middlesex - 37%. Thankfully Turner and Wray have compiled a table setting out parliamentary enclosure bills, acts and counter petitions for all English counties from 1730 to 1839. As we may expect the data

⁹ Tate. 'Parliamentary Counter Petitions', pp 398-9.

¹⁰ Neeson. Commoners p 271.

¹¹ For details see Appendix 1.

presents a complex pattern and there are cases which seem to confound the idea that the further from London the less counter petitions will have occurred, (for example 1 counter petition from Rutland and 13 from Durham). However overall the trend firmly vindicates the Hammonds' assertion that counter petitions were more common in those counties close to parliament.¹² However Tate was right when he pointed out that an anti-enclosure petition may not be against enclosure *per se*, but may be a petition of a large landowner against certain aspects of a particular bill, which if modified would become acceptable. Therefore it is important to compare the Middlesex data against the criteria set by Tate in relation to the Nottinghamshire information, (see Table 2 overleaf). We could be pedantic and point out that initially Tate's article mistakenly claimed that only 8 counter petitions exist for Nottinghamshire for the parliamentary period and later confirmed there were 9 petitions for enclosure met by 11 counter petitions. This is a small point and takes nothing away from the assertions which Tate was making; these were that it was extremely rare for an enclosure petition to be met by a counter petition, and that only about a third of those counter petitions represented the organised opposition of smallholders.¹³ The data for Nottinghamshire is set out in the table overleaf.

¹² Turner, M.E. & Wray, T. 'A Survey of Sources for Parliamentary Enclosure: The House of Commons Journals and Commissioners Working Papers', *Archives* XIX, 85 (1991) p 261. However Turner & Wray give only 18 counter petitions for Middlesex where I have found 22. See Appendix 1 for Middlesex counter petitions.

¹³ Tate, 'Parliamentary Counter Petitions etc.', p 402.

TABLE 2 - NOTTINGHAMSHIRE ENCLOSURE DATA: COUNTER PETITIONS ¹⁴

Petitions to bring in a bill of enclosure - place	Number of counter petitions	Details of counter petition (including year)			Date of subsequent enclosure act
		Smallholders	Single/large landowner-farmer	Joint petition; indicates possible inclusion of some smallholder opposition	
Everton	2	1759	1759		1759
Mattersley	1	1770			1770
Misterton and Stockwith	1			1771	1771
Calverton	2	1772	1772		1772
East Leake	1			1781	1798
Kirkby in Ashfield	1		1796		1796
Lenton and Radford	1		1796		1796
Morton And Fiskerton	1	1803			1842 (under 1836 General Act)
Spalford and Wigsley	1		1813		1813
	11	4	5	2	

Tate's argument regarding counter petitions depends upon whether his Nottinghamshire evidence provides a fair sample from which one can draw country wide conclusions. We can begin to test this hypothesis by looking at a similar breakdown of Middlesex data under the same headings, (see Table 3 overleaf). This presents a very different picture from the one which was popularised by Tate and which has invariably been used by later historians to establish the lack of enclosure resistance in general and parliamentary resistance in particular.¹⁵

¹⁴ Ibid, p 399.

¹⁵ For example Chambers and Mingay, Op Cit. pp 86-7 uses Tate's evidence to conclude that there was little in the way of 'organised protest' against the work of the enclosure commissioners.

TABLE 3 - MIDDLESEX ENCLOSURE DATA: COUNTER PETITIONS ¹⁶

Petitions to bring in a bill of enclosure - place	Number of counter petitions	Details of counter petition (including year)			Date of subsequent enclosure act
		Smallholders	Single/large landowner-farmer	Joint petition: indicates possible inclusion of some smallholder opposition	
East Bedfont	1		1813		1813
Cranford	1		1818		1818
Enfield Chase	3		1777 (3)		1777
Enfield	1	1801			1801
Finchley	1			1811	1811
Hanworth, Feltham & Sunbury	1	1800			1800
Harmondsworth, Cranford & Harlington	1		1802		---
Harrow	1	1802			1803
Hillingdon	1	1812			1812
Hornsey	1	1813			1813
Ickenham	2		1780 (2)		1780
Isleworth	1			1813	1813
Lalcham	2	1767			1774
		1774			1774
Ryslip (Ruislip)	2	1769		1769	1769
Stanwell	3	1769 (3)			1789
	22	11	8	3	

Two issues are immediately raised by this data. First the evidence for Middlesex shows a higher proportion of smallholders involved in counter petitions than Tate's examples. In Middlesex 64%

of the counter petitions are either those of smallholders or include smallholder support. This figure actually increases slightly if we consider petitions outside the confines of the House of Commons Journals. In 1811 the Harefield commoners petitioned the House of Lords against the proposed enclosure of 700 acres of rough pasture.¹⁷ Some fourteen years later an undated abstract of a petition to the House of Commons printed c. 1824/5, complained of the injustice of the loss of common fishing rights under the 1824 West Drayton enclosure act.¹⁸ This takes the number of counter petitions to both houses of parliament to 24 and the percentage of counter petitions of smallholders or with smallholders support to 67%. The second issue is that counter petitions rarely resulted in enclosure being defeated. Enclosure was postponed by twenty three years at Stanwell (1766 to 1789); and seven years at Laleham (1767 to 1774).¹⁹ After this time petitions appear to have little or no effect. The reason for this is unclear but it may have been that enclosers had learned to plan their activities more effectively and thus minimise legal procedural objections. Unfortunately it is difficult to be decisive on this point as the available sample is small; the 1760s and 1770s not being a popular time for parliamentary enclosure activity in Middlesex.

Evidence of resistance to enclosure in the form of the heads of counter petitions which were printed in the House of Commons Journals, are in themselves only one type of evidence which the commoners left behind.²⁰ The same journals also demonstrate the lack of enthusiasm for

¹⁷ HLRO. House of Lords MSS. Main Papers, 24 July 1811.

¹⁸ LMA. Acc 539/145.

¹⁹ See table on previous page.

²⁰ Many of the original petitions were destroyed in the fire which occurred in the House of Commons in 1834.

enclosure in a less direct form. This can be determined from an examination of the petitions to bring in enclosure bills, and the introduction of the bills themselves which are subsequently not proceeded with. This indicates a low level of support for these particular enclosure proposals. In some instances other surviving material explains the full extent of opposition while in other cases we simply know that the level of opposition was greater than the level of support. Table 4 summarises the proposed enclosures in the form of either pro enclosure petitions, or bills for enclosure which did not have enough support to result in a parliamentary act.

**TABLE 4 - MIDDLESEX ENCLOSURE DATA: PARISHES
WHERE PRO-ENCLOSURE PETITIONS/BILLS FAILED** ²¹

Parish	Date	Item	Subsequent event/s (Defined re: the Royal Commission on Common Lands 1955-58. (*acreage as Urban Commons and commons).
Acton	Nov. 1814 Feb. 1815	Petition to bring in a bill Bill presented	Common fields remained open until 1859. Old Oak Common enclosed by purchase by the early 1860s: * 9.7 acres.
Ealing	Nov. 1814	Petition to bring in a bill	Ealing Common: * 47 acres.
Fulham (& Hammersmith)	Mar 1801 Nov. 1814 Feb. 1815 Feb. 1816	Petition to bring in a bill Petition to bring in a bill Bill presented Petition to bring in a bill	Little Wormwood Scrubs: * 22 acres. Wormwood Scrubs: *183 acres. Shepherd's Bush Common: *8 acres. Eel Brook Common: *14 acres.
Harmondsworth Cranford & Harlington	Mar 1801 Feb. 1802 Mar 1802	Petition to bring in a bill Petition to bring in a bill Bill presented	Enclosed by act in 1805 Enclosed by act in 1818 Enclosed by act in 1819
South Mimms (with East & Chipping Barnet)**	Feb. 1807	Petition to bring in a bill	Wash Lane Common (Potters Bar) *14 acres.
Staines	Nov. 1814 Feb. 1816 Feb. 1825 Mar 1825	Petition to bring in a bill Petition to bring in a bill Petition to bring in a bill Bill presented	Common fields enclosed in 1836 under General Act 1836 Staines Moor still open and designated as an area of Scientific Interest. *289.4 acres.
** - East & Chipping Barnet (Herts.) were subsequently enclosed in May 1815			

²¹ The sources for each petition of a bills and the bills themselves are given in detail at Appendix 1. Information as to the fate of commonland within the each appropriate parish is taken from Stamp and Hoskins, *Op Cit.* pp 141-143 and pp 298-299.

While we need to be aware of the parliamentary evidence, we should also appreciate that commoners did not strictly think in terms of 'either/or' parliamentary resistance; but of 'also'. For example fence breaking was fairly widespread in Middlesex, although the timing of it during the enclosure process may have varied. Fences were broken in 1766/7 at Stanwell at the same time that petitions complaining of the enclosure were sent to parliament. In 1812 fences were broken at Heston and this coincides with the petition for the enclosure of Heston, Isleworth and Twickenham.²² However at Harrow, enclosed by act of 1803, fences were broken in 1810 and this shows that such action occurred well after parliament's involvement.²³

The increase in parliamentary enclosure during the French War years becomes far more intense than at any other period. The national interest and agricultural improvements become one, and to oppose enclosure became almost a matter of treason. Sir John Sinclair, the President of the Board of Agriculture moved effortlessly from the battle of war to an attack on commonlands.

'Why should we not attempt a campaign also against our great domestic foe, I mean the hitherto unconquered sterility of so large a proportion of the surface of the kingdom... let us not be satisfied with the liberation of Egypt, or the subjugation of Malta, but let us subdue Finchley Common; let us conquer Hounslow Heath; let us compel Epping Forest to submit to the yoke of improvement'.²⁴

Elie Halevy rightly draws attention to this 'invincible enthusiasm'. The period 1793 to 1815 saw an increase in parliamentary activity both in Middlesex and the country at large; indeed for both

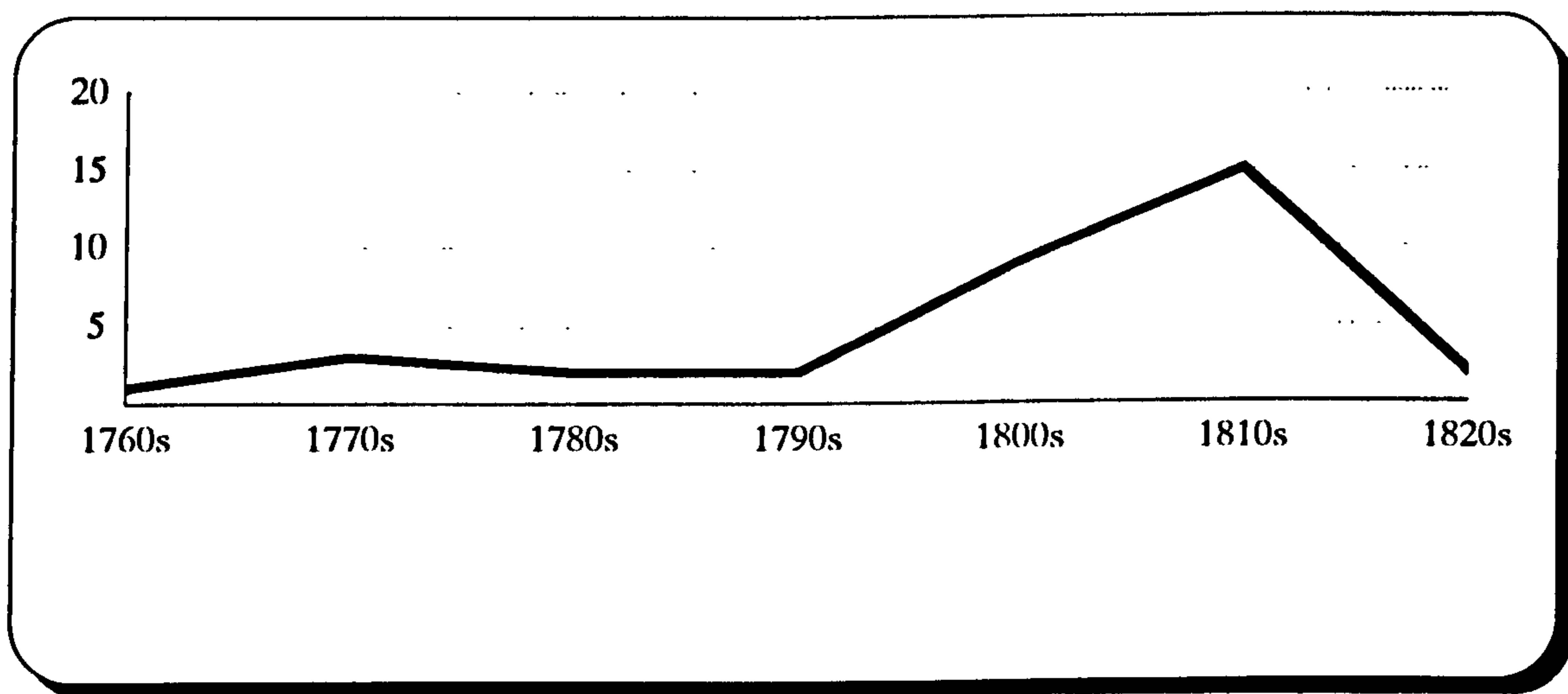
²² 'How the Heath Was Enclosed', Heston, Middlesex Chronicle 30 August 1957.

²³ LMA. DRO 3/III/1. The 'Association for the Prosecution of Felons' Harrow Notebook. 28 September 1810.

²⁴ Sinclair, Sir J. Memoirs of Sir John Sinclair II, p 111. Quoted in Halevy, E. England in 1815 2nd edition (London Ernest Benn Ltd., 1949) p 230.

this period was the most intense.²⁵ Following the majority of the writers reporting to the Board Of Agriculture in the 1790s, the Middlesex reporters echoed the cry for enclosure and the removal of customary rights, (see chapter nine). This move towards parliamentary enclosure in Middlesex during the French war years did not really take off until the first years of the nineteenth century. This was not because local landholders had no taste for enclosure, simply that parish wide compliance was not easily achieved. The graph below illustrates the importance of the Napoleonic war period in terms of Parliamentary enclosure in Middlesex.

FIG 2. PARLIAMENTARY ENCLOSURE (BY DECADE) IN MIDDLESEX BY NUMBER OF INDIVIDUAL ACTS 1760-1830²⁶



We have already surveyed those parishes where pro-enclosure agitation was unsuccessful in securing a parliamentary act. In other cases opposition was also successful in slowing down enclosure and are summarised in Table 5 overleaf.

²⁵ Turner, M.E. English Parliamentary Enclosure (Folkstone, Davidson & Sons, 1980) pp 76 and 194-5.

²⁶ Of the 24 enclosure acts passed between 1793 and 1815 in Middlesex, 22 took place between 1800 and 1815. See Appendix 1.

**TABLE 5 - MIDDLESEX ENCLOSURE DATA: TIME DIFFERENCE BETWEEN
EARLIEST RECORD ATTEMPT AT PARLIAMENTARY ENCLOSURE AND
SUBSEQUENT ACT ²⁷**

EARLIEST PRO-ENCLOSURE EFFORT	YEAR	YEAR OF SUBSEQUENT ACT	DIFFERENCE IN YEARS
Cranford	1801	1818	17
Hanwell	1792	1813	21
Harrow	1796	1803	7
Harefield	1806	1812	6
Harmondsworth	1801	1805	4
Harlington	1801	1819	18
Hayes	1799	1809	10
Hillingdon	1806	1812	6

However we are now in danger of committing the sin of reducing history into a series of lists or tables. The statistical element of the Middlesex enclosure material was collated to establish the widespread difficulty which enclosers met in pursuing their goal. Sometimes the surviving evidence allows us only a dim view of resistance. For example at Acton the vestry unsuccessfully pressed for enclosure in 1794, 1805 and 1813.²⁸ In 1815 the would be enclosers managed to get as far as presenting a bill for enclosure to the House of Commons. It was to no avail, the common fields still covered a little under 352 acres as late as 1842.²⁹ Rights of common over the

²⁷ The earliest records of parliamentary enclosure being promoted for these parishes are:
Cranford, Harlington and Harmondsworth - enclosure bill 1801. WD&DLHS. No reference number.
Hanwell - meeting of freeholders and copyholders. ELHL. Acc 89/3 Hanwell VMB 1780-96. 10 June 1792.

Harrow - broadsheet. LMA. Acc 76/221. 223-5.

Harefield - petition to bring in a bill - HCJ. Vol. 61, p 70.

Hayes - petition to bring in a bill - HCJ. Vol. 54, p 32.

Hillingdon - petition to bring in a bill - HCJ. Vol. 61, p 32.

²⁸ LMA. DRO 52/153. Acton VMB 1775 - 1801. 22 Apr. 1794.
ELHL. Acc 84/2. Acton VMB 1801-20. 16 Oct. 1805 and 6 Oct. 1813

²⁹ PRO. IR 29/21/1. Also see Harper-Smith, A.T. Acton Fields and Farming, II: The Common Fields (Privately printed, 1989) p 13. Enclosure at Acton generated little enthusiasm and when meetings were called to discuss enclosure during the late 1820s they were poorly attended. Ibid, p 7.

Acton arable fields were enclosed in 1859 under the 1836 General Enclosure Act, and the waste through purchase in 1863.³⁰ However to really assess the opposition we must take a closer and more in-depth look at a number of cases where detailed evidence has survived. The following are really mini-case studies which examine the evidence in some detail of three parishes which were enclosed or threatened with enclosure during the French war period. In order of appearance the parishes are Hanwell, (a mixed agricultural parish situated in the central part of the county) Harrow (predominately a hay parish in the north of the county) and Staines, (predominately an arable parish in the south of the county).

Hanwell was enclosed by act in 1813. The enclosure consisted of 350 acres, including around 95 acres of waste making up the Hanwell Heath. Moves to enclose the parish can be traced back over twenty years previously to 1792. In January of this year the vestry discussed applying for a bill to enclose the parish. A letter was duly circulated by the vestry clerk to all tenants of the manor inviting them to discuss the matter at the Coach & Horses Inn later that month.³¹ Unfortunately no minutes of the meeting itself remain, however the vestry recorded that the meeting had decided against the idea of enclosure and the vestry now adjourned the question of enclosure in the parish 'sine die'; that is to say without setting a further date.³² Either the tenants themselves were against enclosure on their own behalf, or there were concerns that enclosure would not be popular with the parish at large. The second proposition must be given some

³⁰ Ibid. p 10.
LMA MR/DE ACT 1.
LMA. Acc 531/56. 60.

³¹ ELHL. Acc 89/3. Hanwell VMB 1780-96. 10 Jan 1792.

³² Ibid. 21 Mar 1792.

credence. As early as 1783 the parish had set up a reward system against crime in the parish with funds from the poor rate being used to supply the finance. The system was reaffirmed in 1801 and 1812 against 'depredations' being committed in the parish.³³ However not all crimes could be grouped under the heading of simple rural theft. Tensions within the parish are evidenced by threats to the property of William Harwood and other landowners of the parish in 1787. Magistrates were informed and the parish officials had a prime suspect in one Thomas Saxton. It is unlikely that Saxton would have burgled any of the landowners he mentioned in his letter; thieves do not make a habit of warning their potential victims and the incident is more likely to be some form of parochial discontent.³⁴ More significantly were the growing tensions surrounding the issue of regulation in the common fields. In June 1789 the vestry attempted to enforce an order made in 1687 regarding the maximum number of sheep to be kept on the commons. The stint was a maximum of ten sheep for each landless cottager; for the landowners there were to be two sheep for each acre of arable, and three sheep for each acre of pasture. It was necessary for the order to be read again three times in November that year. Indeed on the third occasion four cottagers verbally refused to acknowledge the stint.³⁵ This is perhaps not surprising. Customary usage had perhaps now surpassed the stinted arrangements and the vestry's actions were now curtailing the cottagers access to the commons. The parish officers however were not successful in enforcing the resolution regarding the numbers of sheep on the common, and there were further readings of the order in July 1791, November 1793, and March 1794.³⁶ In September 1796 the

³³ Ibid. 11 June and 15 Dec. 1783.
ELHL. Acc 13/10. Hanwell VMB 1800-04. 19 July 1801.
ELHL. Acc 13/9. Hanwell VMB 1807-28. 2 Sept. 1812.

³⁴ ELHL. Acc 89/3. Hanwell VMB 1780-96. 15 August 1787.

³⁵ Ibid. 17 June 1789, 6, 20 and 24 November 1789.

matter was passed to the lord of the manor as the vestry was unable to punish transgressors.³⁷ In 1798 there is further evidence of the struggle to enforce customary rights by commoners. A lock and chain had been attached to the gate leading into the common South Field. Around two-thirds of this field was owned by one farmer; a Mr George. The lock and chains were a serious impediment to Hanwell commoners and it was reported to the vestry in August that

'...they were taken off and the cattle belonging to a great number of parishioners were turned in. He [Mr George] has 47 Acres of 65 it seems that not only them that have Land in that field, but also that all occupiers of land in other parts of the parish set up a Right of turning into the field.'

The result was yet another attempt to put in force the 1687 stint.³⁸

Although it was not until June 1808 that the vestry resolved to promote a general enclosure there had been moves in the earlier part of the nineteenth century to map and survey the parish.³⁹ The mapping and surveying of the parish was usually the first step made by the commissioners once an act for enclosure was obtained.⁴⁰ However it was of course useful if this could be done prior to the drafting of an enclosure bill as a guide for demonstrating the economic benefits to any landowning opponents by comparing the survey with the proposed outcome of the enclosure. Such a pre-enclosure map and/or survey could be perceived as the first material stage in the enclosure process. In April 1803 it was agreed that Hanwell parish should be properly surveyed and mapped.⁴¹ The following month Thomas Greame, a professional surveyor attended the

³⁶ Ibid. 11 July 1791, 14 Nov. 1793 and 30 Mar 1794.

³⁷ Ibid. 22 Sept. 1796.

³⁸ ELHL. 15/1. Hanwell VMB Transcript 1785-1800. 31 August 1798.

³⁹ ELHL. Acc 13/9. Hanwell VMB 1807-28. 19 and 26 June 1808.

⁴⁰ Gonner, *Op Cit.* p 77.

vestry. He was engaged to map the parish and Mr Grimault the parish surveyor was to assist him by estimating the value of the houses. Mr Grimault refused to work with Mr Greame and a Mr Bent was to act in his place.⁴² By November 1803 the first draft of the parish was complete. However this survey, which would have been a material benefit to those in favour of enclosure was 'taken away, or misplaced' in June 1805.⁴³ The documents were never recovered, and the vestry discussed the need to purchase new copies. This was done with some determination in January 1806, as the copies 'would be a work of some trouble and charge'.⁴⁴ Hanwell was eventually enclosed in March 1813. However the villagers were unwilling to lose their commons and made a final attempt to regain access. In May 1813 sporting events were arranged on Hanwell Heath and the vestry was forced to urge the constable and headboroughs '...to use their utmost exertions to prevent the lads of this Village from assembling on the Heath on Sundays playing at Cricket & c-'.⁴⁵ The proximity of the Hanwell enclosure act (March) to the action against the sportsmen (May) indicates that it was the trespassing on newly enclosed land rather than Sabbath breaking which was the issue at stake.

Harrow was first threatened with parliamentary enclosure in 1796. These plans were however dropped. Why this was so is open to debate; one account is that disagreements about allotments led landowners to disagree⁴⁶, another that strong opposition itself demolished the plans.⁴⁷

⁴¹ ELHL. Acc 13/10. Hanwell VMB 1800-04. 14 April 1803.

⁴² Ibid. 20 Nov. 1803.

⁴³ ELHL. Acc 13/11 Hanwell VMB 1804-07. 16 June 1805.

⁴⁴ Ibid. 20 Jan 1806.

⁴⁵ ELHL. Acc 13/9. Hanwell VMB 1807-28. 19 May 1813.

Whichever case is accepted there is no doubt that resistance to enclosure was soon organised. Indeed a semi permanent organisation was established known as the 'Association For Opposing The Harrow Inclosure'.⁴⁶ The Association described the proposed enclosure as 'generally obnoxious'. There is also no doubt that the initiation of the enclosure was the work of a few of the wealthier members of the Harrow landowning community. This group, led by Lord Northwick as lord of the manor, met in Chancery Lane where they discussed the issue in some detail. At this meeting they decided the composition for tithes, drew up heads for the bill, ordered the same to be prepared, and that a petition for enclosure be presented to the House of Commons. They also appointed solicitors for the bill and nominated two commissioners for the enclosure. Other proprietors who at the time were unaware that these proceedings were taking place were later notified of the decisions taken on their behalf and were requested to attend a general meeting by this small elite pro-enclosure group. The task of the meeting became clear. As soon as anyone began to discuss the pros and cons of enclosure they were told

'immediately in a very rude and unhandsome Manner ...that the Meeting was not called to debate whether an Inclosure would be advantageous or not, nor to consider of the Proposals for compounding for Tithes, &c. &c. but merely to appoint a third Commissioner.'

Those speaking in favour of the bill were confident in their manner and suggested that those who disapproved could leave as they were determined

'...to proceed with the Bill, whether the Proprietors at large approved the Measure or not, having SUFFICIENT WEIGHT OF PROPERTY ON THEIR SIDE to overcome all Opposition!'

⁴⁶ LMA. Acc 76/2223.

⁴⁷ LMA. Acc 77/2221

⁴⁸ A copy from the title page of a leaflet/broadsheet produced by the Association is at Appendix 5.

The pro-enclosure group had seemingly misread the situation and their smugness and confidence outraged the majority present at the meeting. A number of people who were originally disposed in favour of the proposed enclosure joined with those who were against the project. The pro-enclosure group sulked out of the meeting and those against the enclosure then discussed what they should do to resist the larger landowners. This group resolved that the measure would be highly detrimental; the resolution was immediately signed by forty people who were present at the meeting, and a further sixty proprietors, freeholders and copyholders at a later stage.⁴⁹ This was the basis of the Association.

For their part the 'Friends Of The Bill', as the pro-enclosure group called themselves, dismissed the allegations which the Association had made against them. These allegations primarily concerned the unfairness of a select group deciding the affairs of the majority⁵⁰, the loss of common rights for the commoners and the poor, the cost of the enclosure itself, and the expectation of an increase in the poor rates.⁵¹ These issues the Friends argued were not particular to the parish of Harrow and should not carry any more weight in this particular case. They also claimed that the poor's confidence lay with them although they give no evidence or reasons why this should be so.⁵² The Friends also denied that their attitude was dismissive of the concerns of the smallholder. Certainly the situation was not as simplistic as the claims and counter claims of

⁴⁹ Ibid.

⁵⁰ LMA. Acc 76/2223.

⁵¹ LMA. Acc 77/6b.
LMA. Acc 77/5.

⁵² LMA. Acc 77/6b.

the Association and the Friends initially made out. Many members of the Association possibly had no particular distaste for enclosure itself, rather they were against the manner in which the Friends were operating and the specific conditions which were being promoted regarding tithes and allotments for the lord of the manor. The Friends were aware of this and refer to the possibility of the Association being satisfied with a modification of the terms as discussed at a meeting at Stanmore in 1802.⁵³ Thus the solicitors who were working for the supporters of the bill believed that if the specifics of the bill were changed they could secure agreement with the leaders of the Association. However a third group was active in this fight regarding enclosure. Of this group we have the smallest amount of detail, although we know for certain that they existed. These were the smallholding tenants who were not prepared to lose their rights of common as they saw this as utterly against their interests. At the earliest meetings in 1796 the Friends referred to the most 'clamorous' of the objectors to the bill as 'merely the tenants of others', and claimed that as such they had no right to interfere in the business of enclosure.⁵⁴ The attitude of the Friends was that in terms of property rights these people had no legitimate role to play. Indeed their continued participation in the struggle to defend their access to the Harrow commonlands was deemed as subversive and by 1802 the Friends were attributing the continued opposition of the Association to 'sinister motives'.⁵⁵ The part played by this third party is often shadowy but would account much for the militant tone of the Association propaganda. The disdain felt by some of the commoners for the rights of private property as above the rights of common is as significant as it was explicit. The Association dismissed the Friends talk of

⁵³ LMA. Acc 77/7.

⁵⁴ LMA. Acc 76/2223.

⁵⁵ LMA. Acc 77/6b.

enclosure promoting the general good of the parish and the comfort of the poor as simply rhetorical. As part of the 'pamphlet war' waged in Harrow between 1796 and 1802 the Association further accused the Friends of placing

'their sole trust and confidence in WEIGHT OF PROPERTY -. "By weight of property" say they "the question must ultimately be decided, and if there is a sufficient proportion of that Property in favour of the measure, they shall be influenced rather by that Property than the number of the loudness of those who clamour against the Bill." - Thus do they ring Property in your ears to drown the voice and truth, and with huge legs like a Colossus, do they bstride the smaller proprietors'.⁵⁶

Although the Harrow commoners sent a counter petition to parliament in 1802 complaining of the material injury which enclosure would bring, the parish was eventually enclosed by act in 1803 and the award was enrolled in 1817. During this time the claims and counter-claims of rights show the disruption which enclosure brought into the unfortunate parish under the consideration of the enclosure commissioners.⁵⁷ The local felons prosecution association account book testifies that commoners were breaking fences in 1810 in a desperate attempt to stop the physical process of enclosure.⁵⁸

Staines commoners fought a successful defence of their rights in the second decade of the nineteenth century when concerted efforts were made to enclose the parish. The deposition of John Newman in 1746 which concerned common rights on Staines Moor may point to an earlier unsuccessful attempt at enclosure.⁵⁹ Initially notice was given in September 1812 of the intention

⁵⁶ LMA. Acc 77/5.

⁵⁷ LMA. Acc 76/1400, 2170-4.

⁵⁸ LMA. DRO 3/H1/1. The 'Association for the Prosecution of Felons' Harrow Notebook. 28 September 1810.

to enclose the parish commons. The vestry met to discuss the proposal and unanimously agreed to oppose any plans for enclosure. A committee of twenty three persons was established to prepare resolutions for a general meeting of parishioners. The committee later reported that they felt that:

'by far the Major Part of its [Staines] Inhabitants ...are in the Habits of reaping considerable benefits from Common Rights, in part tending to the support of their Families....'

and that they would suffer under the effects of enclosure. The vestry adopted the finding of the committee and instructed that a subcommittee be formed to call from house to house to obtain signatures from those with common rights and who were adverse to the proposed enclosure. The vestry also established a fighting fund by subscription to oppose enclosure. The action of the commoners appeared to be successful and the topic of enclosure is absent from the parish records for two years. In September 1814 a further attempt to enclose Staines Moor was made. A public meeting held on the 20th of that month by the freeholders, copyholders, lessees and other inhabitants declared their intention '...to oppose the intended Bill with all our force and in all its stages.'. The following week the Staines vestry expressed their determination

'to oppose all such Infringements on our right and Privileges and to pursue the same by all legal means to the last extremity.'

The signatures of all persons willing to defend the parish against enclosure were entered into the vestry book which was then left with the vestry clerk for the following week to collect further signatures. The following month a committee to direct and organise opposition to the enclosure was again formed, with the express purpose of collecting commoners' signatures against the

enclosure proposals and to visit non-resident owners and solicit their opposition also.⁶⁰ Once again the threat of enclosure passed only to rise once more the following year. At 'a very Numerous Meeting of the Parishioners' in September 1815 it was declared to oppose a newly projected enclosure of the moor; the third attempt in four years. It was 'with Sentiments of deep regret' that the parishioners found their rights of common under attack once more. An anti-enclosure committee of twenty-two was established to direct opposition against the new proposals and a subscription for a fighting fund was to be raised throughout the parish. Again the Staines commoners were successful in their defence of their common rights. The experience which the Staines commoner/parishioners had gained during these years had resulted in a tight-knit bond which ensured that when, in September 1819, a notice for enclosure was once again fixed to the parish church door the parish immediately formed an anti-enclosure committee and levied a subscription to fund resistance. Again the Staines commoners were successful.⁶¹

The three short case studies show different approaches. At Hanwell the opposition was strong enough to defeat enclosure proposals in 1792, but by 1805 resistance had become covert. Plans were removed, the surveyor found it difficult to find someone to work with him, and the attempts to keep the commons open by arranging sporting events, indicate resistance but no clear confrontational opposition. At Harrow the establishment of a semi permanent 'Anti-Inclosure Association' led to a propaganda war complete with printed manifestos distributed throughout the parish. This more widespread activity led to increased confidence and spurred the Harrow

⁶⁰ LMA. DRO 2/C1/3. Staines VMB 1802-20. 23 September 1812. 13 October 1812, 27 September 1814 and 18 October. 1814.

⁶¹ Ibid. 14 September 1815, 30 September 1819.

inhabitants on to further resistance; a parliamentary petition in 1802 and fence breaking in 1810. In many ways the case of Staines falls between the two earlier examples. Like Hanwell the freeholders, copyholders and lessees were against enclosure. However as that opposition stood firm, solid and organised, those in favour of enclosure never managed to obtain the necessary support. Such a situation allowed the opposition to stay successfully within the bounds of the law.

The account which has been given relating to enclosure opposition for this period is wide ranging both geographically and numerically. It is not however exhaustive. Further information in the Middlesex records shows that enclosure was widely unpopular and that commoners were more than willing to register their dissatisfaction with regard to the loss of their customary rights. The problem for the historian is the fragmentary evidence which, although providing no continuous account of the process involved in all individual enclosures, clearly demonstrates the struggle which those promoting enclosure encountered. The only physical contemporary reference to an unsuccessful bid to enclose the commons at Bedfont is a metal tea tray kept at Bedfont church.

The inscription on the tray reads:

'A Witness for Richard Hatchett of his abhorrence to robbing the Poor by enclosures. Bedfont, March 10th 1801, on which day the Duke of Northumberland, the Bishop of London and Governors of Christ's Hospital & etc., withdrew their signatures from a Petition which they had signed for the enclosure to the honour on informed of the great injury the Poor would receive by it'.⁶²

It is unknown how many of the tea trays were produced as a memorial to the failed enclosure attempt although a second one presented to William Sherborn by Bedfont parishioners was

⁶² A copy of the tray has been inserted as Appendix 6.

recorded as being 'long since lost' in a typescript history of the Sherborn family written in the 1960s.⁶³ Both Hatchett and Sherborn were local farmers who, along with other parishioners, were unhappy at the attempts of the piecemeal enclosure of Hounslow Heath. Further evidence at Sunbury in 1803 and at Ruislip in 1804 indicate that many proprietors were unwilling to sign enclosure bills and again indicate a more passive lack of support. Such measures could incite near panic in the solicitors dealing with the enclosure. When John Morgan, the solicitor engaged on the Hanworth, Feltham and Sunbury enclosure bill, gave evidence to the Select Committee on Enclosure in 1800 he was asked if he had found it difficult to procure consents to the bill and what may be done to make it quicker and less expensive. 'I found great difficulty in procuring the amount of four-fifths of the interest'. The solution would be arrived at 'By the reducing the proportion of consents now required'. Morgan argued that a simple majority in value should be able to carry an enclosure bill and that if this was the case 'many inclosures would take place which now do not.'⁶⁴ During the collection of signatures for the Ruislip enclosure the solicitor contacted James Wilshin on three separate occasions between November 1803 and May 1804 in order to secure his signature.⁶⁵ On occasions the only evidence of opposition to enclosure is the response of those in favour such as the Harlington vicar who lamented the opposition to enclose the parish in 1801; unhelpfully he did not specify this opposition and the parish remained open until 1819.⁶⁶ Even once enclosure had taken place, the disagreements regarding property rights

⁶³ Sherborn, D.R. & C.D. The Sherborns of Bedfont, 1338-1966 (Typescript, n.d. c. 1966). p 21.

⁶⁴ BPP. Report From the Select Committee Appointed to Consider of the Most Effectual Means of Facilitating Bills of Inclosure (London, 1800) p 235.

⁶⁵ Kings College Cambridge. RU/202/26. - Solicitors Accounts 1803-04.
LMA. Acc 538/2nd Dep/1 and 6.

⁶⁶ PRO. HO 67/16/103.

would often continue. Ex-commoners turned their cattle onto the ex-commons and bye-roads of Hillingdon in 1817, (enclosed by act in 1812) and Finchley between 1816 and 1823, (enclosed by act in 1811). Indeed at Finchley a Mr Collins was to be sworn in as a special constable in November 1816 and charged to 'take Care to keep all Beasts and Hoggs and cattle of the Footways across Finchley Common'.⁶⁷ In 1824-5 the West Drayton inhabitants successfully petitioned against the loss of valuable fishing rights under the enclosure act of 1824.⁶⁸ Although these latter examples give a less comprehensive picture than the surviving records of Hanwell, Harrow and Staines allow us, they demonstrate the widespread struggle for land use and access by Middlesex commoners during this period.

⁶⁷ WD&DLHS. No reference number. Hillingdon Enclosure Commissioners Notebook 1812-19. 7 June 1817.

BA&LSC. PAF/5. Finchley VMB 1815-24. 10 November 1816 and 31 August 1823.

⁶⁸ LMA. Acc 539/145.

CHAPTER EIGHT**MIDDLESEX - ENCLOSURE RESISTANCE 1826 TO 1889;****COMMON REMNANTS**

This section continues with resistance to enclosure and the assertion of common rights in Middlesex from the mid 1820s to the end of the 1880s. There were no further individual acts for enclosure in the county. However the process of enclosure still continued under the general enclosure acts and purchase. By 1834 there was only 4,316 acres of common, and 1,567 acres of common field out of a total county acreage of 178,466; a grand total of 3.3%.¹ This lack of commonable land may at first sight suggest that we should not expect too much in the way of enclosure resistance in Victorian Middlesex. After all resistance to enclosure assumes a significant amount of common land threatened by enclosure. Nevertheless efforts were made by commoners to protect their truncated rights during this time, and the demands for access to land use in Middlesex were widespread. Even in parishes enclosed several generations earlier, popular memory retained a community belief that the denial of those demands constituted an injustice. This chapter then examines how commoners sought to retain their existing rights while people who had been dispossessed through earlier enclosures sought actively for access to the land to supplement their living standards.

We also need to bear in mind that the nineteenth century growth of London displaced much of rural Middlesex. An integral part of this was the massive population growth of Middlesex parishes and increased urbanisation, particularly of those parishes on the London fringe.

¹ Robbins, Op Cit. p 39.

Population increase in the inner Middlesex parishes needs to be compared to the continuing small populations of the rural parishes. The Islington population grew from 10,212 to 37,316 between 1801 and 1831. In the same period the Marylebone population doubled from 63,982 to 122,206 and in St Pancras population more than tripled from 31,779 to 103,548. The more rural outer Middlesex population increased but the scale was much smaller. Harrow grew from 2,485 to 3,861 between 1801 and 1831. Again in the same period Sunbury expanded from 1,447 to 1,863, and at Monken Hadley the population increased from 584 to 979.² This increase in population and subsequent urbanisation led to a demand for space in the north and western London suburbs for open air meetings by nineteenth century radicals; thus giving a more modern edge to the claims for land access. Rights of assembly were fought for throughout the Victorian period from the Chartists of the 1830s to the socialist revival of the 1880s and as assembly presupposes a place to assemble, and the growth of the city seriously posed a threat to any available space; thus the demand for land access became a more radical demand during this period.³

Much of the anti-enclosure literature of Victorian England relates to the role of middle-class pressure groups such as the Commons Preservation Society, (CPS) which was founded in 1865.⁴

² BPP. A Comparative Account of the Population of Great Britain in the Years 1801, 1811, 1821 1831; Population I (Shannon, Irish U.P., 1968) I, pp 162, 165, 166. Reprinted from Accounts and Papers (1831). For a detailed picture of Middlesex population increase in the nineteenth century see Appendix 8: Middlesex Population Figures 1801, 1811, 1821, 1841 and 1881.

³ Taylor, A. "'Commons-Stealers', 'Land Grabbers' and 'Jerry Builders': Space, Popular Radicalism and the Politics of Public Access in London, 1848-1880', International Review of Social History 40, 3 (1995) p 399.

⁴ The Commons Preservation Society was founded at a meeting held in the chambers of Lord Eversley in the Inner Temple. It attracted much middle-class support amongst Victorian society including Sir Charles Dilke MP., James Bryce MP., and Sir Robert Hunter who later went on to co-found the National Trust. Bassett, P. Records of the Commons, Open Spaces and Footpaths Preservation Society (Universities of Birmingham and Reading, 1980) pp i - ii.

Towards the end of the nineteenth century sections of the middle-class were indeed much interested in broader rural ideals of simplicity, the protection and encouragement of handicrafts and the encouragement of rational dress as a reaction against Victorian fashion. These ideals became part of the reaction against industrialisation and urbanisation. The cry of 'back to the land' saw the defending and reclaiming of the commons as part of the same impulse which led to agrarian communes, cottage farmers and farm colonies. The strong attachment of a substantial part of the middle-class to late nineteenth century agrarian idealism has seen a recent political description of 'Back-to-the-land [as] radical without being revolutionary'.⁵ In many ways this is true. However it was a broader movement than often supposed and some of the ideas were popularised through the work of a variety of socialist writers and activists such as William Morris, founder of the Socialist League, and Edward Carpenter, member of the Society of Sheffield Socialists.⁶

Such middle-class pressure has its own history and in Middlesex it can be traced back at least to the beginning of the nineteenth century when the wealthy members of the homage of Hampstead insisted that the lady of the manor was not to encroach upon their ancient common rights in regard to the heath.⁷ Hampstead retained this rather middle-class⁸ opposition to the infringement

⁵ Marsh, J. Back to the Land: The Pastoral Impulse in Victorian England From 1880 to 1914 (London, Quartet Books Ltd., 1982) p 5.

⁶ Ibid. pp 8-23.

⁷ LMA. Acc M/81/6. Minutes of the Hampstead Copyholders 1801-13. 3 March 1806.

⁸ Hampstead was attracting many artists to the area during the early nineteenth century. Along with many others who took up residence within the parish at this time were Leigh Hunt and John Constable. Both were attracted to the wild views which the heath provided. Farmer, A. Hampstead Heath (New Barnet, Historical Publications Ltd., 1984) pp 54-57.

of common rights when in 1829 the lord of the manor, Sir Thomas Maryon Wilson, attempted a parliamentary enclosure of a portion of the heath for a housing development. Wilson's application to parliament included the power to grant building plots on the demesne as well as all other lands in the schedule which encompassed

'such part (if any) of the Heath, and other waste ground in Hampstead, whether occupied or not, which may be hereafter approved, and exonerated, or discharged from the customs of the Manor, and from all rights of common and other rights, for the sole use of the benefit of the lord for the time being'.⁹

Such an attempt was no more than that which Middlesex manorial lords had been engaged in for the previous eighty-odd years. However in the same way that Hampstead wealthy inhabitants had opposed attacks on common rights earlier in the century there was an immediate onslaught on Wilson's plans by his rich neighbours. The bill was opposed in the House of Lords by Lord Mansfield who was an owner of considerable property adjoining the heath and the bill was rejected in the Lords by 23 votes to 7.¹⁰ From 1829 to 1868 the opposition to the proposed enclosure kept the struggle at Hampstead in the public domain as Wilson and parliament became involved in an entrenched fight over the heath. Wilson continued putting forward his bills for enclosure and parliament turning them down. As late as 1865 speaking before a parliamentary committee he complained of parliament's involvement in his interests at Hampstead and argued that:

⁹ Eversley, Lord. Commons, Forests and Footpaths: The Story of the Battle During the Last Forty Five Years for Public Rights Over the Commons, Forests and Footpaths of England and Wales (London, Cassell and Co. Ltd., 1910) p 35.

¹⁰ Ibid, p 35-36.
Farmer, Op Cit. p 66.

'In 1829 I lost my Bill for building on other parts of my property, and having always been thwarted, I must now see what I can do to turn the Heath to account, and get what I can. By the outcry that has been raised against me, I have been deprived of £50,000 a year... It never entered my head to destroy Hampstead Heath at all, until I found that I was thwarted in my Bill that I brought into Parliament'.

He further deposed to the committee that he was not now, (1865) inclined to make any concessions in his building plans, adding that 'in fact, I will not do so'.¹¹ Only with Wilson's death in 1868 and the subsequent purchase of the heath by the Metropolitan Board was the future of the heath secured. It was the disputes concerning the proposed Hampstead Heath enclosure which saw the CPS emerge as a serious middle-class pressure group. With the success at Hampstead and the additional work leading to the safety of other commons in the London area such as Wimbledon, Plumstead and Tooting and the forest at Epping the CPS's place in late Victorian London land dispute history has been ensured.¹² Other middle-class societies such as the Metropolitan Parks, Boulevards and Playgrounds Association (MPB&PA), were also applying pressure on local and national government to retain open spaces in and near London in the late nineteenth century. However the MPB&PA, (later re-named the Metropolitan Gardens Association - MGA) were more concerned with the production of gardens and recreation grounds for strictly ideological reasons.¹³ The MPB&PA was founded by Lord Meath in 1882 and later planned to build a greenbelt around London which would act as a sanitation device for Londoners while also providing an suitable embellishment for the hub of the British Empire.¹⁴ These

¹¹ Eversley, Op Cit. pp 36.

¹² Ibid. p 29.

¹³ Aalen, F.H.A. 'Lord Meath, City Improvement and Social Imperialism'. Planning Perspectives 4, 2 (1989) p 142.

¹⁴ Ibid. p 146.

recreational and physical educational playgrounds were to be designed to prevent the alleged physical deterioration of the poor and allow them to make a positive contribution to the military and commercial interests of Britain. Meath also saw the development of open spaces as absolutely essential for a vigorous and happy British workforce to reject criminal and revolutionary ideas.¹⁵ This analysis is fine as far as it goes, however it is not representative of the whole picture of land access disputes in Middlesex and the London suburbs. The activities of the Commons Preservation Society and the Metropolitan Parks, Boulevards and Playgrounds Association are simply part of the history of middle-class intervention in land access disputes. As such this omits the involvement of the poor and increasingly militant working class. I will map out the actions of the working class and commoners of Middlesex and the London suburbs as they actively involved themselves in retaining their right to land use for this period. There are clearly two themes, (agricultural land use and space for assembly) which we can see in the evidence for this period and the final chapter on class formation will draw these out explicitly. However this chapter focuses only on the 'rural' cases of direct action in order that consistency is maintained between this and the preceding two chapters. What unites the cases which follow is the emergent shift in class relations in nineteenth century Middlesex. Although we can draw a direct line from these instances to earlier similar occurrences of agricultural change there is no talk here of 'improvement' or the 'promotion of employment' in the vision of those arguing the case for enclosure. Paternalism is not a feature which is easily demonstrated from a detailed reading of the contemporary evidence.

¹⁵ Ibid. p 141.

I do not want to discuss this period without at least a cursory reference to the major upheavals of the early 1830s. The agricultural disturbances of 1830-31 and the New Poor Law of 1834 are central to our understanding of rural life in Middlesex for much of following period and will be covered in detail in the final chapter. What follows here are the briefest outlines of both the disturbances and changes in relief provision. These agricultural disturbances, or 'Swing Riots', saw widespread instances of arson and machine breaking primarily across the south eastern counties. The main object of the labourer's wrath was the increasing use of agricultural machinery which led to an increase in unemployment and underemployment, and a subsequent reduction in wages. Added to arson and machine breaking was the sending of 'Swing' letters. These were letters sent to landowners and farmers demanding reductions in rent and increases in the numbers of labourers employed along with calls to maintain or improve current wage rates. Such letters usually ended with a threat to person and/or property should the demands not be met.¹⁶ In 1834 the New Poor Law sought to deter the able bodied poor from making demands for poor relief while at the same time proving a place of refuge for the ill and the helpless. The new law was based on the simple belief that deserving and undeserving poor could be separated by offering relief only in the form of the workhouse. To accept relief in the workhouse indicated a lack of moral determination to survive outside it and thus inmates would be classed as undeserving.¹⁷ Based on the principle of 'less eligibility', the workhouse inmate was to have less comfort in the broadest sense than the poorest labourer remaining independent of relief.¹⁸ With regard to local

¹⁶ Appendix 3 in Hobsbawm and Rude', Op Cit. pp 311-358 provides a valuable chronology of 'Swing' activity across the country. However more instances have come to light since the publication of Captain Swing in 1969. As will be shown in Chapter 10 local research continues to add to the known activities of 'Swing'.

¹⁷ Crowther, M.A. The Workhouse System 1834-1929: The History of an English Social Institution (University of Georgia Press, 1982) p 3.

¹⁸ Burnett, J. Idle Hands: The Experience of Unemployment, 1790-1990 (London, Routledge, 1994) p 39.

agricultural disturbances it is enough for now to be aware that swing activities were reported from across Middlesex at Bedfont, Edgware, Enfield, Hampstead, Hampton, Hanwell, Hanworth, Harrow, Hayes, Hendon, Heston, Hounslow, Kingsbury, Staines and Uxbridge. What I want to establish here is that the commoners and village poor were not so overawed by the ruling class response to the disturbances that they dropped their claims to the land.¹⁹

For the rulers of nineteenth century Middlesex the swing riots of 1830-31 were difficult to forget and who was to know if or when they would start again. Instances of militant action by poor commoners and labourers during the 1830s give notice of an evident tension in rural Middlesex. Memories of the disturbances must have been brought to mind in January 1833 when rural tensions in Surrey spilled over the Thames and a Shepperton farmhouse was burned out.²⁰ In May 1834 nine trustees of the Ruislip commons field, 60 acres of pasture set aside for poor cottagers under the Ruislip enclosure award in 1804, were prevented from enforcing the strict regulation of the common pasture 'in consequence of a riotous assemblage of persons.'. Almost all those subsequently convicted at the Uxbridge Petty Sessions were Ruislip inhabitants and several had legal rights to the field.²¹ Also in 1834 a group of poor Ickenham labourers dug up and allotted themselves several parcels of land. This was a collective act on the part of these people who had

¹⁹ Out of 1,976 cases heard relating to the 'Swing Riots', 644 were jailed, 505 sentenced to transportation and 19 executed. Hobsbawm and Rude', Op Cit. pp 308-309.

²⁰ S&SLHS. L.205.1969/4. Shepperton Vestry Minute and Poor Rate Book 1831-38. 24 January 1833. The Times 22 January 1833. 2c.

²¹ LMA. DRO 19/C1/1/6. Ruislip Memoranda Book. 16 and 19 May 1834.

made their own claim to land in the face of the condemnation of the Ickenham manor court, who complained

'William Bunce and others being persons who receive Parochial relief in this Parish have lately dug up part of the Waste on Ickenham Green for gardens but no permission has been granted to them for that purpose by any tenants of this manor & such persons are therefore trespassers but no proceedings are to be taken against them for the present'.²²

The leader or spokesman for the Ickenham labourers appears to have been the above mentioned William Bunce. There is little further information about Bunce; however the fact that the Ickenham manor court always referred to Bunce by name and to the remainder of the group with phrases such as 'several other persons', seem to indicate the court's acceptance of him as a prime mover in the labourers' self-allotment scheme. At first it appears the manor court is unsure how to deal with the labourers. The 'Swing Riots' of 1830-31 were obviously still high in the minds of those in local authority, and the court would need to ask itself if forced evictions were really desirable. This group of latter day 'diggers' were still occupying their gardens on the wastes in October 1836 when the court insisted again that they were trespassing. It ordered that the labourers pay rent to the lord of the manor at one shilling per rod of land as a demonstration of their acknowledgement as tenants at sufferance.²³ However it was not until October 1837 that the labourers attended the court and agreed to pay the acknowledgement; they were allowed to keep their allotments until the next court.²⁴ In March 1847 they still occupied the allotments, and the court and the labourers were in dispute over the rents. By this time we are given the full scale of

²² LMA. Acc 640/9. Ickenham Court Baron Book 1819-1920. 3 October 1834.

²³ Ibid. 3 October 1836.

²⁴ Ibid. 16 October 1837.

the labourers' group which now numbered nineteen persons. The labourers had claimed from at least 1844 that they could not afford to meet the rents. The struggle between the labourers and court baron continued and by 1847 they had gained the title of tenants.²⁵ Thus we can see that labourers were not unwilling to assert themselves against local authority. It is significant also that the lack of access to the land was in this instance replaced through allotments gained through communal action and was thus a stark reminder to the manorial lord that the poor still felt they had a communal call on any remnants of the parish waste.²⁶ By 1859 the labourers or their descendants were now tenants paying £1 per year for their gardens.²⁷ This may appear to be a 'cute' rural story; the Ickenham poor were literally 'diggers' in the face of local authority. However claims of old or new rights to the use of land at the local level was the mechanism by which local political authority was challenged.²⁸ In 1822 the foreman of the Hammersmith and Fulham homage wrote to John Dickens, the court steward, expressing his 'Astonishment' that part of the waste had been privately (that is to say outside of the arena of the manor court) transferred

²⁵ Ibid. 22 March 1847.

²⁶ The significance here is the reduction in dependency on waged labour. In this instance there is much to recommend in Boaz Moselle's view that allotments could 'perform a role analogous to that of common rights before enclosure'. Moselle, B. 'Allotments, Enclosure, and Proletarianisation in Early Nineteenth Century Southern England'. *Economic History Review* XLVIII, 3 (1995) p 483.

²⁷ Evidence for this is in an abstract of the title to the manor when it was purchased by Thomas Truesdale Clarke in 1859, the abstract was dated 1860. Cockburn, J.S. & Baker, T.F.T. eds., *A History of the County of Middlesex* (Oxford U.P., 1971). VCH. IV, p 105. The abstract was in the custody of the Uxbridge Borough Council in 1971 when the above volume was published and should now be with the Local Studies Library in the Uxbridge Central Library. However it is currently missing from the archive.

²⁸ The early Victorian period saw central government taking an interest in centralising authority. Poor relief, policing and public health were all areas of debate during this period. Such debates favoured a move away from local policy making to national policies carried out by local authority. Commoners who retained some form of control, however tenuous and qualified, would be unhappy at seeing this control diminished. This may have been more acute after the 1832 Reform Act saw the principle of property and the national franchise confirmed. The older institutions such as the homage may have been the only forum for such people to have any say in local social and economic matters.

to a Mr George Scott.²⁹ Scott was later accused of lying to parish officials to gain acceptance of his plans to secure plots of the waste. The letter was originally drafted to indicate that the involvement of the homage in matters relating to the waste prevented the interests of the copyholders 'being sacrificed to the advantage of avaricious men'. However this sentence was later crossed out and the homage contented themselves with claiming that Scott had secured the parish officials' consent 'under the pretence' that any grant would be forthcoming only after an agreement was reached with the homage. The same letter registers a disagreement with the steward in relation to his plans to reduce the number of the homage to twelve. The foreman of the homage pointed out that such a move would, as earlier attempts of this policy showed, lead to a jury of friends granting land to each other at the expense of the poor.³⁰ Furthermore in 1825 the Hammersmith and Fulham homage objected to plans to reduce the number of courts on the grounds that 'inherent rights, interests and even estates of the Copyholders of the Manor would be endangered, unprotected, and consequently liable to be infringed upon'. The homage certainly remained active and able to intervene when landowners sought to increase their land by encroachment. In 1836 a committee of the homage insisted that George Scott move newly erected fences back from land which they claimed did not belong to him; to which he complied.³¹ The Hammersmith and Fulham homage was still active in the late 1870s when they insisted that copyholders had a right to dig and carry away clay and brickearth.³² Thus in the 1820s, 1830s and

²⁹ H&FA&LHC. DD 14/1221. 25 November 1822.

³⁰ H&FA&LHC. DD 14/1222. nd. c. late 1822.

³¹ H&FA&LHC. DD 14/1224. 30 November 1835; DD 14/1225. 5 May 1836. It would appear that Scott, who was identified here as a local magistrate, had fenced in some of his own land but had encroached on the waste. The committee established by the copyholders to examine the new fences were content with the idea that Scott should fence his own land, but were strict enough to force Scott to move the fences back; in some cases as little as one foot.

later the 1870s the Hammersmith and Fulham homage showed that as an collective institution it was able to challenge authority. In the earlier instances that challenge was the enclosing tendencies of a local magistrate and later the claims of the Ecclesiastical Commissioners who disputed copyhold rights to brickearth, sand and gravel.

The continuing existence of commonlands and the adherence to their attendant rights close to London is demonstrated by the disputes which arose from time to time throughout the Victorian era. By the early nineteenth century Hackney Downs was long established as lammas land. Thus between August 12 and April 6 the land was used as common pasture, while at other times the land was rented to various people by the lord of the manor. In the summer of 1837 a Mr Adamson was renting 20 acres of the downs and was growing a corn crop. As August 12 approached it became clear that the crop would not be harvested in time and so Adamson issued a notice calling on parishioners not to send cattle onto the downs until the corn was cleared. However the people of Hackney appear to have resented this notice and it was rumoured that cattle would indeed be placed on the downs when the lammas period began. It was reported that 'the respectable inhabitants of Hackney had been in a state of considerable alarm in consequence of an anticipated attack upon several acres of corn growing upon Hackney Downs'. At the allotted time cattle were turned onto the downs prior to the crop being harvested and indeed some of the corn itself was seized. Adamson turned the cattle back out of the fields and two parishioners, Mr Neale and Mr Ambrose, were brought before Mr Broughton, a Hackney magistrate. The case was left undecided leaving Neale and Ambrose to return to the downs with

³² H&FA&LHC. DD 14/190/1. nd. c. late 1879.
H&FA&LHC. DD 14/190/2. 9 June 1879.

their friends and 'believing they had obtained a victory they placed blue favours in their hats and bonnets'. The word spread that the downs were indeed now open and that the crop still growing there had passed into the common ownership of the parish at large. People appeared to be in no mood to listen to Adamson as he attempted in vain to stop the crowd.

'He was knocked down, and while on the ground, several individuals, by whom he was surrounded, exclaimed, "Throttle the _____." The life of Mr. Adamson may be said to have been saved by some of his workmen coming to his assistance. Shortly after this, a scene of the most extraordinary nature took place. Crowds of persons collected from all parts of the town, consisting of parishioners, and some of the lowest characters, who committed a simultaneous robbery of the property. By about eight o'clock there were 3,000 or 4,000 persons on the downs, who were engaged in various ways taking the property. Some were reaping; while others were binding up the corn in sheaves; and trucks, waggons, and carts were being filled. Mr. Adamson was present witnessing the devastation of his property. The most extraordinary part of the affair is, that though there were some police on the spot, and the station-house is but a short distance off, they did not take any measures to prevent it. They brought back above a cartload of corn that had been taken away, but the depredation continued till near one o'clock, amidst the wild cheers of the assembled multitude'.

When Thomas Wright, one of the crowd was brought before two of the Hackney magistrates he protested his innocence to breaking the law and claimed that he along with the rest of the people who had roamed the downs after August 12 thought they were in the right. The magistrates, keen to defuse the issue told Wright that even if they had the right to put cattle on the downs 'they had no more right to take the complainant's wheat than they had to take the coat off his back'. He was discharged on a payment of one pound, two shillings and sixpence. Adamson was less than happy with the situation and possibly aggravated at the leniency shown by the magistrates towards those who had destroyed the crops. Adamson had obviously lost out financially with two contemporary

reports estimating the loss at £60 and £100. In February 1838 eleven of the Hackney parishioners, none of whom were copyholders and were therefore not strictly commoners, involved in the carrying away of corn at Hackney Downs were indicted for riot. The case was heard in Queens Bench where the prosecution echoing a number of the points made by the Hackney magistrates claimed that:

'Even if these parties had the right of pasturage, still the law did not allow it to be exercised by a riotous mob of persons. He [the prosecutor] should now call his witnesses and he thought the jury would have little difficulty in finding the defendants guilty'.

However the judge, Lord Denman, was not overly convinced with the legality of Adamson's notice for parishioners not to use the lammas lands after August 12. The prosecution was forced to admit that it was the custom in Hackney for the downs to be turned over for pasture at that date. So unconvinced was Denman with the prosecutor's case that he was satisfied to lecture the defendants on the dangers of violence leading to possible charges of murder rather than press the actual charge of riot. He also asserted that part of the blame should rest with Adamson for not clearing the ground by the appropriate date. After discussion it was decided that each defendant would plead guilty and enter into their own recognisances to appear to receive judgement at a later date.³³

The case at Hackney was in defence of common rights which still existed at the time. However it is clear that the desire for access to land previously enclosed remained for many years and there was little encouragement needed for people to take to the land. Hounslow Heath had been enclosed by act of parliament in 1813 it had been agreed by the major landowners in Isleworth

³³ HAD. H/LD 72 Tyssen Collection: various newspaper extracts relating to Hackney. Vol. I, pp 241-3.

that a portion of the heath was to be sold to the government as a military review ground.³⁴ By 1867 this area was leased to a Mr Brewer who was preserving a rabbit population for game shooting. He had employed a gamekeeper to combat poachers and it transpires that the keeper used abusive language against people using a right of way across the heath. For this the keeper was legally censured and fined. It was also found that the lease was bad in law as the tenant of the holding was in fact charged with the task of destroying rabbits and not to preserve them. Like the case at Hackney the court's decision, not to fully back up the party claiming private property rights, saw the word spread that the land in question was open to all. The findings of the court led to

'...a portion of the public - the majority not of the most respectable class - determined to cross the heath, fearless of opposition, because of the findings of Saturday last. At twelve o'clock they entered and past over the heath in large numbers, and on Monday [the next day] hundreds of people of all sorts again took possession, and made a complete battue, hunting down the rabbits and killing them by the aid of various weapons some of them of the rudest description'.

This access to the heath, and a supply of fresh meat in the form of rabbits, was short lived as keepers came under strict orders to prevent further trespass. Those who continued were indicted although poaching probably continued after this incident in much the same way as before.³⁵

Examples of more specific common right agricultural disputes are also found in the Middlesex archives. Threats to the loss of common right of pasture over the common fields at South Mimms in May 1849 were countered by the vestry when they set up a committee to investigate the rights

³⁴ LMA. Acc 3259/SE3/7.

³⁵ Middlesex Chronicle 5 Oct. 1867.

and privileges of the parish commons. The committee established that the parish ratepayers had right of pasture on the commonfields from harvest until the 1st of February. The committee also claimed that every fourth year was fallow by custom and that subsequently common existed throughout that particular year. All occupiers of commonfield were informed of the commoners intentions to enjoy these rights, and the vestry ordered that a memorial setting out the privileges of common in the parish was to be inscribed on the front of the gallery in the parish church.³⁶ Common rights continued to be policed by the South Mimms vestry and on 8 December 1864 notice was given that a meeting would discuss recent enclosures at Mimms Wash and Bentley Heath by the Marquis of Salisbury. At this meeting the vestry resolved that the pond at Bentley Heath was the property of the parish. An amendment that parish had no right to interfere in the matter of enclosure at Mimms Wash and Bentley Heath was rejected; as was a second amendment that the vestry should wait to ascertain the full legal position regarding the property rights of the vestry in this matter. The surveyor was requested to ascertain if the fence at Mimms Wash has encroached on the parish property and if this was the case to have it removed.³⁷

Two years earlier, in 1862, a dispute regarding common rights at Acton saw fences on Old Oak Common destroyed. Removal of common rights in Acton had been a slow process with unsuccessful proposals for parliamentary enclosure coming from the vestry in 1794, 1805 and 1813.³⁸ As already established such moves had been unsuccessful.³⁹ Manorial rights at Acton

³⁶ LMA. DRO 5/C1/4. South Mimms VMB 1846-1888. 2 and 9 May 1849.
In 1963 Wash Lane Common was listed as an urban common covering 14 acres in Hoskins and Stamp, *Op Cit.* p 298.

³⁷ *Ibid.* 8 December 1864. Yet a third conciliatory amendment that the Marquis of Salisbury's agent be requested to remove the enclosure 'if an encroachment could be proved' was also rejected by the parish at this meeting.

passed to the Church family in 1821 through purchase and in 1862 John Henry King Church had fenced Old Oak Common to the annoyance of other farmers who claimed common of pasture there. The opposing farmers drew up an agreement between themselves which set out their claim to common pasturage and mutual authorisation for:

'...all and each and every one of us to throw down and remove all fences mounds and other obstructions erected standing or being upon Old Oak Common... Which are a nuisance to or in any way interfere with or prejudice the right of common of pasture in upon or over the same.'

The court found in favour of Church and resolved that common of pasture on Old Oak Common had originated in a blunder, the court being unable to find a grant in the parish and manorial records.⁴⁰

Both cases at South Mimms and Acton illustrate how resistance to enclosure by purchase was fought either through the courts, the vestries or by direct action. It also illustrates how the memory of commoners kept alive popular ideas regarding land use and access in mid-Victorian Middlesex. Even as late as the 1880s popular memory and threats to common rights were a potent combination in rural Middlesex. In July 1880 Staines Common came under the regulation of the Staines Local Board.⁴¹ The measure was rather quickly organised with the initial letter received by the Inclosure Commission from the solicitors acting on behalf of the Board written only fourteen months earlier.⁴² There appears to have been little or no discussion concerning the

³⁸ LMA. DRO 52/153. Acton VMB 1775-1801. 22 April 1794.
ELHL. Acc 84/2. Acton VMB 1801-22. 16 October 1805. 6 and 13 October 1813.

³⁹ See above p 115.

⁴⁰ LMA. Acc 531/60, 62 and 65.

⁴¹ 43 & 44 Vict. c. 37.

scheme in the parish prior to the announcement of the Local Board in the summer of 1879. When Mr A.W Rixon wrote protesting to the Inclosure Commission in August 1879 about the proposed scheme he claimed that 'we are completely in the dark about what is intended to be done'.⁴³ By this time local discussions had certainly begun and the following month the commissioners had received a petition of ninety-two signatures against the proposed scheme.⁴⁴ William Bates, who kept a public house in the parish, wrote to the commissioners complaining of the interference of the local board with the established common rights.⁴⁵ That November a public meeting at Staines resolved that the proposed scheme was undesirable. The chairman, Mr Armstrong, was to meet with the assistant commissioners and inform them of the meeting's decision. A committee was also established to co-ordinate opposition to the proposal with a subscription raised to meet any expenses. A copy of the resolutions were to be passed to the local board.⁴⁶ Nevertheless the report of the assistant commissioner favoured the scheme and in January 1880 the Commission advertised the fact that they had certified the scheme and this was inserted into the annual report of the Commission in the following March.⁴⁷

⁴² PRO. MAF 25/124. Solicitors for the Staines Local Board to the Inclosure Commission: 14 May 1879. Unpaged papers.

⁴³ Ibid. A.W. Rixon to the Inclosure Commission: 21 August 1879. Rixon was writing from a London address and this indication of a commercial and successful man makes his exclusion from information on the matter more puzzling.

⁴⁴ Ibid. Petition against the proposed regulation of Staines Commons by the local board. nd. but stamped as being received by the Inclosure Commission on 8 September 1879. Such opposition was perhaps not so unusual. The proposed scheme at Wormwood Scrubs also resulted in a petition against. This was a petition of the copyholders of the Fulham manor. PRO. MAF 25/223.

⁴⁵ Ibid. William Bates to the Inclosure Commission: 8 September 1879.

⁴⁶ Ibid. Notes of a public meeting at Staines to consider the proposed scheme of regulation Staines Common: 21 November 1879.

⁴⁷ Ibid. Report by G.B. Dickson: 3 December 1879.

Ibid. Poster proclaiming the certified scheme for regulation of the Staines common by the local board: 1

Staines had a considerable tradition of resisting enclosure by the late 1870s and this had been revived by the scheme of regulation introduced by the local board. The public meetings and petitioning had brought people together in terms of 'old rights'. Staines common rights were not extinguished in 1880 and the commons were still used for common grazing under the scheme. However it may well have been the case that the events of 1879-80 reinvigorated local appreciation of common rights. Certainly local people were keeping a jealous eye on these rights during the early 1880s. When common rights next became an issue in Staines the results were more violent. In 1885 disturbances occurred when John Ashby, a Staines banker, Justice of the Peace and Chairman of the Uxbridge Division of Middlesex Liberals, erected fences and locked gates denying access to 60 acres of lammas ground in Staines. Ashby had made his intentions known in the parish prior to fencing the lammas grounds and two parishioners, Edward Simmonds and Thomas Wooster had let it be known that the fences would be broken down. A printed handbill had been sent to Ashby which gave notice of the fences to be destroyed. On the 12th August 1885, (Lammas Day) Ashby had injunctions served on both Simmonds and Wooster. At 4am the following morning Wooster and several labourers pulled down the fences; police were present although their instructions to the labourers to let the fences stand were ignored. In November the Chancery Division of the High Court could not find against Simmonds who claimed that although he was happy to see the fences pulled down, he was not actually present at the time. However the judge was less credulous of Wooster's claim that although he had received

January 1880.

Ibid. Copy of the Thirteenth Annual Report of the Inclosure Commission: 3 March 1880.

the injunction on the evening of 12th August, he went to bed without reading it and thus when pulling down the fences he was unaware of acting against the court's directions. Justice Pearce committed Wooster to prison and commented that

'...I can hardly conceive a more flagrant act of defiance of the order of this court than that committed by Mr Wooster, an act of violence done in despite of the order of this court, done in spite of the working of recognised guardians of the public'.⁴⁸

This may have been the end of the matter, or at least be simply an illustration of a short lived late Victorian enclosure dispute. However the Staines inhabitants maintained a serious local campaign in favour of Wooster and his defence of common rights, and against Ashby and his enclosing activities. The previous July the Staines commoners had contacted the Commons Preservation Society claiming that parishioners had enjoyed access to the lammas lands after the hay harvest from 'time immemorial', and that these rights included the pasturage of cattle and sheep. They complained of the recent enclosure and the Commons Preservation Society passed the letter to their solicitors who met with Simmonds to discuss the issue. The solicitors thought the commoners had a good case but advised that no direct or violent action should be encouraged. The legal advice was that Ashby should be condemned through vestry resolutions and the threat of legal action.⁴⁹ Staines commoners were not against taking this advice and indeed on 29 November 1885 a vestry meeting was called to discuss the matter of Ashby's enclosure of the lammas lands. A few days before this vestry was to meet Ashby spoke with one of the Staines parishioners called Pinnion. He claimed that he had no intention of removing common rights from

⁴⁸ LMA. Acc 1484/1. Minute Book of the Staines Ratepayers Protection Association 1882-1922. In which various papers, memos, newspaper cuttings etc. are pasted.

⁴⁹ Ibid. hand written copy of letter dated 14 July 1885.

the lammas lands and that he would be willing to erect a stone memorial to that effect. Furthermore on November 26 Ashby wrote to Pinnion and claimed that to show that he was not 'actuated by any vindictive or mercenary motives, I would... abandon the costs which Wooster is now under Order of Mr Justice Pearson to pay me'. Pinnion reported this conversion, (and had Ashby's letter inserted in the vestry minute book) to the vestry who nevertheless resolved 'That this meeting approves of the course adopted by Messrs Wooster and Simmonds in defending the action brought by Mr John Ashby respecting the fences erected by him on the Church Lammas Lands and pledges its support to those gentlemen in any Steps that may be taken to vindicate the rights of the parishioners'. The meeting also established a committee to manage the dispute.⁵⁰ In June 1886 the committee reported back to the vestry that Ashby's initial claims to Pinnion, that he would never seek to exclude the commoners from exercising their rights, was little more than a ploy to prevent the vestry acting against him.

'It will be remembered that Mr John Ashby's letter of the 26th November 1885 to JN Pinnion offered an amicable settlement of the dispute concerning the fences and it appeared to your Committee to warrant the belief that Mr John Ashby was sincere in his desire to meet the views of the Parishioners but on the 28th November - two days afterwards - I received a letter from Mr Ashby's solicitors which shewed me that Mr Ashby's letter had raised false hopes. Mr Ashby through his solicitors insisted that as a primary step that the defendants in the action of 'Ashby v Wooster and another' should consent to a Judgement acknowledging Mr Ashby's right to erect and maintain the fences - that the parishioners had no right of way or roam on or over the lammas and that the only right they possessed was the right of grazing. This letter I at once communicated to your Committee who saw that Mr John Ashby was seeking ----- to obtain for nothing what he might not obtain after the expense of thousands of pounds'.⁵¹

⁵⁰

LMA. DRO 2/C1/5. Staines VMB 1870-1922. 26 November 1885.

Outside of the vestry matters were taking a more confrontational and violent turn. Ashby was lifting the crop by July 1885 and as the lands were now fenced and gated he was renting the lammas lands to out-parishioners prior to 12 August when the lammas rights would see the land opened. Simmonds complained that hundreds of non-Staines cattle and sheep were turned onto the lammas:

'to eat up every blade of grass, and on Lammas Day [Ashby would] open the gates to admit parishioners cattle to a Lammas as bare as a macadamised road'.

When Ashby enclosed the Lammas after the hay crop in July 1885 hundreds of Staines inhabitants had protested. Ashby had anticipated trouble and brought in 200 volunteers to overawe the protesters and protect the fences.⁵² With the breaking of the fences in August and the committal of Thomas Wooster the local newspapers kept the news of the dispute in the local public mind. Ashby claimed that his fences were there to make the area more convenient and not simply to restrict access. Simmonds responded by pointing out that 'Barbed wire, locks and keys are not appendages to common rights.' Simmonds also encouraged further resistance to Ashby's enclosing activity and cited Wooster's imprisonment 'at the age of sixty, [as casting] a responsibility upon us as parishioners to defend the [common] rights.' Wooster was released after two weeks in prison due to ill-health and agreement to pay £16 costs, (possibly paid for by the Staines Rate-Payers Association who charted the events in the Association 'Scrapbook').⁵³ On his arrival at Staines Wooster was greeted as a hero. The Staines Advertiser calculated the crowd at

⁵¹ Ibid. 17 June 1886.

⁵² Staines Advertiser, 21 Nov. 1885. In LMA. Acc 1484/1.

⁵³ Unidentified newspaper cutting in LMA. Acc 1484/1.

between 3,000 to 5,000 people. Many of the crowd were reported to be carrying torch lights or banners with 'Our Magna Charta And Open Lammas Rights' and 'Down With The Land Grabbers'. An effigy of Ashby with J.P. in large white letters was paraded through the streets. The crowd marched on Ashby's house where a large police presence including mounted officers had been based to protect the 'unpopular prosecutor'. The effigy was ritualistically beaten outside Ashby's house and when the crowd reached the lammas lands itself it was burned 'amidst the derision of the crowd and a display of fireworks'.⁵⁴

I have not sought out untypical cases to present evidence of resistance to enclosure or disputes over land access in the Victorian period. Middlesex attitudes to common vs. private property rights during this period have an affinity to Thompson's concept of the eighteenth century 'moral economy'. Undoubtedly some of this was mixed with middle class pressure. Such were the meetings called by the West London Central Anti-Enclosure Association at Kensington who opposed Lords Holland's plans to redirect rights of way in 1847-8.⁵⁵ But as we have seen it would be a mistake to believe that such organisations dominated or controlled the wider population in particular parishes when people became involved in direct action. The cases which have been examined at Acton, Hackney, Hammersmith and Fulham, Hounslow, South Mimms and Staines constitute the remnants of a broader struggle for a common economy, which had included a stubborn and shared independence on a local parish or manorial basis. The defeat of maintaining this common economy is as much of historical significance as the commoners

⁵⁴ St. James Gazette, 21 November 1885. In LMA. Acc 1484/1.

⁵⁵ LMA. MJ/SR/4713. Copy of poster advertising a public meeting of the West London Central Anti-Enclosure Association is at Appendix 9.

resistance, defiance and memories of loss. The defiance which they exhibited brought them into sharp opposition with those who held greater social and economic power. As we shall see in the final chapter this continued to be the case well after the Middlesex commonlands had ceased to be agriculturally economically important. Ideologically the enclosers had won the battle in part by their ability to argue that enclosure was part of an improvement programme. Economically this had been expressed in the preamble to the acts of enclosure which ritualistically informed the reader that improvement was impossible without the lands involved being enclosed. Improvement was however not socially neutral and it had been stressed that the existence of commonland necessarily encouraged and promoted crime and anti-social behaviour. Therefore the grand conclusion was that enclosure would promote legal, (in regard to the context of crime) economic and social well being. The following chapter examines the arguments of the enclosers in regard to the first of these; the criminal effects of the commonlands.

PART IVCHAPTER NINECRIME AND THE MIDDLESEX COMMONLANDS

'Another very serious evil which the public suffers from these commons, is, that they are the constant rendezvous of gypsies, strollers, and other loose persons, living under tents which they carry with them from place to place, according to their conveniency. Most of these persons have asses, many of them horses, nay, some of them have even covered carts, which answer the double purpose of a caravan for concealing and carrying off the property they have stolen, and also a house for sleeping in at night. They usually stay a week or two at a place; and the cattle which they keep, serve to transport their few articles of furniture from one common to another. These, during the stay of their owners, are turned adrift to procure what food they can find in the neighbourhood of their tents, and the deficiency is made up from the adjacent hay-stacks, barns and granaries. They are not known to buy any hay or corn, and yet their cattle are supplied with these articles, of good quality. The women and children beg and pilfer, and the men commit greater acts of dishonesty: *in short, the Commons of this county are well known to be the constant resort of footpads and highwaymen, and are literally and proverbially a public nuisance*!'¹

Apart from the middle-class demands for somewhere to walk in the fresh air the British ruling class and their representatives despised the commonlands during the modern period. Prior to the extension of the franchise in the nineteenth century, common rights were, apart from parochial poor relief, the only set of positive rights which the rural poor enjoyed. Commonfield agriculture and the existence of common pasture and wastelands necessarily implied a limited process of social control over the common community. Commonlands were a sign to local members of the

¹ Middleton, *Op Cit.* 2nd ed. p 103.

ruling class and their representatives of substantial areas over which their power to control their fellow men and women was limited. In many ways this lack of power was keenly felt by the ruling class and institutions of local government authority which tended to lump together the manifestations of their impotence into one social concept: crime. The purpose of this chapter is to chart the range of activities which had 'crime' ascribed to them, and to examine how they were bonded together into a unified criminal image which was then open to popular ideological criticism.

Perhaps no idea in relation to crime was attached to the Middlesex commons more than that of the highwayman. Swooping on the unsuspecting traveller as they made their way along the London roads west through Hounslow Heath, or north along Enfield Chase or through Finchley Common, the highwayman was a familiar sight on the commons during the seventeenth and eighteenth century.² As the improvements in road construction increased from the seventeenth century then a corresponding increase in the volume of traffic led to a boom in highwayman 'mania' on the Middlesex commons. Therefore crime and the commons were soon intimately entwined in any discussion relating to the travel arrangements of families making their way between their country estates and London town houses. Examples of the activities of highwaymen are numerous and the cases referred to below are a representative selection. They indicate the impact of the highwayman in particular, and crime in general, on contemporary ruling class thought in relation to the commons throughout Middlesex. In 1698 a number of aristocratic

² Williams, B. Stand and Deliver (Hillingdon Public Libraries, 1986). An account of highwaymen on the Middlesex approaches to London.

Lincaugh, P. The London Hanged (London, Penguin Books Ltd., 1991) p 188.

visitors to William III at court in Windsor were returning to London. Their journey took them through Hounslow Heath where they were stopped by a masked and armed group of highwaymen. Among those who lost their horses, money, jewellery or simply their credibility to defend themselves, were Lord Ossulston, the Duke of St. Albans, and his brother the Duke of Northumberland.³ In November 1716 Grace Stacy and Mary Carleton were travelling in the Whetstone Coach and were near the end of Finchley Common when they were stopped by William Thomson, (alias Nodes) who stole money and jewellery from the women at gun-point. Thomson was said to have pulled the rings off their fingers before riding away. He was found guilty of this assault and robbery and was subsequently sentenced to death.⁴ Thomson was also implicated in the trial of James Hudson, (alias Butler) who was indicted at the same sessions for stealing a silver watch and 40/- in money from John Seldon who was making his way across Finchley Common; Thomson was also sentenced to death.⁵ William Spigger, (alias Spiggot), Thomas Philips, (alias Cross) and William Burroughs were indicted for several highway robberies on Finchley Common and Hounslow Heath during 1720. All three were brought in guilty and sentenced to death.⁶ In May 1726 Robert Collinson was stopped by highwaymen on Enfield Chase and had a watch and a small amount of money stolen from him. Robert Smith and John Scott of South Mimms were indicted for the offence and Smith was sentenced to death. Scott however was found not guilty and acquitted.⁷ William Snowd and Joseph Wells were indicted for

³ Loinaz, D. 'Hounslow and Hounslow Heath'. Home Counties Magazine XIV (1912) p 251-2.

⁴ OBSP. 5-10 November 1716.

⁵ Ibid.

⁶ OBSP. 13-16 January 1721.

⁷ OBSP. 13-26 July 1726.

stealing seven shillings from Robert Hull as he was travelling over Hounslow Heath in December 1739. Hull had been travelling on the Hillingdon Coach as the two highwaymen struck. One of the prosecution witnesses claimed that Snowd and Wells had carried out at least two earlier robberies on the heath before the Hillingdon Coach arrived.⁸ It was not only the large commons which saw the activity of the highwayman. In December 1712 Edward Taylor was making his way across Ealing Common on his way back home to Uxbridge. On the common he was met by Richard Adams who 'bid him stand'. He was assaulted and robbed by Adams who was later caught, tried and sentenced to death.⁹ In the neighbouring parish of Hanwell Collet Mawhood was robbed and assaulted while crossing Hanwell Heath in August 1721. John James was found guilty of the crime and sentenced to death.¹⁰ However it was the larger commons which caused the most fear in wealthy society. The smaller commons were not the haunts of the rich and could be by-passed relatively easily. It was not always possible to circumvent the larger commons of Enfield Chase, Finchley Common and Hounslow Heath, and the infamy of the Middlesex commons grew as the eighteenth century progressed. In 1751 the Bishop of Hereford was passing over Hounslow Heath when his coach was attacked by two mounted highwaymen. They robbed the bishop and the party which was accompanying him and made their getaway across the heath towards the Staines Road, presumably to lose themselves on Staines Moor.¹¹ In 1774 Horace Walpole wrote that

⁸ OBSP. 5-10 December 1739.

⁹ OBSP. 25-27 February 1712/13.

¹⁰ OBSP. 30-31 August 1721.

¹¹ Loinaz, Op Cit. p 251.

'Our roads are so infested with highwaymen, that it is dangerous stirring out almost by day. Lady Hertford was attacked on Hounslow Heath at three in the afternoon. Dr Elliot was shot at three days ago without having resisted'.¹²

One evening in 1790 as his coach pulled in at Finchley, (the last stopping post travelling south to London) Sir Gilbert Elliot decided to rest up for the night and travel the last few remaining miles the following morning, his reasoning being that 'I shall not trust my throat on Finchley Common in the dark'.¹³ Thus the Middlesex commons were linked with the violent theft and physical assault of the highwayman. It was an often traumatic event which could be unleashed upon the poor, the middling farmer, professional person (doctor, banker or solicitor,) or nobility. It was of course of particular annoyance to the wealthy; there was little point spending a cold and wet night on Hounslow Heath, Finchley Common or Enfield Chase on the off chance of robbing a labourer of a couple of pennies. As a result there was a popular feeling within the ruling class (with middle class support) that commons were an aid to such crime and needed to be removed.

The commons were also the haunt of the poacher and illegal wood gatherer. Poaching and the collection of wood for fuel, house repair and building, and also for sale or exchange, plays a particular part in our understanding of acceptable behaviour within the common communities. The cutting and collection of wood was an important part of the local economy for those living on or near the Middlesex commons. For many of these people such activities were not strictly legal common rights and could often result in legal or moral censure. However early seventeenth century records show that wood collecting activities were strongly defended by local people. The

¹² Thorne, Op Cit. p 370.

¹³ Ibid. p 218. Quoting from Life and Letters of Sir Gilbert Elliot, 1st Earl of Minto Vol. I. p 372.

1590s saw much wood felled on Enfield Chase to provide for the houses of local officials and dignitaries. The decade had been unusually cold and there had not been enough wood to meet the commoners needs from the late 1580s. In 1602 the Enfield commoners took matters into their own hands by felling and removing wood illegally in protest.¹⁴ In April 1603 again at Enfield 'a riotous assembling of Women' met to protest at the removal of wood from the town. They accepted that the King had a right to wood from the Chase when in residence in Enfield, but declared that in his absence the timber should be given to the poor or sold for their benefit.¹⁵ In 1604 at Finchley the cutting and selling of wood was forbidden, however the court books are littered with presentments for taking wood throughout the first half of the seventeenth century.¹⁶ In 1638 illegal tree felling at Harrow was laid at the door of men 'of mean condition' ¹⁷, while in 1643-45 it was reported that the inability of Londoners to purchase coal for fuel resulted in much damage to St. Johns Wood in Hampstead.¹⁸ Convictions for the illegal felling of wood often led to painful retribution by the powerful landowners. In 1660 William Horlocke and George Harwood had carried away some of Sir Gilbert Gerard's wood at Harrow. They were subsequently convicted at the Middlesex sessions and were punished at the whipping post.¹⁹ Punishment against wood gatherers increased local tensions and could lead to outbreaks of

¹⁴ Pam Enfield Chase p 43.

¹⁵ Ibid. pp 48-49.
PRO. SP 14/66/63
PRO. SP 14/66/77.

¹⁶ Baker. T.F.T. ed., A History of Middlesex (Oxford U.P., 1980) VCII. VI. p 48.

¹⁷ LMA. Acc 76/791.

¹⁸ Baker. T.F.T. ed., A History of the County of Middlesex (Oxford U.P., 1989) VCII. IX. p 122.

¹⁹ Jcaffreson. J.C. Middlesex County Records (Middlesex County Records Series, 1886-92) III, p 282.

defensive violence. In October 1643 four men who had been imprisoned for cutting and selling wood from Enfield Chase were to be released on providing sureties at the Duchy Court. Following this the House of Lords gave power to the woodward to call the local constables to assist him in searching for wood believed to be stolen from the chase. In November John Butcher, deputy to the Earl of Salisbury, and five other men including the high constable and petty constable, began a search at Winchmore Hill in Edmonton. After searching a number of cottage yards for any illegally cut or collected wood from the chase

'onc Francis Warley, Robert Warley, Robert Abell, Robert Pitchley, John Darby alias Darbyshire, John Morewood, Babbs, John Brown, Richard Hoare, and between Forty and Fifty other Persons, or thereabouts, with Bills, Axes, and Staves, did, in a most riotous and violent Manner, assault and beat this Deponent [John Butcher] and his three Servants, and cut One of the Horses in Two Places, and also the Harness thereunto belonging, and would not suffer them to go upon the said Service, notwithstanding the said Ordinance, [power granted by the House of Lords] and the Constable's Power and Persuasion therein'.²⁰

The manor court records for Hornsey during the late seventeenth and early eighteenth century show that even in those parishes nearer to London the local inhabitants were assertive in claiming the bushes and scrub for fuel as well as any remaining local wood stocks for repairs to their buildings.²¹ This of course led to tensions between those claiming exclusive rights of property in

²⁰ HLJ. Vol. VI, p 254, 12 October 1643.
Ibid, p 328, 6 December 1643.

²¹ Marcham, Op Cit.
p 253. 28 April 1671. There were 'divers presentments' concerning the cutting of furze which grow along the highways. Order were made to prevent such occurrences.
p 232. 17 April 1697. Thomas Denton, John Copeck and Thomas Clarke were amerccd for cutting and taking furze off the common.
p 250. 24 April 1701. 'Mr Edward Townsend hath cut down six of the Lord's trees growing in the Little Park in Southwood Common side'.

the timber and those claiming common rights of estovers. The potential scale of this tension is illustrated in the case at Enfield in 1720 where General Pepper (as ranger of the chase) resorted to instituting 34 separate proceedings against people who had taken wood for fuel.²²

Poaching is perhaps one of the most widely recognised example of social crime. In his opening remarks on poaching on Cannock Chase Douglas Hay remarks that

'True equality before the law in a society of greatly uneven men is impossible: a truth which is kept decently buried beneath a monument of legislation, judicial ingenuity and cant. But when they wrote the laws protecting wild game, the rulers of eighteenth-century England dispensed with such hypocrisies. By an act of 1670 a man had to be a lord of a manor, or have a substantial income from landed property, even to kill a hare on his own land. The basic game qualification was an income of £100 yearly from a freehold estate, which in 1750 was between five and ten times the annual income of a labourer, and fifty times the property qualification to vote for a knight of the shire'.²³

Poaching of course preceded the starting point of this particular investigation and is widespread in the Middlesex record prior to 1656. I have no intention of quantifying the practice of poaching in Middlesex but it is worthwhile reviewing some of the 'where, when and how' of Middlesex poaching from the beginning of the seventeenth century onwards. Between 1612 and 1618 the Middlesex Quarter Sessions alone dealt with 25 separate cases concerning the illegal taking of

²² Thompson, Whigs and Hunters p 171.

²³ Hay, D. 'Poaching and the Game Laws on Cannock Chase', in Hay, D. et.al. Albion's Fatal Tree: Crime and Society in Eighteenth Century England (London, Penguin Books Ltd., 1975) p 189. The act Hay is referring to here is 22 & 23 Chas II c.25.

Sharpe lists the provisions of the 1671 act commenting that the 'game of England was regarded, in a sense, as the common property of the Gentry.' Sharpe, J.A. Crime in Early Modern England 1550-1750 (Harlow, Longman Group U.K. Ltd. 1984) p 125-126.

deer, pigeons, conies and fish. Geographically these cases covered places as far apart as Acton, Finchley, Hampstead, Hanworth, Hendon, Hyde Park, Marylebone, Monken Hadley Paddington, Stanwell, Teddington, Tottenham and Uxbridge.²⁴

Poaching on Enfield Chase has received much publicity due to the efforts of Pam and Thompson.²⁵ The extent of poaching on the chase should not surprise us. The chase was the largest of the Middlesex commons by far and had carried a stock of deer, belonging to both the local lord and the King, which long acted as a temptation to the poachers of the surrounding parishes of Edmonton, Enfield, Monken Hadley and South Mimms. As early as the first decade of the fourteenth century records show local inhabitants had been indicted for taking deer. John and Richard Enmmersome were outlawed in 1306 when they refused to give themselves up and come forward for trial for the theft of venison.²⁶ By the later part of the seventeenth century poachers were sometimes highly organised, extremely confident and often armed. Those poachers who were 'unqualified to keep guns, and yet presume to make use of the same, or of any other

²⁴ Le Hardy, W. County of Middlesex: Calendar to the Sessions Records Volume I, 1612-14 (London, Harrisons & Sons Ltd., 1935) pp 7, 8, 24, 25, 104, 130, 202, 219, 462.

Le Hardy, W. County of Middlesex: Calendar to the Sessions Records Volume II, 1614-15 (London, Harrisons & Sons Ltd., 1936) pp 90, 131, 169, 337.

Le Hardy, W. County of Middlesex: Calendar to the Sessions Records Volume III, 1615-16 (London, Harrisons & Sons Ltd., 1937) pp 24, 34, 185, 254.

Le Hardy, W. County of Middlesex: Calendar to the Sessions Records Volume III, 1616-18 (London, Harrisons & Sons Ltd., 1941) pp 76, 163, 220, 294, 317, 344, 345, 366.

²⁵ Pam, Enfield Chase The theme of deer stealing is a thread running through almost the entire length of the book.

Thompson, Whigs and Hunters Enfield Chase and Richmond Park are examined in some detail in chapter 8: pp 169-89.

Both of the above are extremely detailed pieces of work and would not benefit from pure repetition on my part. Both are useful in mapping out the importance of the chase as a local resource. However I have used both Thompson and Pam as the starting point to broaden out the geographical area covered by poachers in Middlesex.

²⁶ Pam, Chase p 16.

unlawful engines or means to destroy His Majesty's Game' were specifically condemned.²⁷ When Henry Coventry was appointed Chief Ranger of Enfield Chase he was charged with ensuring that anyone illegally 'killing, chasing, hunting or stealing any of the King's deer in the said chase or for carrying guns there' would feel the full weight of the law.²⁸ The seventeenth and eighteenth century rangers of Enfield Chase made continuous efforts to prevent poaching and the collection of wood most of which failed miserably. Not only did the attempts to curb the commoners' claims to the chase fail but they turned tensions into hatred. Pepper claimed that because he was seeking to protect the deer and timber in the chase from the destruction of the local inhabitants they had 'attempted to murder the said Ranger at his own house, & severely wounded him, to the great impairing of his health'.²⁹

Poaching was not confined to the north-east of the county. In January 1658 John Hone, husbandman of Teddington, was indicted 'for takeing and destroying severall hares with cordes and other instruments, nigh into the hare-warren of the said Lord Protector, within the Honor of Hampton Court in the said county'.³⁰ Indeed the problems of poaching in the south-west of Middlesex appeared so acute that Lord John Lovelace, Chief Justice in Eyre south of the Trent, commissioned Thomas Stone to suppress all local poachers within the Shepperton area. A full

²⁷ Middlesex Sessions Book Calendar January 1674/5, no 320. pp 59-60.

²⁸ Shaw, W.A. Calendar of Treasury Books 1679-80 (London, H.M.S.O., 1913) VI, p 503.

²⁹ Thompson, Whigs and Hunters p 171. Quoting 'Representation of John Pepper' nd. c. post 1721. Cambridge University Library C(H) 376a.

³⁰ Jaffreson, Op Cit. III, p 268.

transcription of the commission describes the problems of poaching as perceived by the state and local gentlemen, as well as explicitly linking poaching with notion of 'disorder'.

'I am credibly Informed that in any disorderly persons within the County of Middlesex laying aside their lawful _____ and Implymt [employment] doe betake themselves to the stealing taking and killing of Deer Hares Conceys Pheasants Partridges and other Game Intended to be preserved by diverse good lawes and Statutes of this Realme with Guns Dogs Trammells [Lowbells?] [Hayes?] other nettes Snares harepipes and other Engines to the great Dammage and prejudice of noblemen gentlemen and all Lords of Mannors and others who are Owners or keepers of fforests Chases Parks or Warrens in Breach and contempt of the Lawes and Statutes in that Case made and provides **In Consideration** whercof and that the Game may be the better preserved for the time to come I have thought fitt to Authorise and appoint Thomas Stone of Shepperton in the County of Middlesex gentleman to search for seise and take all Guns Dogs and Engines above mentioned wheresoever he shall find them which are fitt and made to Kill and destroy Game any where within five miles round his house att Shepperton aforesaid from all those _____ and disorderly persons who are not permitted and allowed by the Law to have or use any such things And the same he is to dispose off according as the lawes and Statutes in that Case directs and appoint And I doe further desire and Require him the said Thomas Stone to Acquaint me from time to time with the condition names and habitation of Such person or persons as are Guilty of the said misdemeanors That such further Course may be taken for their punishments as may be Agreeable so Law and Justice And for the said Thomas Stone's better proceeding herein I doe hereby Require and Charge all Sheriffs Justices of the Peace Mayors Bailiffs Constables Headburroughs and others their Majys [Majesty's] officers and Ministers and every of them that they be att all Times ready to Aid and Assist the said Thomas Stone in the due and Lawfull Execution hercof as they will A _____ the Contrary att their Perills Given under my hand and seals of officer abovesaid this sixth day of november Anno Dni 1689.³¹

³¹ LMA. Acc 276/443. Words in bold reflect the text in the original document.

This reflects very well the alarm caused by the poaching of game in general and the taking of deer in particular from the Restoration onwards. Thirsk, J. ed., The Agrarian History of England and Wales, 1640-1750;

However we should not view poaching as purely a seventeenth century activity, it continued in Middlesex throughout the eighteenth century and remained a stable feature well into the nineteenth.³² In 1723 John Guy of Teddington, was indicted, convicted and executed under the Black Act for taking deer from a park belonging to Anthony Duncomb.³³ In 1726 Vulcan Gates, an Edmonton blacksmith and well known taker of deer, was also executed under the Black Act for not coming forward after being 'proclaimed' for taking part in poaching expeditions on Enfield Chase.³⁴ In 1727 Thomas Curtis was deposed to have taken a hare in the lane near Grovestreet Common at Hackney.³⁵ William Johnson of Edmonton was indicted for taking deer from Bush Hill Park in June 1733. He was also indicted for the murder of James Taaman who grabbed Johnson and was shot during the ensuing struggle.³⁶ In November 1737 William Rogers, a

V.I Agrarian Change (Cambridge U.P., 1985) pp 366-371.

³² Historians should not restrict themselves to searching the legal record. The legal record comes into being only when a) an individual is caught b) the person doing the catching wants to prosecute formally, and c) the case goes further than the initial deposition to the local justice of the peace. JPs own notebooks have a notoriously poor survival rate and yet it is here that we would expect to find most cases being initiated. In the absence of this historians must of course consult the assize and quarter session material, but must also be willing to look outside of the legal record. This issue will be addressed in the following chapter.

³³ OBSP. 7-10 April 1725. Guy's accomplice, an old man called Biddesford, was shot dead in field after they had both fled across the Thames landing near Kingston.

The 'Black Act' is 9 George I. c.22. 'An Act for the More Effectual Punishing Wicked and Evil-Disposed Persons going Armed in Disguise, and Doing Injuries and Violences to the Persons and Properties of his Majesty's Subjects, and for the more Speedy Bringing the Offenders to Justice.' The major group of offences under the act concern the hunting, wounding or stealing of deer and the poaching of hares, conies and fish. These were made capital offences if the offenders were armed and disguised - blackened their faces. Thompson reproduces the act in full on pp 270-77.

³⁴ Ibid, p 174. Gates denied he had been armed but was nevertheless convicted under the Black Act and hanged in 1726.

³⁵ Paley, R. (ed.) Justice in Eighteenth Century Hackney: The Justicing Notebook of Henry Norris and the Hackney Petty Sessions Book (London Record Society, 1991) p 31.

³⁶ OBSP. 5-8 December 1733.

labourer from Hommerton in Hackney, was deposed to have taken deer from Epping Forest.³⁷ In the nineteenth century the progress of enclosure and the increase in the number of buildings saw many of the poachers favourite haunts disappear.³⁸ Nevertheless the large estates and parks afforded much hope for the Middlesex poachers. Richard Wicks was indicted for shooting at Benjamin Johnson on 18 November 1809 with intent to kill when poaching in Hanworth House grounds. Johnson deposed that he had shouted to the poacher and ran after him. The poacher had then turned to Johnson and fired his gun. Wicks was fortunate and was found not guilty.³⁹ Robert Coomes and Thomas Simpson were not so lucky when they were indicted for stealing fowls on a trip to Hanworth Park on September 1809. They were both found guilty and sentenced to seven years transportation.⁴⁰ Parish officers took advantage of poaching fines to supplement poor relief expenditure. Ruislip poor rates were augmented by a proportion of the poaching fines of James Bray, (1825) William Greening, (1826) and Ambrose Whitbread, (1827) being allocated to the poor rates.⁴¹ In March 1836 Charles Kitley was indicted for shooting with intent to kill Zachariah French. French was bailiff to Huntley Bacon at Tottenham and was engaged there as a keeper at Dampford Wood. He had caught Kitley and two of his friends, George Page and Berry Cartwright, running away from the wood and suspected them of taking rabbits or hares. Kitley, Page and Cartwright were all found guilty for the shooting (Page and

³⁷ Ibid. p 43. Rogers, the leader of a commercial deer-stealing gang, was sentenced to death at the Essex assizes for shooting at and assaulting gamekeepers at Waltham Forest.

³⁸ The most important being the Enfield Chase enclosure in 1777.

³⁹ OBSP. 6 December 1809 and following days.

⁴⁰ Ibid.

⁴¹ LMA. DRO 19/C1/2. Ruislip VMB 1823-28. 27 February 1825, 18 September 1826, and 20 November 1827. (All located at the back of the volume).

Cartwright were indicted for aiding and abetting) and sentenced to death.⁴² Poaching in Middlesex remained popular and as late as 1870 there were 140 prosecutions for trespassing for game in the daytime and 10 for night poaching.⁴³

The commons were not only sparsely inhabited places where travellers were robbed and shot at, or where poachers and wood gathers engaged in their trade. They were also wild expanses of heath and wood where criminals and undesirables could hide or seek support from people with a lack of respect for outside order. Ann Davis of Finchley was indicted in 1707 for stealing bed clothes and curtains from Augustine Branch. After leaving the house she made her way to Finchley Common for safety, but was caught there.⁴⁴ In 1724 the celebrated thief Jack Sheppard escaped from the Newgate Ward of the New Prison at Clerkenwell. He and a friend William Page seeking the cover and privacy of a large expanse of heath eventually set up a base on Finchley Common. However the common did not offer enough cover and acting on information received the Newgate keepers made their way to Finchley and

'disper'd themselves upon the Common aforesaid. in order to make their View, where they had not been long e're they came in Sight of SHEPPARD in Company of WILLIAM PAGE, habited like two Butchers in new blue Frocks, with white Aprons tuck'd round their Wastes'.⁴⁵

⁴² PRO. CRIM 10/3. Central Criminal Court Book 1835-36 pp 875-80.

A fourth man, Harry Page, was found not guilty of aiding and abetting. PRO. CRIM 10/4. Central Criminal Court Book 1835-36 pp 106-109.

⁴³ BPP. Returns of the Number of Convictions Under the Game Laws in Separate Counties in England and Wales, Distinguishing the Number in Each County (1871) p 2.

⁴⁴ OBSP. 15-17 October 1707.

⁴⁵ Anon. (Daniel Defoe) The History of the Remarkable Life of John Sheppard (nd. c.1724) p 24-25. Defoe, who was later identified as the author, refers to 'John' Sheppard throughout the book. The phrase 'celebrated' may appear slightly antiquarian. However as Linbaugh reminds us Sheppard achieved huge celebrity status in the eighteenth century; a status which lasted to prompt comparisons with the Australian bandit Ned Kelly in the late

In 1736 Edward Bonner robbed a grazier between Uxbridge and Hayes. The grazier raised a hue and cry, however Bonner

'[w]ith great difficulty... got to a house in a common near Harrow-on-the-Hill where he seeing only a woman and a Boy, he went in, and asking for some small beer, and telling her he had been arrested by the Bailiff and made his Escape from them, she readily gave him some'.⁴⁶

Thus in the minds of the ruling and middle classes the existence of large commons so near to London came to be populated by people willing to turn to illegal means of income. The commons, by definition, implied access rights for people to physically be there. In many cases this meant the common itself could be called upon to offer an alibi in criminal cases. When Thomas Jaxon of Hanworth was indicted for stealing a bridle and pannel from John Cox in December 1684, he claimed he found the two items on the local common. No further evidence was put forward by the prosecutor and the Old Bailey jury acquitted him.⁴⁷ William and Mary Robinson of Hampstead were indicted for stealing two sheep in 1714. They were taken with the skins which were identified from the owners mark but claimed to have found it 'in a ditch'. Both were acquitted.⁴⁸ Around 1720 General Pepper at Enfield complained

'all the Country people for twenty miles round have putt in as many Cattle as they thought fitt for many years past, & now Severall villages insist on a Right of Comon & under p[re]tence of looking after their Cattle (which is the Chiefe [p]re]tence of coming into the Chase) great numbers of people Come there & Cutt down the Timber & Wood'.⁴⁹

nineteenth century. Linbaugh, London Hanged p 7-8.

⁴⁶ Linbaugh, P. The London Hanged p 206. Quoting from the Ordinary's Account. 11 August 1736.

⁴⁷ OBSP. 16-17 January 1685.

⁴⁸ OBSP. 8-11 September 1714.

⁴⁹ PRO. DL 41/592. Undated letter to the Duchy officials.

Using the common as the alibi did not always lead to acquittal. John Hankey was sentenced to seven years transportation in 1723 for the theft of a saddle. Hankey had claimed that he had found the saddle on the common.⁵⁰ In 1729 M_____ N_____ claimed that he found four cows on the road near Hounslow Heath and brought them to Hammersmith looking for the owner. He was transported for seven years.⁵¹ In 1739 Joseph Caves of Finchley was indicted for stealing a horse whip from George Rotherham and a horse from Thomas Atkinson. He claimed to have found both the whip and the horse. He deposed that he 'found the Horse with a Bridle and Saddle upon him, at the Head of the Old Pond in the Chase'.⁵² Such claims continued well in the era of parliamentary enclosure. In 1800 Christopher Shaw was indicted for stealing eleven pewter pots on Hampstead Heath. He claimed to have found the pots when walking from Hampstead to Highgate and was subsequently acquitted.⁵³ In 1803 William Tupper stole a bundle of clothes from Charles Bullard. When caught it was found that Tupper had a pistol concealed in the bundle. Tupper confessed that he had stolen the clothes while drunk but claimed that he found the pistol earlier on a common.⁵⁴ As late as 1836 William Tate was indicted for stealing sixteen bushels of ashes from the common at Acton. He claimed that 'he thought he had a right to them, as they lay on the waste'. This plea had some effect as Tate was found not guilty although he probably returned the ashes to Henry Burleton as the rightful owner.⁵⁵

⁵⁰ OBSP. 4-12 December 1723.

⁵¹ OBSP. 3-6 December 1729.

⁵² OBSP. 6-10 December 1739. Caves was found guilty and sentenced to death.

⁵³ OBSP. 5 February 1800 and following days.

⁵⁴ OBSP. 26 April 1802. He was found guilty of stealing the clothes (but not the pistol) and sentenced to six months in the house of correction.

⁵⁵ PRO. CRIM 10/3. Central Criminal Court Book 1835-36 pp 537-538.

Even the limited leisure activities of the poor was under attack. The recreational activity is perhaps the most unknown or misunderstood aspect of the life of the rural poor.⁵⁶ What we do know is that the existence of commons and common fields was absolutely essential in providing the venue for much of village recreation. Cricket was played on Uxbridge Moor and Hanwell Heath into the early part of the nineteenth century, while again on Uxbridge Moor crowds gathered to watch bull baiting, (1763) and boxing, (1791 - this match was stopped by magistrates).⁵⁷ Boxing was also popular in Shepperton where again the common provided the venue. Indeed the early nineteenth century saw the common at Shepperton as 'a noted rendezvous for fights of every kind - man, dog, cock, or in fact any other animal that could be engaged in mortal combat, was brought here from London to test their power and skill'.⁵⁸

Finally the role of commons as meeting places for political motives were a problem to a ruling class who were by the late eighteenth century worried by London workers' attempts at combination. Assemblies require a site for assembly and the commons provided the best site for workers to gather outside of the control of their masters. In May 1777 'a large body of journeymen carpenters assembled on Hampstead Heath and entered into a fresh combination against their masters'.⁵⁹ I will have more to say regarding the use of open spaces for assemblies in

⁵⁶ Malcolmson, R.W. Popular Recreations in English Society (London, Hutchinson, 1973). Gives a good introduction to this less than well researched area.

⁵⁷ LMA, OBSP. 1785 Dec/63 p 5. [M.S.]
Griffiths, D.M. A History of Uxbridge Cricket Club 1735-1971 (West Drayton, 1971) p 8.
ELHL, Acc 13/9. Hanwell VMB 1807-28. 19 May 1813.

⁵⁸ Lindsay, Op Cit. p 37.

⁵⁹ Dobson, C.R. Masters and Journeymen: A Prehistory of Industrial Relations 1717-1800 (London,

the next chapter. However it is enough for now to recognise that the role of commons and later village greens as open air meeting places continued well into the late nineteenth century. In August 1889 the National Union of Gasworkers and General Labourers (NUG&GL) held a meeting on the village green at West Drayton.⁶⁰ In the September of the same year there was a meeting of platelayers on West Drayton Green and in November a second meeting of the NUG&GL on Harefield Green.⁶¹ This was followed in August 1893 by a meeting of the London and Southern Counties Labour League which was again held on West Drayton Green.⁶²

From a ruling class perspective of control it was important to merge the illegal, semi-illegal, and socially unstable elements of common right use if it was to gain the lower middle-class professional or tradesmen as allies, or at least as neutrals, in the public enclosure campaign of the late eighteenth century. This was done very well in the county reports to the Board of Agriculture and contemporary press. However this would never be enough to guarantee the acquiescence of this tier of society. What was needed was a form of economic reasoning which stressed the need for a dependent rural working class. This could be expressed in terms of advancing the wealth of the country through a system of regular paid employment. It must also be argued that the continuance of the common economy was no longer an option. This would need to be a necessarily popular argument in regard to this professional tier. The illegal activities

Croom-Helm, 1980) p 90. Quoting from Lloyds Evening Post, 19-21 May 1777.

⁶⁰ Kings Uxbridge "Gazette" Almanack, 1890 p 16. As a result of the meeting a branch of the union was established some eleven days later.

⁶¹ Kings Uxbridge "Gazette" Almanack, 1890 p 17-18

⁶² Kings Uxbridge "Gazette" Almanack, 1894 The volume for 1894 has no page numbers. The entry will be found under 'Retrospect of 1893'.

of the highwayman and thief, along with the dubious legality of the use of the commonlands as playgrounds or political meeting places needed to be linked with a moral justification of private property, an economic theory of agricultural improvement, and a similar theory of moral improvement through paid employment. The final stage of the separation of the peasant was to be highly ideological. The ideological tone of enclosure invited an ideology based on its opposite: communal property and action. This was to have a large and lasting effect on class consciousness during and after enclosure as the following chapter will demonstrate.

CHAPTER TEN**ENCLOSURE, PROPERTY AND CLASS FORMATION**

In this final chapter I will be seeking to establish the effects of enclosure and how this fits with a Marxist interpretation of class struggle and proletarianisation which resulted from the increased dependency on waged labour in the countryside. This explanation relates to the impact of enclosure on class formation in Middlesex from the middle of the seventeenth to the late nineteenth centuries. The role of this chapter is to set the evidence which has already been surveyed within this wider explanatory framework. This discussion begins with an examination of the transition from the early modern concept of property to an essentially modern one and to establish what this transition looked like. This is followed by briefly examining recent criticisms of Marx with regard to his writings on enclosure.¹ The chapter will then primarily address the Middlesex evidence of the earlier chapters. The conclusions and arguments presented in this final chapter, are summarised below.

The first point is the importance of the fact that by the middle of the seventeenth century agriculture in Middlesex was continually gearing itself towards the specialist production which would be characteristic by the nineteenth century. The nearness of London meant that Middlesex was particularly sensitive to the food demands of the city. This meant the development of market gardens and dairy farms (the later for the production of milk rather than butter) in the inner most parishes and the extension of grasslands for hay production in the north.² This development of

¹ This will only be in terms of enclosure and class struggle.

² Thirsk, J. Agrarian History V:II, pp 245-246.
Much of the evidence for this has been presented in Chapter 3 above.

specialised agriculture and horticulture brought a growth of waged labour. Wages were already an important part of the Middlesex countryside which was gearing its productive capacity towards London. This was dependant upon a labour force willing, or forced, to produce for wages rather than subsistence. The second point is that the material benefits which common rights provided to the inhabitants of the Middlesex countryside played a crucial role in the transition to an agricultural economy based on waged labour. As we have already seen the commonlands afforded a place to live, pasture for their animals, timber for their houses, fuel for heat, as well as the venue for illegal food taking in the form of poaching. The third point is that class conflict occurred throughout the period under consideration. Class conflict is often seriously misunderstood or misrepresented by historians even when portraying a sensitive and sympathetic account of the hardships which people experienced as the result of enclosure. I will be seeking to emphasise the forced expropriation of common land, the required discipline for agrarian capitalism and working class consciousness impressed on those working in the countryside by enclosure. This leads to the fourth point I wish to make from the Middlesex record. As a part of the discussion relating to class conflict I will chart the movement away from the clashes between enclosure and commoners towards the friction between employers and the rural proletariat. This final conclusion demonstrates the way in which attitudes towards land access were carried over into more urban and industrial settings. Radical ideologies concerning property did not begin when workers found themselves landless, and the opposition and resistance to enclosure explains much in terms of nineteenth century radicalism in respect of property rights.

The early modern period was a time of transition and this is an essential point to grasp. I do not mean by this that some nebulous change was occurring. Some degree of change is noticeable in all societies if we give a large enough time frame and accept a loose enough use of the word 'change'. Understanding purely theoretical paradigms of feudalism and capitalism is useless if we do not analyse the process of change, and what forces influenced that change. Although systematic feudal society had ceased by the seventeenth century it would be wrong to think of Middlesex inhabitants moving within purely capitalist relationships. It is here that the nature of the transition becomes significant; indeed critical. What the Middlesex record shows from about the middle of the seventeenth century is the final stage of the separation of the local peasantry from the land. This separation was absolutely essential in the national transition from feudalism to capitalism. Although by this time many essential features of feudalism had been swept away, such as serfdom and the presence of a strong peasantry, there were other forces which were intrinsically feudal. Common rights were the rump of medieval feudalism. Within feudal society the peasants' attachment to the land was the mark of their oppression. The peasants were unfree on two separate counts. Firstly they were tied to the land in the sense that their holding as a peasant-proprietor gave them a direct interest in the means of production; their land and tools. Secondly they were unfree in the sense that as a part of the lord's estate they were not free to leave their particular manor to work elsewhere, for example on another manor where feudal dues were less oppressive or the nature of the soil better suited to husbandry. By the mid to late seventeenth century settlement laws and common rights reflected the heritage of the Middlesex peasant of previous generations. The settlement laws restricted labour movement, and common rights afforded a direct interest in the productive assets of the land.³ The desire of the poor

³ Of course settlement did not prevent labour movement, particularly in the short term, but increasingly

commoner or labourer with land to retain some form of direct interest with the land along with their suspicion of enclosure was well understood.⁴ Access to material common right benefits was not only thought desirable by the poor or self-sufficient smallholders. Where a workforce has access to common rights, the employer did not have to provide a wage equating to the full level of subsistence for the labour force and any dependant family members. To argue for enclosure as a general or universal measure, would be to claim that either wage labour, parish relief, or a mixture of the two would be able to sustain the labour force. The point being laboured here is that feudal society was not, and could not be, transformed overnight into capitalist society. A period of transition where feudal relations were in the process of breaking down merged with capital/wage/profit/private-property relations.

This is clearly seen in terms of the legal definition of property itself as landowners sought to distance the definition of 'landownership' from the crown. G.E. Aylmer began his investigation into property and property rights in the early seventeenth century with John Cowell's The Interpreter in 1607.⁵ Cowell defined property as 'the highest right that a man hath or can have to any thing; which is in no way depending upon any other mans courtesie'. However Cowell

throughout the later eighteenth and early nineteenth centuries settlement acted as a break on such movements, particularly in times of high unemployment. Snell. *Op Cit.* p 211.

⁴ 'we have Right to that we have need of, especially to the common wast Land, though you have lawes which was made by men, which you claim the Lands by'. William Covil. A Declaration on the Behalf of the Poor of Enfield (1660) p 7.

'In regard to Enfield-chase, it is to be observed that though the cottagers are much in want of small fields of inclosed land, yet so much attached are they to their idle system of keeping a few half starved cattle on the chase, often to the ruin of themselves and their families, without the smallest advantage accruing to the public, that they constantly oppose inclosure.' Middleton. *Op Cit.* 1st ed. p 26.

⁵ Aylmer, G.E. 'The Meaning and Definition of "Property" in Seventeenth Century England', Past & Present 86 (1980) p 88.

qualified this right by rejecting the idea that anyone but the king had such a right in terms of land as all lands were ultimately held from the crown. Strictly speaking Cowell's definition meant that only the king had property in terms of the land. Such a definition brought complaints from landowners in Parliament and led James I to admit that The Interpreter was in need of amendment.⁶ In 1624 John Rastell published Les Terms de la ley; or, Certaine Difficult and Obscure Words and Terms of the Common Laws of this Realme Newly Printed and followed Cowell in terms of property in lands by reiterating almost word for word that it was 'the highest right that a man hath or can have to any thing, which no way dependeth upon another mans courtesie'. Like Cowell he also allowed that the word was 'neverthelesse... used for such right in lands and tenements as common persons have in the same'.⁷ There was a definite struggle in regard to the circumstances in which it could be said that land was 'owned'. After the execution of Charles I and the establishment of the English Republic, William Sheppard's definition has a more modern ring to it. His An Epitome of All the Common and Statute Laws of this Nation, Now in Force: Wherein More than Fifteen Hundred of the Words or Terms of the Law are Explained was published in 1656. Sheppard asserted that, 'Property is the Right that a man hath to anything which in no way dependeth upon another mans courtesie: And he that hath this, is called a Proprietary'.⁸ This was a well worn phrase which leads us back to Cowell's definition of 1607. However the revolutionary struggle had removed the crown and with it the requirement to position it at the centre of any definition of property. The restoration of the crown in 1660 saw the restoration of the King as the ultimate owner of all land. Thomas Blount's definition of

⁶ Ibid. p 89.

⁷ Ibid. p 90.

⁸ Ibid. p 93.

property in Nemo-Lexikon: A Law Dictionary first published in 1670 was closer to Rastell than Sheppard. Although once again admitting the widespread use of the word in relation to the general public he restricted its correct usage to the crown.⁹ The eighteenth century returned to a more republican outlook on landownership. In 1719 John Lilly published The Practical Register; or a General Abridgement of the Law and asserted that 'An absolute proprietor hath an absolute Power to dispose of his Estate as he pleases, subject only to the Laws of the Land'.¹⁰ As it was an eighteenth century English parliament which drafted, debated and framed those laws Lilly had certainly found and popularised a definition which pleased parliament. The separation of land from the crown was part of the new modern definition of private property, and is clearly a key element of the transition from the early modern to modern period. In many ways this new conceptualisation of property can be found in the arguments of enclosure. Taking their cue from Lilly ('an absolute proprietor hath an absolute Power to dispose of his Estate as he pleases, subject only to the Laws of the Land') landlords and parliament began to legislate for the removal of common rights in order to realise their absolute proprietorship. As landowners were cutting their landownership free from any references to the monarchy they were also busily cutting away the rights of the commoners.

To translate any theory of removing common rights from land, and thus the peasant from the soil, into an explanation of how this is done requires much research into the surviving archival material.

The task of identifying the period of separation is perhaps easier at this level of investigation as I

⁹ Ibid. p 94.

¹⁰ Ibid. p 95.

am dealing with one small county rather than England as a whole. The evidence from the Middlesex record gives us the opportunity to scrutinise the Marxist view of this separation at the local level. As we have a definite and detailed set of information regarding agriculture at the county level we can be sensitive to variations which obviously took place nationally. For just as early twentieth century historians have been criticised for attempting to give a national summary of agricultural change in terms of the introduction of new crops and rotations¹¹, so Marx has been taken to task in his national generalisations regarding the break-up of the feudal system and the process of separation of the peasant from the land. Kins Collins directly reproves Marx by seeking to establish the temporal deficiencies in Marx's account of change in English agriculture as found in Capital. By establishing the falsity of several statements of fact Collins seeks to demonstrate that Marx and those who followed his ideas were in such a rush to reach the classless society they failed to adopt rigorous reasoning in their arguments. The result of this mistake, claims Collins, leaves us no option and that regardless of its undoubted insights 'Marx's myth of the dynamics of history ...must be discarded after it has exhausted its worth'.¹² However altering Marx's pace of change in regard to recent research in English agriculture does not in itself undo Marx's analysis. Hill had responded to Collins's criticism when he claimed that

'Marx may have over-simplified and foreshortened a complicated process when he spoke of the independent yeomanry being succeeded by a servile rabble of tenant farmers on short leases; but taking the long view that is exactly what happened'.¹³

¹¹ Beckett, Agricultural Revolution. Chapter one, 'The Agricultural Revolution in History', pp 1-10.

¹² Collins, K. 'Marx on the English Agricultural Revolution', History and Theory 5 (1967) pp 380-81. Collins does not seek to investigate the social side of enclosure.

¹³ Hill, C. Reformation to Industrial Revolution 1530-1780 (London, Penguin, 1969) p 271.

Dahlman also rejects the Marxist position in regard to enclosure. He sums up the Marxist viewpoint as

'very simple: before enclosure the lords exploited the peasants by exorbitant fines, and enclosure was a means of intensifying that exploitation. This was made possible by the fact that the lords constituted the dominant stratum, politically and economically, in the hierarchy, and by sheer force and coercion lived off the peasants. The robbery of the peasants that constituted the enclosure movement was feasible because the landowning classes dominated Parliament'.¹⁴

Dahlman rejects Marx's analysis because, amongst other loose 'strands' in this account, there was no opposition to enclosure and he thus takes comfort in this as evidence that there were no forced coerced parties involved.¹⁵ However in much of British social historical writing the criticisms of Marx in relation to enclosure are to be found elsewhere. Although they were not Marxist historians the work of John and Barbara Hammond has often been characterised, usually by those seeking to undermine the Marxist vision of history, as being socialist histories.¹⁶ In particular The Village Labourer has been used by historians as a shorthand for Marx. Chambers and Mingay in their Agricultural Revolution never refer to Marx at all and their criticism that 'we must be careful not to exaggerate the extent or the importance of the loss' [of common rights] is directed at the Hammonds.¹⁷ More recently Mingay in Parliamentary Enclosure in England: An Introduction to its Causes, Incidence and Impact, 1750-1850 refers to the 'Marxist' view of Robert Allen and the

¹⁴ Dahlman, Op Cit. p 45.

¹⁵ Ibid, p 54. Dahlman does not footnote this assertion. I believe he is here following Gonner and Tate.

¹⁶ John Lawrence and Barbara Hammond were both 'radical-minded liberals all their working lives.' They were largely influenced by the circle of fellow radical liberals such as L.T. Hobhouse, F.W. Hirst, J.A. Hobson, Graham Wallas and Graham Murray. Canon, J. Davis, R.H.C. Doyle, W. & Greene, J.P. ed. The Blackwell Dictionary of Historians (Oxford, Basil Blackwell Ltd., 1988). p 177.

¹⁷ Chambers and Mingay, Op Cit. p 97.

'controversial' study of Janet Neeson. Part of his reason for attributing Allen with a Marxist view was his conclusion that enclosure forced people out of farming and led to widespread seasonal unemployment.¹⁸ Neeson's recent work by defending much of the pessimistic Hammonds' thesis in The Village Labourer and seeking to extend the opposition to enclosure has brought with it the 'controversial' description.¹⁹ A further example of this trend to de-Marxify the enclosure debate is in the title of Leigh Shaw-Taylor's recent paper 'The Hammond-Neeson Thesis Revisited: Did Labourers Really Have Common Pasture Rights?'.²⁰ In these instances the notion of class struggle regarding enclosure can be passed over as they are rarely advanced.²¹ Michael Turner is more willing to come to grips with Marx and class struggle in his essay on opposition to enclosure in Buckinghamshire. His proposition that 'one of the hottest Marxist properties [enclosure] in the story of capitalism's rise had no teeth' results from his analysis of evidence in Buckinghamshire that commoners 'were dispossessed of both their real and customary property with but little demur'.²² This at least gets to the point and also demonstrates that Turner feels that the Marxist view on enclosure and class struggle should at least be confronted. I have raised these criticisms, not in order to take each in turn and then provide some subtle answer to each, but to bring them

¹⁸ Mingay, G.E. Parliamentary Enclosure in England p 150.

¹⁹ Ibid, pp 151-53.
Neeson, Commoners pp 259-294.
Neeson, 'Opponents'.

²⁰ British Agricultural History Society, Spring Conference, 6-8 April 1998.

²¹ Neeson, Commoners. Neeson herself refers to Marx only once in Commoners (the above mentioned 'controversial' study) and here it was to argue that the peasantry survived into the early part of the nineteenth century.

²² Turner, M. 'Economic Protest in Rural Society: Opposition to Parliamentary Enclosure in Buckinghamshire'. Southern History 10 (1988) p 95.

to our early attention. Each will be addressed in the following pages in relation to the Middlesex evidence. It is to this local material that I now turn.

As I have outlined earlier Middlesex agriculture was by the early to mid seventeenth century gearing itself further towards the London market.²³ However this was still transitional and the relationship between city and county would become much closer throughout the following 150 years. Although it would be accurate to say that London heavily influenced Middlesex agriculture at this time, it would be taking the argument too far to say that it totally dominated every part of the county. The reputation of Hampstead as a grassland parish devoted to the production of hay for London consumption was made between the second half of the sixteenth and the early eighteenth centuries.²⁴ Around Enfield the common rights afforded by the chase enabled farmers to continue with either subsistence farming, or dual occupation farming well into the seventeenth century.²⁵ Robert Balwyn was one of the more prosperous farmers in Enfield in the 1630s and held around 70 acres. Robert Curtis held only 55 acres of arable in 1630 although an extra income was earned by his employment as rent collector. Christopher Hill's holding covered just 45 acres. His family was made up of 9 persons which included 5 servants. He was also a brewer and some of the servants would have been engaged in the brewing part of the business. Robert Piggot, Thomas Sterne, Francis Bettes, John Collins and John Loft held land between 33 and two and three-quarters of an acre. All of these people had other employment such as being a dealer in

²³ See Chapter 3 above.

²⁴ Thompson, F.M.L. Hampstead: Building a Borough, 1650-1965 (London, Routledge & Kegan Paul, 1974) p 11.

²⁵ Where the farm supplemented a second occupation.

malt, butcher, kidder or shoemaker.²⁶ It is an obvious point but one I feel I should explicitly make; the economic pull of London did not exclude the need for locally consumed produce. However the continuous increase of the London population from around 575,000 in 1700 to 959,000 in 1801 provided the Middlesex farmers with a growing market on the doorstep for their produce.²⁷

This specialisation of production provided a spur towards increasing the dependency on waged income. The wage was not something new and was already an important and established part of the economy from the second half of the seventeenth century.²⁸ At Hampstead in an attempt to reduce a tax assessment for the parish, attention was drawn towards the many poor men who were subsisting only on the wages they earned working at the tile kilns.²⁹ In 1699 at Tottenham the landowners were forbidden by the vestry to employ strangers between 29 September and 25 March in order to provide paid employment for the parish poor.³⁰ Wages were of sufficient importance even on the extreme fringes of the county to have been an issue around which friction could occur. When Edward Wood of Littleton parted company with his groom William Hobbs in 1663 it was an acrimonious parting of the ways. Wood claims that Hobbs, during their exchange at the end of Hobbs employment, had 'replied would see my neck as long as his arm & ...he bids

²⁶ Pam. History of Enfield pp 117-118.

²⁷ Floud, R. & McCloskey, D. The Economic History of Britain Since 1700 2nd edition (Cambridge U.P., 1994) I, p 88.

²⁸ Page, W. ed., A History of Middlesex (London, Constable & Co. Ltd., 1911) VCII. II, pp 104-106. Gives the wage rates of wages in Middlesex for labourers, haymakers, thrashers, ploughmen etc., from the late fourteenth to the mid fifteenth centuries.

²⁹ Barret, T.J. The Annals of Hampstead (London, A. & C. Black, 1912) p 364.

³⁰ BCM. D/PT/2A/1. Tottenham VMB 1675-1735. 23 April 1698/9.

me give his wages'.³¹ There is little else to account for the problem between Wood and Hobbs, however two early eighteenth-century wage disputes bring home the importance of wages in the hay producing parishes of northern Middlesex by the 1720s. In 1723 Hezekiah Burr, a Great Stanmore farmer, lost his barn along with the hay, corn, peas, beans and horses which were kept inside when the barn was burned down. John Ward, an employee of Burrs, was indicted for setting the barn alight. It was claimed that Ward took a match from the farmhouse and that when the fire had been discovered Ward had done nothing to help. It was further claimed that Ward had been involved in an argument with his employer over the time taken to complete an errand or task and that Ward would have lost part of his wage as a result of this. Ward denied the charges and was acquitted.³² Adam Path was somewhat less fortunate when he was indicted for setting fire to the farm buildings belonging to William Newman of Harrow in 1729. Newman deposed that Path had set fire to his sheep house and stables because 'I did not give him Money enough for Reaping some Wheat'. A second deposition was made that Path had threatened to return after transportation (if that had been the sentence) and do Newman some further mischief. Although Path admitted to saying these things he denied firing the farm buildings. He was found guilty and sentenced to death.³³ The specialisation in agriculture which promoted the growth of wage labour in Middlesex is evidenced by the seasonal scarcity of labour which such specialisation brought in its wake. By around 1750 the hay crop was dependant on Irish labourers during the harvest period. The same can be said in relation to the Welsh women who were making their way to the Middlesex gardens annually by the 1790s.³⁴

³¹ LMA. Acc 262/43/28.

³² OBSP. 4-12 December 1723.

³³ OBSP 3-6 December 1729.

The existence of common rights blunted the growth of waged labour. I have already shown the way in which Middlesex commoners used their respective commons for pasture, fuel, building material, building plots for their houses, venues for sport and recreation.³⁵ This can be seen in two very different ways. Firstly the fact that poor commoners could derive a part of their subsistence directly from the land around them meant that local farmers, who held more land than they were able to manage with the labour of their own family, would be able to employ labour without being responsible for providing the full subsistence of that labour and any dependants. This would go a long way to explain why parishes did not always object to the incoming poor. Cottagers who set themselves up on the waste with a few animals would provide for a part, perhaps a large proportion, of their subsistence. The employing farmer would now need only to provide for the second part.³⁶ However from a second view the dual economy in regard to employment becomes a negative. If when offered waged labour the countryman and countrywoman have an option in terms of unpaid but still beneficial labour which provides food or other material for household consumption then the ability to produce for the market is therefore restricted. The course of action therefore, if increased production for the market is the desired outcome, is to prevent people having the option of non-waged beneficial work. This would require piecemeal restructuring of agricultural production. That is to say that production would need to be paced to satisfy demand. Rural production could not in itself increase demand and

³⁴ See Chapter 3 above.

³⁵ See Chapter 5 above.

³⁶ At times of high unemployment however this could lead to an increase of the poor rates. See Middleton, *Op Cit.* p 103. Here Middleton objects to this practice. However Middleton was writing in 1798 a period of high unemployment.

therefore any change to the rate of the production of rural goods was determined by the needs of the purchasers which in the case of Middlesex equates to the growing number of London inhabitants. However this omits the human element. How would people react to the stimulus of the London market? The general lack of interest in agricultural improvement or capitalist accumulation by Middlesex farmers is commented upon from at least the sixteenth century. The unsuccessful act for the enclosure of Hounslow Heath in 1545 declared that such an enclosure 'shall be an exile of idleness'.³⁷ In other words the argument being promoted here was that an exchange of land in common for private property would result in an increase in waged employment. It is unlikely that the provision of long term paid employment would have followed large scale enclosure in the arable western side of Middlesex at this time. Purely arable husbandry certainly provided more employment than pastoral farming, however employment would still remain seasonal and employers and local parish authorities would need to provide for the material requirements of the workforce and their dependants during periods of unemployment and underemployment. Such considerations were of less theoretical importance as we enter the modern period of industrial employment, but for Tudor landowners and farmers these were practical issues which were sometimes misconstrued by contemporary commentators. In 1593 Norden complained of the ignorance and evil husbandry in Middlesex and expressed his disdain in the rustic desire

'to maintaine their auncient course of life, and observe the husbandrie of their fathers, without adding. any thing to their further profite'.³⁸

³⁷ 37 Hen VIII c 2. Act to Enclose Hounslow Heath (1545).

³⁸ Norden, Op Cit. p 12.

Such comments however may have been countered by late sixteenth century Middlesex farmers that they were not ignorant, but were content with their course of husbandry and saw nothing progressive in putting themselves in the position of employers paying for the full maintenance of their labourers and their families.

Nevertheless there were tensions at work regarding common rights and waged employment. The existence of commons and their effect of allowing the commoners to disregard offered waged work was perceived by some as a scandal; commons were equated with idleness and corruption in morals.³⁹ John Hale complained of the commoners of South Mimms, Enfield, Edmonton and Hadley as constituting 'an abundance of loose, idle and disorderly persons who... make... great strip, havock and wast of your majesty's best timber and underwood'.⁴⁰ The following letter to the Earl of Huntingdon from William Bell, his land agent, identifies succinctly the problem of reticent wage labour and advocates the solution. Bell begins by discussing an enclosure at Loughborough and expresses his view that commons cause idleness and thus lead to poverty.

The like has been sufficiently evident to me this summer past, but fifteen miles off at Stanwell in Middlesex, where there are large common fields, and other commons, and lammes meadows, where the poor people that have nothing but a poor house and little orchard (which for the most part are their own, copyhold or freehold) by keeping mares and foals, cows and calves, hogs and geese without stint, they and families make shift just to live, some of them doing without any work at all,

³⁹ This was not unique to Middlesex. In relation to the Rockingham Forest cottagers an Elizabethan surveyor claimed 'so long as they may be permitted to live in such idleness upon their stock of cattle, they will bend themselves to no kind of labour'. Hill, C. The World Turned Upside Down: Radical Ideas During the English Revolution (London, Temple Smith, 1972) p 40. Hill gives similar examples for Northamptonshire and the Forest of Dean p 41.

⁴⁰ C(H) 45/40. Clerk of Enfield Manor Court to Charles II. Quoted in Thompson, Whigs and Hunters p 169.

See also PRO. DL. 41/1201

and those that go to day labour are very lazy, and care not whether they re employed or not, that I have told them that if my Lord Dunmore (as lord of the manor) should inclose to his own use the commons, and jointly with the other frecholders all the common fields and lammas meadows, it would be of great service to them and [their] families, as it would oblige them to work and to bring up their children to industry instead of idleness'.⁴¹

Of course it is not true that commoners in Stanwell lived 'doing without any work at all'. What Bell is describing here is how the independence provided by extensive commonlands and common rights enabled commoners to refuse paid work. Enclosure, says Bell, 'would be of great service to them and [their] families, as it would oblige them to work and to bring up their children to industry instead of idleness'. Work here refers to waged work and the problem for the employer is that local people are indifferent as to whether they are engaged in paid employment or not. The work done by commoners is regarded as idleness (work for which a wage is not advanced) and therefore not recognised as work. Enclosure is given as the answer to the problem and couched in a terminology to commend itself to the poor commoner as well as the employer. This theme was taken up by Baird in 1794 when he claimed that

In regard to the right of cutting fuel and turf, which the poor in the neighbourhood of those [Middlesex] commons also enjoy, it has been proved in a variety of instances beyond a possibility of doubt that the exercise of such a right is not half so beneficial to the poor, as their constant labour being required in the cultivation and improvement of the same soil'.⁴²

In 1798 Middleton reinforced this theme by linking the injury of the general public, the poor man and the deprivation caused through idleness. The Middlesex commons insisted Middleton were

⁴¹ Bickley F. ed. Op Cit. pp 47-48.

⁴² Baird. Op Cit. p 22.

'in many instances, of real injury to the public; by holding out a lure to the poor man - I mean of materials wherewith to build his cottage, and ground to erect it upon; together with firing, and the run of his poultry and pigs for nothing. This is of course temptation sufficient to induce a great number of poor persons to settle upon the borders of such commons. But the mischief does not end here; for having gained these trifling advantages, through the neglect or connivance of the lord of the manor, it unfortunately gives their minds an improper bias, and inculcates a desire to live, from that time forward, without labour, or at least with as little as possible'.⁴³

Once again this familiar refrain 'to live...without labour' comes up in the discussion. Again we have to be careful to see how it is being used. Middleton is aware that to take advantage of common rights requires labour. He is here, like Bell and Baird before him talking about waged labour.

Much of this commentary and argument is not unusual. The freeing of labour from the confines of the commonlands was being increasingly put forward by the end of the eighteenth century. An anonymous pamphleteer argued in 1781 that 'Besides the labour requisite for the previous steps of dividing, fencing, &c. a great number of hands would be permanently supported by the labour of so much additional cultivation, and maintenance furnished for additional artists, manufacturers and tradesmen'.⁴⁴ Therefore like Bell, Baird and Middleton the argument was that the removal of common rights through enclosure was of benefit to the poor as it would provide waged work, not only in the short term through ditching and fencing and any other work pertaining to the physical

⁴³ Middleton, Op Cit. p 103.

⁴⁴ Anon. Observations on a Pamphlet Entitled an Enquiry into the Advantages and Disadvantages Resulting From Bills of Inclosure etc. (Shrewsbury, 1781) p 43.

process of enclosure, but in the long term by providing additional waged work both in and outside of agriculture.

Commons and the rivers running through or alongside them were also a place for the provision of animal foodstuff in the shape of deer, conies, pigeons and fish.⁴⁵ Searching the law record has given some of the material which was surveyed in the previous chapter. However poaching is only partially covered in the records of the legal system. Robert Shoemaker accounts for a general lack of rural prosecutions firstly by the distance from the outermost parishes to the Middlesex courthouse at Clerkenwell.⁴⁶ He secondly accounts for this lack of prosecutions from the rural outer parishes of Middlesex by the practice of informal settlements between parties made under the authority of local justices meeting at petty session.⁴⁷ However there are other sources to illustrate the prevalence of poaching within the county. In 1748 Hounslow Heath was commemorated, as well as reproached, for providing fish to locals willing to chance their luck at poaching. As the river Crane made its way along by Cranford House the poacher could find

'Stream Roach, Perch, Trout, Dace,
Gudgeon, Carp, Silver Eel, and Jack,
In various distant pond the scaly prey,
All o'er the Heath, within their Prisons play:
And many streams in winding channels sweep
To seek insensibly the swelling Deep'.

⁴⁵ See Chapter 9 above.

⁴⁶ Shoemaker, R.B. Prosecution and Punishment, Petty Crime and the Law in London and Rural Middlesex, c. 1660-1725 (Cambridge U.P., 1991) p 278. Shoemaker has calculated that the innermost Middlesex parishes (the urban periphery around London) had a rate of 4.3 recognisances and 4.5 indictments per 1,000 inhabitants while the outermost Middlesex rural parishes of more than 10 miles away had a rate of 0.8 recognisances and 1.3 indictments per 1,000 inhabitants.

⁴⁷ Ibid. p 284.

But the heath contained not only the rivers in which the fish could be found. There were also game birds and wild fowl which

'In long excursion them they wing their way,

To lead the Poacher and his dog astray'.⁴⁸

Poachers who stuck to the commons were not, from the point of view of the farmer, a nuisance. Undoubtedly there were those who disapproved of poachers particularly those who took to walking across the fields. At the beginning of the early nineteenth century John Loudon was threatened with a gun by a poacher when he had ordered the man to leave a field at Pinner.⁴⁹ The case previously referred to at Hounslow Heath in 1867 where hundreds of local inhabitants took to the heath hunting rabbits on a legal technicality regarding a right of way is a reminder of how little an excuse a community needed to reassert itself in terms of the land.⁵⁰ Well into the twentieth century poaching remained in the folk memory of the Middlesex poor. In September 1913 John Day, an inmate of the Hillingdon workhouse, sang the following song to Cecil Sharpe.

'O its all you young poachers, come listen a while,
I'll tell you of a story, that will cause you to smile,
Concerning some keepers, you poachers all know,
That fought in these covers some winters ago .

Its when we go in boys, good luck to us all,
Our guns they go off, and the pheasants they fall,
Oh in less than five minutes, twelve keepers we spy,
"O begone you bold poachers, how dare you come nigh".

⁴⁸ Reverend Whetenhale, 'Hounslow Heath'. (London, 1748).

⁴⁹ [Anon] J.C. Loudon, An Immediate and Effectual Mode of Raising the Rental of the Landed Property of England etc. (London, 1808) p 78. The fact that Loudon was walking across a farm at Pinner perhaps accounts for the threat. Pinner was included in the Harrow enclosure act of 1803 and had witnessed a campaign of enclosure opposition from 1796 to when the act had been passed. The award had not at this time been made and it was likely that local feelings regarding land access were still very high.

See Chapter 7 above.

⁵⁰ See Chapter 8 above.

They said one to the other, what shall we do now,
 They said one to the other, we all must be true,
 For they all did agree, for to be as one man,
 To fight these twelve keepers, till the battle was won.

There was one William Taylor, would not run away,
 Till five of those keepers, all on him did play,
 Young Taylor being tired, he sat down to rest,
 Young Taylor was taken, but he fought the best.

The judge and the jury, unto him did say,
 If you will confess, your sweet life shall be saved,
 Oh no, said young Taylor, that won't do at all,
 For whilst you have got me, I'll die for them all'.⁵¹

Poaching was not something which simply occurred in rural Middlesex, there remained for a long time afterwards a quite sharp ideology in terms of access to the land and a simultaneous ideology for access to those animals upon it as a legitimate source of food. It was also an ideology which remained with local people even though the legal right to game was denied.

The attitudes of contemporaries as expressed on the preceding pages are important in that they tell us that the notion of agricultural improvement in Middlesex from at least the middle of the sixteenth century up until the close of the eighteenth century contained within it the necessity of the separation of the commoner from the land. Much separation by the eighteenth century had already been achieved. Middlesex commoners were not peasants and had already contributed to agriculture as wage labour for commercial production. However complete separation was

⁵¹ Poachers Song (sang to folklore/songcollector, C.J. Sharpe by John Day, an inmate at Hillingdon Workhouse 20 September 1913. Manuscript copy in IHS. written by T. Blay - Acc 6581A.

required if landlords and the larger farmers were to fully exploit the growth of the London market. As we approach the parliamentary enclosure period the arguments for improvement became more sophisticated and stressed the moral benefits as much as those of economy. That commons were held to lead to idleness is clear from the examples cited earlier. As long as people had access to the material benefits not conferred upon them through the mechanism of the wage, the profit discipline of capitalism was blunted. Those in the sixteenth century Middlesex rural community who did not strive to a profit, and who were happy to follow the mode of production of earlier generations were of course not idle. The promise to 'exile idleness' under the 1545 enclosure act of Hounslow Heath was in fact a promise to exile independent work, and indeed to outlaw all work unless performed for a money wage by a dispossessed peasant now legally separated from the land.⁵² Individuals who had access to the material benefits of the commonlands, as discussed in chapter four, had a degree of control of the work which was lost to the purely wage labourer. This is not to say that commoners lived in some utopian world. Commonfield agriculture was hard work, as were the laborious and regular tasks of looking after cattle, pigs, sheep, geese etc., on the commons, and the collection of furze and brushwood for fuel, along with the building and maintenance of their homes. Landowners and their representatives did not recognise the work performed by commoners where the pace, time and order of work was directed by the commoners themselves. Work was coming to be regarded as work only when it was ordered by a second party, (the employer) who rewarded the worker for the tasks performed through the wage mechanism.

⁵² Such a promise was not directly aimed at the small farmer, although even here common rights were often a necessary part of the 'farm'. A smallholding of 30 acres looks different when the farmer has access to between 4,000 and 5,000 acres of rough pasture.

The improvement which enclosure brought, in terms of both employment for the poor and the betterment of their morals, was only one part of the improver's argument. The more usual and pragmatic arguments were threefold and were couched in terms of public utility. The first was the improvement of the agricultural potential of the land itself, the second was the resulting increase in the worth of private holdings for individual landowners and the third was the removal of wide and wild spaces which were the resort of criminals. The first of these arguments claimed that land held privately would be farmed more intelligently. Farmers would be able to experiment with different crops and rotations, and be able to plan different breeding patterns for their beasts. From these experiments would follow greater crop yields and improved stock production. Those who would look to champion the cause of the agricultural improver lined up to emphasise that this was the course which the nation should take. In 1676 John Evelyn thought the gardens and lodges at Enfield Chase made for 'pretty retreats for Gent: especialy that were studious & lover of privacy.' However he was immediately struck at the lack of farms in the area describing it for the most part a 'solitarie desert'.⁵³ The Harmondsworth respondent to the agricultural survey undertaken in 1801 laments the waste at Hounslow Heath and enthuses how the land there could be made into productive corn fields.⁵⁴ In 1811 Dr Hunter also berated Finchley Common 'the waste and uncultivated state of which so near the metropolis, is disgraceful to the economy of the country'.⁵⁵ As we have now entered the era of the parliamentary enclosure act we can see that a form of words regarding enclosure as a pre-requisite to improvement became a ritual. By the time

⁵³ Beer, E.S. ed. The Diary of John Evelyn (Oxford, Clarendon Press, 1955), Vol. IV, p 92.

⁵⁴ PRO. 67/16/103.

⁵⁵ Hunter, H. The History of London, and its Environs (London, 1811) II, p 86.

that Middlesex enclosures were initiated by individual acts of parliament the preamble to each conformed strictly to the obligatory 'improvement' paragraphs asserting that no increase in agricultural output was possible unless a redistribution of land was effected.⁵⁶ I do not propose to argue that enclosure brought no increase in agricultural production. However the idea that enclosure simply equated to agricultural improvement in itself cannot be accepted when examined against the Middlesex records. In 1798, some 21 years after Enfield Chase had been enclosed, the Edmonton allotment was described as

'covered with bushes, and has about one solitary, unthrifty, and unsightly tree to an acre. And as these are deficient in side-branches, they look like may-poles encumbered in ivy. The live stock, of course, is proportioned to the scantiness and poverty of the pasture. Indeed the whole scene has too much the appearance of a wilderness'.⁵⁷

The parish of Hayes had been enclosed by act of parliament in 1805 and the award had been enrolled in 1807. Enclosure however had brought little in terms of improvement to Hayes. In the early 1830s there were complaints that hedging and draining had been ignored and much of the land was described as 'foul and exhausted by overcropping'.⁵⁸ Harrow had been enclosed by act and award in 1803 and 1817 respectively. Nevertheless as late as 1860 Lord Northwick's leases insisted on one third of the arable remaining fallow for each of the final three years of the lease to put the land in good condition.⁵⁹ Thus we can see that some of the criticisms associated with open field and common agriculture could be applied many decades after enclosure had taken

⁵⁶ A transcription of the Teddington Enclosure Bill for 1799 has been included at Appendix 7 as a typical example of this 'ritual'.

⁵⁷ Middleton, *Op Cit.* 1st. ed. p 123.

⁵⁸ LMA. Acc 180/176.

⁵⁹ LMA. Acc 76/364.

place; enclosure was not synonymous with improvement. The profit motive was the second pragmatic argument and was incredibly strong when contemporaries discussed enclosure. In 1803 the solicitor of the Ruislip enclosure had informed the landowning community that they could expect the value of their estates to rise by fifty percent.⁶⁰ In a more specific case, Benjamin Way of Denham in Buckinghamshire, employed William Pettiman to survey his lands at Greenford and advise on him on the land's financial potential. In 1808 Way owned a little under 220 acres at Greenford. The land was almost equally divided between two farms and in each case the majority of both farms comprised of unenclosed land.⁶¹ Pettiman recommended that a parish enclosure be pursued and for Way to put any ideas of selling the land on hold prior to enclosure being effected 'as, such sale would doubtless be most beneficial if made after an Inclosure'. Pettiman estimated an increase in the value of Ways land after enclosure of between fifty and one hundred and fifty percent.⁶² In the event of enclosure Pettiman's estimation proved to be a good estimation as neighbouring Hanwell landowners found that they could raise rents between one hundred and one hundred and fifty percent between 1813 (the year of the Hanwell enclosure) and 1843.⁶³ The third argument, which relates to crime and social control, has been discussed at some length in the previous chapter. However it is worth reflecting further how, by winning the arguments over the two preceding centuries, it became so easy in the nineteenth century to promote enclosure. In the

⁶⁰ LMA. Acc 538/2nd. dep./3666/10.

⁶¹ LMA. Acc 473/Bundle 5. Terrier at Greenford before enclosure. nd. c. 1813-14, describing the estate some years earlier. This shows Ways tenants to be Thomas Woodridge and John Poulsen. Poulsen's farm had 59% of land unenclosed, while for Woodbridge the proportion rose to 71%.

⁶² LMA. Acc 473/Bundle 5. William Pettiman's report on Greenford Estates belonging to B. Way Esq. 30 December 1808.

⁶³ Tremenhore, H. 'Agricultural and Educational Statistics of Several Parishes in the County of Middlesex'. Journal of the Royal Statistical Society 6 (1843) p 124.

late 1850s Patrick Colquhoun (later Sir Patrick Colquhoun) and William Lindsay, the lord of Shepperton manor, decided to enclose the Shepperton commonlands. According to Lindsay, who had recently acquired the manor, the enclosure 'was at last accomplished, after a severe struggle and many long discussions.' The rector of Shepperton at this time was William Russell. Along with most of the elderly inhabitants Russell opposed the proposed enclosure and at village meetings held to discuss the proposal would pointedly relate the well known verse

'Great is the crime of man and woman, who steals the goose from off the common;

But who shall plead that man's excuse, who steals the common from the goose.'

For some time afterwards Lindsay was taunted as a thief who had indeed stolen the common and when writing a history of the parish in 1867 admitted that even then a section of the community refused to forgive him.⁶⁴ Lindsay was an ex-shipping agent and later a shipping line owner who became Liberal MP for Tynemouth and North Shields and later Sunderland. In 1857 he bought Shepperton manor only to enclose it by act the following year. Ten years later he was justifying his actions to a still hostile community by claiming that the common, after being used by the lord and his tenants, was used for pasture by those with no strictly legal rights. Not only this but prize fighters, local 'amateur pugilistic combats' along with organised cock and dog fights were held on the common. Regardless of modern sensibilities the common at Shepperton offered itself as a resource for pasture and nineteenth century sport and entertainment; no mean loss to small rural

⁶⁴ Lindsay, W.S. The History of Our Village (Sunbury & Shepperton Local History Society, 1994) pp 48. This is a reprint. (with additional illustrations) from the original book published in 1867.

In 1775 an earlier 'goose-common' story appeared in the St. James Chronicle regarding the case of an attempt to build a house for the actress Jane Hemett. (an actress better known as Mrs Lessingham) on Hampstead Heath. 'The following case is submitted to the opinion of the Gentlemen of the Law:- B steals a Goose from Hampstead Heath, and is taken up and carried before Mrs Justice A, who commits him to Prison for the Fact. Mr Justice A in the mean Time takes upon him to defend the Proceeding of Mrs C. who as unlawfully possessed herself of two acres of the said Heath on which a whole Flock of Geese might have been maintained. Query, Which is the more valuable, the Goose or the Land? and consequently which of the two culprits is greater?'. Farmer, Op Cit. p 35. Quoted from St. James Chronicle 17 August 1775.

village community. Colquhoun had objected to the use of the common by gypsies. This was not unusual or original, and indeed echoed much of Middleton's rhetoric from seventy years earlier of the commons being frequented by 'criminal elements'. Taken together their complaints showed that little had changed in the rural communities.⁶⁵ Lindsay certainly secured enclosure quickly and easily. From purchase in 1857, act for enclosure in 1858 and award in 1862, he had in effect awarded himself a little over 30 acres of land to add to his Shepperton estate.⁶⁶

So what of class struggle? Let us remind ourselves of Turner's earlier criticism that commoners 'were dispossessed... with but little demur'.⁶⁷ Let us also recall the views encountered in Chapter 2 from Chambers, Gonner, Mingay, Overton and Tate; all of which stress the fairness of enclosure and the subsequent lack of opposition in the historical record. Gonner, 'That discontent was so small and satisfaction so general is the greatest testimony which can be adduced as to the advantage of the change'. Tate, 'a remarkable feature of the eighteenth-century enclosure movement is the care with which it was carried out and the relatively small volume of organised protest which it aroused'. Chambers and Mingay claimed that the local smallholder/commoners was not the major opponent to enclosure and that the 'individuals who stood in the way of enclosure were often the small *absentee* owners... and sometimes it was the larger owners of pasture land who opposed it'. Overton, 'In some instances, [of enclosure] as in the fenlands for

⁶⁵ Lindsay. Op Cit. pp iv-vi, 35-37 and 69-74.

⁶⁶ PRO. MAF/1/573. This equated to 25% of the full total (126 acres) made under the award. Trustees acting on behalf of the Lindsay family bought a further 3 acres which were sold by others allotted land in the award.

⁶⁷ See above p 177.

example, force and coercion were involved, but this seems to be exceptional'.⁶⁸ It is indeed not the stuff from which accounts of class struggle are made.

However we must be a little more aware of what Marx wrote regarding class struggle when we seek to apply it in historical terms. In the opening pages of The Communist Manifesto Marx introduces the class struggle as taking place throughout recorded history. That irrespective of the period within such history 'oppressor and oppressed, stood in constant opposition to one another, carried on an uninterrupted, now hidden, now open fight'.⁶⁹ Historians concerned with class struggle have tended to opt for the 'open fight'. Therefore we find Marxist historians such as Rodney Hilton associated with the English Peasants Revolt of 1381, Christopher Hill and Brian Manning with the English Revolution, E.P. Thompson with the threads linking various organisations/events such as the Corresponding Societies, Naval Mutineers, Luddites, Cato Street Conspirators, 'Swing' rioters, Reform agitation etc., and Rude' and Hobsbawm with the 'Swing' rioters.⁷⁰ This is true, but it is also something of a caricature. The Marxist historians I have

⁶⁸ Gonner, Op Cit. p 83.
Tate, 'Opposition', pp 137, 141-2.
Chambers and Mingay, Op Cit. p 91.
Overton, Op Cit. p

⁶⁹ Marx, K. The Communist Manifesto (New York, Pathfinder Press, 1987) p 17.

⁷⁰ Hilton, R.H. & Fagan, H. The English Rising of 1381 (London, Lawrence and Wishart, 1950).
Hill, C. Various essays and books from the 1940s to the present including. a) English Revolution, 1640 (London, Lawrence & Wishart, 1940). b) Century of Revolution c) World Turned Upside Down d) Gods Englishman, Oliver Cromwell and the English Revolution (London, Weidenfeld & Nicolson, 1970). e) The English Bible and the English Revolution (London, Penguin Press, 1993).
Manning The English People and 1649
Thompson, The Making
Rude' & Hobsbawm, Op Cit.

mentioned above have undoubtedly written much on the open fight but the 'hidden' has proved just as fertile. Hilton has expressed his opinion in regard to medieval England thus.

'My view has been that the conflict between landlords and peasants, however muted or however intense, over the appropriation of the surplus production of the peasant holding, was a prime mover in the evolution of medieval society'.⁷¹

This encompasses a broader struggle than the physical revolt of 1381. It is located in everyday experience rather than the outbreak of rebellions or risings. More recently Linebaugh's work has tended to concentrate not on major political upheavals but on the relationship of trade, property, crime and punishment in order to present class relations and struggles in eighteenth century London.⁷²

Class struggle is not confined to only the big revolutionary events. It is concerned also with periods of social stability. The evidence from Part Three of this work has illustrated the way in which the class struggle in Middlesex was waged in relation to enclosure. Violent action was a feature in the earlier part of this study at Hanworth, Hounslow, Enfield and Harrow where fences were broken, cattle turned into newly enclosed land and even an engagement with the parliamentary military forces.⁷³ As violent protest gave way in the eighteenth and early nineteenth centuries commoners continued where possible to keep within the law and use the manor court and vestry to defend their rights of common.⁷⁴ Where this was unworkable there was a return to

⁷¹ Hilton, R. Class Conflict and the Crisis of Feudalism: Essays in Medieval History (London, Hambleton Press, 1985). Introduction. (Unpaged).

⁷² Linebaugh, London Hanged

⁷³ See Chapter 6 above.

⁷⁴ See Chapters 6 and 7 above.

illegal activity such as fence breaking (Harrow, Heston and Stanwell) theft of maps/surveys (Hanwell) and running animals into ex-commonlands (Hillingdon and Finchley). Such activities, both those legal and illegal, make up the struggle between the likes of Lords Cottingham, Rainton and Northwick on the one hand, and those commoners in opposition.⁷⁵ Moreover we should see the resistance to enclosure as part of the growing class conflict within the countryside. Enclosure did lead to direct grievances and led local inhabitants to regard gentlemen not as leaders in their community but as their oppressors. While Chambers pursued his right to the enclosure of lands at Hanworth in the 1670s the commoners expressed their anger and indignation at his open greed, accusing him of

'having a very great estate of his owne [and] hath no need to deprive the said defendants of their right of commonage, or any part thereof, the most part of the said tenants being very poore men, and the said comon being the greatest support and maytenance not only of the said tenants, but also of divers poore people of the said towne, who make it their greatest subsistence, and to be deprived thereof will tend to their excceding great prejudice, and impoverishment'.⁷⁶

This feeling of injustice could give commoners the strength to challenge the law. When Rainton was engaged in enclosure at Enfield, also in the 1670s, one of the commoners threatened to break all of his (Rainton's) enclosures down notwithstanding 'all Mr Raintons injunctions and all his perjured witnesses.' In the same year the commoners drove their sheep into Rainton's enclosures.⁷⁷ The challenge to private property could take on a political edge. As we have

⁷⁵ Of course it was not only the pccrage who advocated enclosure. We would however be pushed to find the poor or smallholders initiating such change.

⁷⁶ Nichols. Op Cit. pp 190-191.
See also Chapter 6 above.

⁷⁷ Check Pam Enfield Parish p 147.

observed earlier the Hampton shoe maker Tim Bennett had brought an action against the ranger of Bushy Park, Lord Halifax, in 1749 when the latter sought to close the footpaths across the park thus denying access. Ultimately it was Lord Halifax who decided to give way on the issue and right of way through the park was vindicated.⁷⁸ What was right in a popular sense was often in conflict with private property rights. In 1777 the chase at Enfield had been enclosed by act of parliament. However it was still a major resource from which many of the women and children from the surrounding parishes used to collect firewood. In 1783 the High Constable, William Squires, caught 'poor Mrs Burgess' stealing wood from the newly enclosed chase but found that his assistant and several others holding offices of local authority thought such prosecution would be wrong. In his resignation to the Enfield vestry Squires complained that

'When you did me the Honour to desire I wou^d Inspect over the Chase, I Cheerfully acquiesced not doubting but the Persons I shou^d Chase for my Assitant and Effectually putt a Stop to Such Depredations, Judge then my Surprise when I was positively told by him, he thot. it the Poo^rs Rights or words to that Effect, and on Monday Last I Apprehended the most Notorious one you have wch is Mrs Burgess.'

Not only did his assistant believe the poor still had a right to the wood in the enclosed chase but the parish beadle refused to furnish Squires with a cart to transport them to a local justice. Once he had managed to get to a local justice's house in Edmonton, he (the justice) refused to hear the case on account he had an interest in the chase. It now being several hours later Squires gave up the potential prosecution and turned Mr Burgess free. As payment to his assistant

⁷⁸ Thompson, Customs p 111.

Thompson, Whigs and Hunters pp 181-184.

Thompson's account of this case concentrates wholly on Surrey. However this is part of a larger affair. Richmond Park (Surrey) and Bushy Park (Middlesex) were part of a large royal chase developed Henry VIII after the dissolution of the monasteries 1536-40. The chase covered both counties extending from Staines to Epsom. Robbins, *Op Cit.* p 24. Access to both parks were under dispute in the mid eighteenth century. For Middlesex see above pp 101-102.

'I gave Mr Hughes 1 Shilling to Drink wher was much Mortified to hear he Spent it on her-this Dilinquent - and I find it impossible at my Advanced time of Life to Continue any longer in that office be pleased to Accept this my letter of Resignation'.⁷⁹

Such was the belief in popular common rights within the Middlesex rural communities. This belief in the land-poor having a right to land use even at the close of the eighteenth century and the beginning of the nineteenth had to be dragged and beaten out of the Middlesex commoners. This opposition did not go unnoticed and drew exasperated comments from the late eighteenth century reporters. Baird had to acknowledge that the commoners' forceful desire to retain common rights inhibited the growth of private property in rural areas

'from the unpopularity, to which gentlemen who are active in the cause, [of enclosure], expose themselves in their own neighbourhood, from the discontent of the poor, when any such question is agitated'.⁸⁰

Thus commoners concluded that any projected wage labour would fall short of their valuation of common rights and were willing to share these conclusions with any 'gentlemen' who thought otherwise. Following the tone of Baird's report neither Foot nor Middleton felt any sympathy for the dispossessed or 'idle' rustic. The enclosure of the commonlands was an improvement and no argument to counter this analysis was allowed in the pages of the various county reporters.⁸¹

⁷⁹ LMA. DRO 4/3/16/43. [This is taken from a class list drafted in the 1950s and does not appear in the public class list]. William Squire to the Enfield vestry clerk. Letter of resignation as Woodward. 1783.

⁸⁰ Ibid. p 43.

⁸¹ Middleton, Op Cit. p 113. 'At this time the inhabitants of Britain are so fully convinced of the superior advantages which enclosed land has over such as is common, that one general desire prevails, and that is, to enclose and cultivate the whole'. Compare this with p 26. 'they [Enfield cottagers] constantly oppose enclosure'. Were the Enfield cottagers then not 'inhabitants of Britain'?

The records of the collective actions of commoners are early examples of what the modern period would label as solidarity action within British labouring society. Although this claim would be tempered by particular qualifications it nevertheless has much to recommend it. The solidarity was local, it was usually based on the manor or parish (although the experiences of Enfield Chase and Hounslow Heath show this was not necessarily so) and significantly action was articulated in class terms. In the middle third of the seventeenth century there was a widespread theoretical analysis which debated property rights, particularly in the digger movement. The threat was removed in part by using the commoners to remove the digger communities. Across the Thames in Surrey sermons were preached against the diggers and local clergymen, landowners and farmers led assaults on the digger settlements.⁸² The diggers, as Brian Manning has commented, were inviting the commoners to exchange their local and often threatened rights for a broader co-ownership of all commons across the country. However the digger communities were themselves a threat to the local common rights. As John Walter has pointed out the commoners had not fought the enclosing aspirations of their local lords to lose their rights to the diggers.⁸³ In leading the commoners and small farmers against the diggers however the local elite had forged a double-edged sword; the commoners had not fought the diggers to lose their rights to the enclosing aspiration of the local large farmers and lords of the manor. Although it is known that the diggers established a community at Enfield it is not known what relationship the diggers and local commoners had, or if the commoners were in any way physically responsible for their

⁸² Manning, B. 1649: The Crisis of the English Revolution (London, Bookmarks, 1992) p 124-7.

⁸³ Walter, J. 'The Impact on Society: A World Turned Upside Down.' in The Impact of the English Civil War edited by Morrill, J. (London, 1991) p 121.

removal. If they were then they were also as adamant that their social superiors had no higher claim than the diggers, which accounts for the virtual warfare at Enfield in the late 1650s.

As agricultural specialisation developed throughout the eighteenth century so too did the way in which class conflicts were manifested. The growing consciousness of class relations in rural Middlesex cannot be reduced purely to considerations of enclosure resistance, although this was an essential part of the social experience. Commoners were often farm labourers for parts of the year and thus came into conflict with large farmers over conditions of service and wages. Both John Ward of Great Stanmore and Adam Path of Harrow were indicted for setting fire to farm buildings in disputes over wages.⁸⁴ In what may have been a mere attempt of extortion at Hammersmith in 1731 a farmer received a letter demanding 10 guineas. His unsuccessful attempt to catch his blackmailers saw his hay stacks and barn fired.⁸⁵ As the influx of migrant labour grew and the benefits of the commons were diminished through enclosure so wage labour became a more prominent feature of Middlesex agriculture. As this change took place then we see the emergence of more modern working class activity. Islington by the mid-eighteenth century was a well established hay producing parish composed of large farms. The Islington farmers were able to promote a uniform wage rate thus discouraging competition for higher wages. This gave farmers an obvious advantage in regard to the level of wages offered. However the labourers themselves also had strong a position to bargain from. As a product hay needs to be harvested within a specified time period. Specialised hay farms would sometimes take two crops of hay per

⁸⁴ See above pp 179-180.

⁸⁵ Hay, et al., *Op Cit.* p 264.

year from the fields.⁸⁶ If the first hay crop is cut too late the second would not have time to grow. Added to this the hay cannot be cut during wet or damp weather and neither, once it has been cut, can it be left for too long. The crop can be spoiled unless it is harvested correctly and at the right time. It was this aspect of the harvesting process which gave the harvesters the potential to be strong bargainers in relation to wage rates. In 1763 a group of Islington haymakers went on strike. They

'got a drum, and beat it through the town, and obliged all the other haymakers to join them, which has done great injury to the farmers, who had a great deal of hay to carry in.'

Islington, it seems, attracted a particularly militant workforce. In 1774 they went on strike again. This time the strike became a riot and was dispersed by the magistrates. Such activity was obviously having the desired effect as in 1775 the Islington haymakers

'again struck from making hay, owing to their not having but 1s per day as wages; they all met in a lane near the Birlhouse, Pancras; on which Mr Roads the farmers and Cowkeeper, rode thro', and informed them, that he and the rest of the Farmers would pay them 1s 6d per day; on which they all went back to work, and were very well satisfied.'

Strikes show that modern industrial relations tactics were present in rural Middlesex from the mid eighteenth century. They were seen as an important element in the bargaining power of the rural labourer dependant on the wage. They were not always successful. In 1766 the Islington labourers struck for a higher wage and refused to work for less than 1/4 per day. Unfortunately for the strikers a period of rain then deprived them of the opportunity of work.⁸⁷ Farmers were

⁸⁶ Middleton, *Op Cit.* p 287.
Nelson, J. The History, Topography, and Antiquities of the Parish of Islington (London, John Nichols & Son, 1811) p 107.

⁸⁷ Dobson, *Op Cit.* p 23. This covers all the references to the Islington strikes. All of these strikes were reported in Lloyds Evening Post.

quick to learn of the ways in which wage labourers could be divided. In 1774 at Hendon, another hay specialist parish by this time, the farmers were offering lower wages to the seasonal Irish labourers. Local labourers responded by striking and complaining of the Irish wage rates which were set 'under price'.⁸⁸ Here we can very clearly identify activity usually ascribed to the urban or industrial notion of wage labour struggle. Indeed from this period onwards there is a growing qualitative change in terms of the way in which class struggle was manifested. The loss of common rights became one of a complex series of grievances. However it was still an issue around which grievances could be expressed.

In this respect the argument concerning class struggle over the common lands shifts to one regarding wages and poor relief. The result of the Middlesex enclosure programme was a change in the status of the rural worker. The mid seventeenth century Middlesex commoners were not peasants but neither were they totally dependent upon a paid money wage. Their lives were based on the dual economy of waged work and material benefits derived from the common lands. The difficulty of assessing the commoners' dual economy is that it is not reducible to precise statistical analysis; it was a social as well as an economic status. Thus the descriptive choice between the 'peasantry' and the 'working class' in modern England has been almost a perennial problem.⁸⁹ However the argument concerning the definition of 'peasants' or the 'English peasantry' is not the

⁸⁸ Ibid, pp 161-2.

⁸⁹ Nacson, Commoners esp. pp 297-304.
Beckett, J.V. 'The Peasant in England: A Case Study of Terminological Confusion?'. Agricultural History Review 57 (1984) pp 113-23.

Reed, M. 'The Peasantry of Nineteenth Century England: A Neglected Class'. History Workshop Journal 18 (1984) pp 53-76.

Wells, R.A.E. 'The Development of the English Rural Proletariat and Social Protest, 1700-1850,' Journal of Peasant Studies 6 (1979) pp 115-39.

major focus of this work. I am more than happy with the term 'commoner'. For the poor smallholder and landless labourer with common rights there is a variety of positions which could be described regarding wages. These range from those whose needs were met primarily from their own labour on their land and access to commonlands supplemented with wages, to those landless or land-poor labourers who supplemented their wages with common right benefits. The commoners economy indicates a transitory stage of separation populated by people who were a 'little bit proletarian'.⁹⁰ Enclosure, by reducing the benefits accrued from common rights left the rural worker at the mercy of the mono-economy of the wage. After the end of the French wars, the war period being one of intense Middlesex enclosure activity, there is nothing in the evidence to suggest that wage labour was sufficient to maintain the rural labouring population. As we will see paid employment was often low and usually impossible to secure in winter. This led directly to an increased sphere of social control for employers and vestry members over the parish labourers. In 1820 the labourers in South Mimms were required to give a letter of good character from their last employer to the overseers explaining why they left their employment before relief would be granted.⁹¹ The authorities' interest into the lives of the labouring population increased throughout this period. At Ruislip in 1826 James Stint was allowed relief only once the nature of his employment and the amount he earned had been examined.⁹² By 1833 the Ruislip vestry had a

⁹⁰ Tilly, C. 'Demographic Origins of the European Proletariat', in Proletarianisation and Family History edited by Levine, D. (1984) p 8.

The idea was further developed in Humphries, J. 'Enclosures, Common Rights, and Women: The Proletarianization of Families in the Late Eighteenth and Early Nineteenth Centuries', Journal of Economic History L. 1 (1990) p 18. Enclosure 'eroded nonwage sources of subsistence available to semi-proletarian families and left them increasingly dependant on wages.'

⁹¹ LMA. DRO 5/C1/2. South Mimms VMB 1814-30. 7 June 1820.

⁹² LMA. DRO 19/C1/2. Ruislip VMB 1823-28. 6 December 1826.

sophisticated method of examining the marital status and family size of each claimant. Enquiries were also made into how long they had been unemployed, when they were last in paid employment, and what wages they had earned recently. These details were then checked, and if it was found that incorrect information had been given then relief was withheld.⁹³ The Finchley vestry had developed a similarly sophisticated labour exchange in 1832 which consisted of a book containing the names of unemployed labourers with their age, residence, marital status, family size, and sundry 'general remarks'. Employers would apply to the vestry clerk for labour which would then be allotted on a rotational basis from the list of unemployed. Maximum wage rates were set, although the employer could set them at a lower level. Any labourers refusing work offered under the scheme would have their relief withheld. Upon the termination of employment the employer was to write to the vestry clerk describing their conduct while at work.⁹⁴ Social control was not a new concept in the 1830s however the extension of control at this level into the worker's life certainly was. In essence this was a result of the scale of dependence upon the wage after 1815 coupled with the difficulties of securing an income which would provide for more than basic subsistence. This requires us to have a relatively detailed picture of the Middlesex rural worker from 1815 to the early 1830s.

The immediate local effect of the end of hostilities with France in 1815 was a financial crisis for the farmers and rising unemployment amongst farm labourers. The farmers soon found outlets for the expressions of their sense of unease. In 1816 the Acton vestry drafted and adopted a

⁹³ LMA. DRO 19/C1/3. Ruislip VMB 1833-57. 30 August 1833.

⁹⁴ BA&LSC. PAF/7. Finchley VMB 1831-51. 25 April 1832.

petition complaining of the government's intention to continue the imposition of the property tax with most or all of the war taxes. The Acton farmers claimed that these taxes were 'highly oppressive to a People already Groaning under an unexampled weight of Taxation'.⁹⁵ In the same year T. Packman who farmed 260 acres at Laleham gave an account for his particular locality to the Board of Agriculture. Distress was widespread and the complaints amounted to an 'incessant murmur prevailing throughout the neighbourhood.' Rents had been abated by 30% yet four farms ranging from 30 to 250 acres were still unoccupied. The state of the labouring poor was described as

'trucly distressing; [with] numbers out of employ, in consequence of the inability of the farmer to defray the expenses attending the necessary tillage of his land; others flocking to the work-house, the common receptacle, leaving their homes, unable to comply with the exaction for rent'.⁹⁶

The increase in pauperism and poor relief costs were in many cases spectacular. At South Mimms the outdoor relief bill rose from a little over £47 for 1811-12 to a little under £330 for 1813-14. At Staines the rise in unemployment and subsequent demands on relief in 1816 necessitated a further payment to the poor contractor of approximately 10% of the original agreement.⁹⁷ The migrant labourers in the hay producing north experienced real hardship during the poor weather in

⁹⁵ ELHL. Acc 84/2. Acton VMB 1801-22. 26 May 1816.

⁹⁶ Agricultural State of the Kingdom (New York, Augustus M Kelley, 1970) p 167-9. Reprinted from the original 1816 publication with an introduction by Mingay, G.E.

⁹⁷ LMA. DRO 5/C1/2. South Mimms VMB 1814-30. 25 October 1814. At the same time indoor relief fell only slightly; from £410 to £348.

LMA. DRO 2/C1/3. Staines VMB 1802-20. 12 December 1816.

Although the evidence does not all point in one way it appears that the major increase in poor relief in rural Middlesex occurred around 1813-14. Comparing the years 1803, 1813, 1821 and 1831 parishes as diverse as Bedford, Feltham, Cowley, Cranford, Edgware, Hayes, Hendon, Isleworth, Little Stanmore, Sunbury and Twickenham were all paying a higher amount per head of population in 1813. Rep. Poor 10, pp 299a, 300a, Rep. Poor, 15, pp 90f, 91f, 93f, 101f, 102f, 104f, 177, 179f. It would seem that poor relief finances came under pressure about 2-3 years before the end of the war.

1816. The effect of the rain on the crop that year was blamed for mass unemployment and it was reported that over 300 Irish and other strangers were found in Edgware

'almost in a starving condition, due to the weather having been so unfavourable as to prevent their being able to earn anything for many days'.⁹⁸

The response of the local elite and parish authorities to the depression varied. There was certainly strong encouragement of self help savings clubs and an increase in organised charity. During the second decade of the nineteenth century friendly societies were started at Acton, Edmonton (2), Hounslow, Harrow (2), Harefield, Hanworth, Hampton Wick, Hayes (2), Hendon, Staines (2), Stanwell, Tottenham and Ruislip.⁹⁹ In 1818 the Finchley vestry agreed to set up a savings bank in the parish which would also serve surrounding villages.¹⁰⁰ Charity also flourished. A private subscription to supply food to those starving in Edgware in 1816 raised a little under £40 in one day.¹⁰¹ In Harrow in early 1820 a ladies society raised subscriptions to provide half price clothing and blankets for the parish poor.¹⁰² Also in 1820 at Hanwell a subscription raised over £85 which bought blankets for the poor and subsidised the provision of coal.¹⁰³ Several vestries responded formally to the increase in distress, and relief scales were implemented at parishes as far apart as Isleworth, South Mimms and Staines between 1816 and 1818.¹⁰⁴ Charity and relief scales

⁹⁸ Tootell, W.S. A Brief Sketch of the Town of Edgware (Manuscript, 1817) p 37.

⁹⁹ PRO. FS 2/7.

¹⁰⁰ BA&LSC. PAF/5. Finchley VMB 1815-24. 8 March 1818.

¹⁰¹ Tootell, Op Cit. p 37.

¹⁰² LMA. Acc 76/1349.

¹⁰³ ELHL. Acc 15/9. Hanwell VMB 1808-28. 10 January and 6 February 1820.

¹⁰⁴ HL. L.A. Archives. Isleworth VMB 1766-1818. 18 November 1816.
LMA. DRO 5/C1/2. South Mimms VMB 1814-30. 10 June 1816.
LMA. DRO 2/C1/3. Staines VMB 1802-20. 10 November 1818.

however were not the desired norms and parish authorities throughout rural Middlesex were engaged in attempting to find work for their labouring poor. In 1817 the able-bodied poor were set to work on the roads at South Mimms.¹⁰⁵ In 1818 the Finchley overseers planned to set able-bodied paupers to work on the parish allotments.¹⁰⁶ Also in 1818 the poor at Staines were employed in basket weaving aiming to provide market gardeners with baskets for the carrying of fruit and vegetables.¹⁰⁷

Anyone who had hoped that the 1820s was going to bring a change in the prospects of Middlesex agriculture was to be disappointed. In both 1820 and 1821 the county farmers and landowners sent petitions to parliament complaining of agricultural depression.¹⁰⁸ When Richard Jago, a London based land surveyor gave evidence to the 1833 Select Committee on Agriculture, he claimed that a general depression in Middlesex agriculture could be traced back to the early 1820s. Jago's explanation was that a stagnation in the prices paid to farmers for their produce coupled with an increase in parish rates exerted an increasing and in many cases unbearable pressure on the farming and landowning communities.¹⁰⁹ Certainly contemporary local reports bear out much of Jago's pessimistic analysis of the 1820s, and attempts were made to assist the farmers' cash flow. One way in which this assistance was manifested was in the reduction of

¹⁰⁵ LMA. DRO 5/C1/2. South Mimms VMB 1814-30. 18 June 1817.

¹⁰⁶ BA&LSC. PAF/5. Finchley VMB 1815-24. 4 November 1818.

¹⁰⁷ LMA. DRO 2/C1/3. Staines VMB 1802-20. 24 November 1818.

¹⁰⁸ HCJ. Vol. 75 (1820) p 201.
HCJ. Vol. 76, 1821, p 143.

¹⁰⁹ BPP. Report From the Select Committee On Agriculture With the Minutes of Evidence Appendix and Index, 1833 (Shannon, Irish U.P., 1968) 2, p 545.

rents. In the heart of arable west Middlesex 20% was allowed on the Bedfont land rented to William and Francis Sherborne by Christ's Hospital and the Duke of Northumberland in 1821 and 1822. The northern parishes also saw rent reductions throughout the 1820s and into the 1830s. Those in Hendon were progressively reduced from four guineas per acre in 1818-19, to fifty shillings per acre in 1833. Rent reductions at Harrow, (1829 and 1833) and Kingsbury, (1830s) indicate that this was a wide-spread and long term policy pursued by landlords.¹¹⁰ The second way of assisting the farmer was to reduce the amounts payable through parish rate assessments. Rate reductions during 1822-23 are numerous although the records do not conform to a single pattern. In 1822 Hanwell farmers asked for and were granted a reduction in the rates for their arable land on account of 'the great depreciation of value of agricultural produce'.¹¹¹ At Finchley in the same year meadow land assessments were to be reduced by 20% and arable by 25%¹¹², while at Great Stanmore annual rentals used to calculate the poor rates were to be reduced by 25%.¹¹³ At Ealing in 1822¹¹⁴, and Acton in 1823, there are simply lists of appeals reducing recent rate assessments.¹¹⁵ While a reduction in the rent led to a reduced rent-roll for the landowner, the effect of reducing poor rate assessments further impoverished the labouring poor. Again local

¹¹⁰ BPP. First and Second Reports From the Select Committee Appointed to Inquire into the State of Agriculture and Agricultural Distress With Minutes of Evidence and Appendices, 1836 (Shannon, Irish U.P., 1968) Vol. 3. p 188.

BPP. Report From the Select Committee On Agriculture With the Minutes of Evidence Appendix and Index, 1833 (Shannon, Irish U.P., 1968) 2, p 545.

LMA. Acc 76/1813 and 2346.

Eton College Records 49/55.

¹¹¹ ELHL. Acc 15/9. Hanwell VMB 1808-28. 8 April and 22 May 1822.

¹¹² BA&LSC. PAF 1/5. Finchley VMB 1815-24. 24 April 1822.

¹¹³ LMA. DRO 14/C1/3. Great Stanmore VMB 1804 - 27. 23 September 1822.

¹¹⁴ ELHL. Acc 85/17. Ealing VMB 1797-1831. 19 December 1822.

¹¹⁵ ELHL. Acc 84/3. Acton VMB 1822-57. 10 September 1823.

reports during the 1820s establish that poverty and unemployment was remaining at the high levels experienced in 1815-20. In 1821 Monken Hadley parish paid for the construction of a windmill to provide both employment and cheap flour. At South Mimms in 1821 the vestry resolved to continue to provide work on the parish roads.¹¹⁶ Unemployment was becoming endemic. At Ruislip in 1820 it was reported that 24 redundant poor (unemployed persons) were 'on the rounds'.¹¹⁷ In Finchley and South Mimms there were relief payments to labourers 'Out of Employ' throughout the 1820s and 1830s thus testifying to the continuing poverty of the rural poor.¹¹⁸ Parishes were not always able or willing to supply work or relief. The 1820s was in reality a watershed period regarding relief in Middlesex. As some of the local parish authorities began to reduce or restrict payments we can detect a general hardening of attitudes towards the poor. The Finchley vestry reduced pensions in 1821¹¹⁹, and in 1825 the South Mimms vestry refused to provide road work to the able bodied single men.¹²⁰ The able bodied were to have their allowances/wages also reduced by one twelfth in 1826 at Ruislip.¹²¹ One result of such measures may have been an increase in petty thefts. The Chiswick association patrolman's notebook for 1827-8 records petty thefts of food from local fields and gardens.¹²² At Teddington night

¹¹⁶ LMA. DRO 5/C1/2. South Mimms VMB 1814-30. 22 September 1821.

¹¹⁷ LMA. DRO 19/C1/1. Ruislip VMB 1787-1820. 31 May 1820.

¹¹⁸ Numerous references of labourers requesting work and/or relief paid to labourers who are described as 'out of Employ' are recorded in BA&LSC. PAF 1/5 and 1/6. Finchley VMBs 1815-24 and 1825-31; and LMA. DRO 5/C1/2. South Mimms VMB 1814-30.

¹¹⁹ BA&LSC. PAF 1/5. Finchley VMB 1815-24. 21 June 1821.

¹²⁰ LMA. DRO 5/C1/2. South Mimms VMB 1814-30. 5 October 1825.

¹²¹ LMA. DRO 19/C1/2. Ruislip VMB 1823-28. 7 June 1826. 'It was considered that the Men that are at this time receiving twelve shillings pr Week for Parish Work should be immediately reduced to eleven shillings pr Week and the rest in a like proportion to that'.

¹²² Chiswick Patrolman's Notebook 1827-28. 4 November 1827, 23 December 1827 and 18 January 1828. Typed copy in LMA. Library.

watchmen were appointed from 1826 to provide night patrols during the winter months; the time of increased unemployment.¹²³ The winter also brought the cold weather and the necessity of securing warmth which saw three Finchley labourers imprisoned for stealing fire wood in December 1828.¹²⁴ The poor's actions to combat the poverty inflicted by unemployment naturally met with little support from outraged wealthy parishioners. At Hendon Sir Thomas Stamford Raffles complained in 1825 that

'We are more than four miles removed from our parish church and the exercise of anything like police, and the consequences are as might be expected: the poorer classes, left to themselves without control in this world, and neither check by moral nor any other authority, are in a sad degraded and irregular state'.¹²⁵

Such analysis denies the class aspect of agricultural depression and distress. In the face of the ruin of the smallholder and the impoverishment of the labourer, the answers of local rulers were to insist upon more respect for the church and more control by police. Such a response had no effect on employment and the evidence indicates that the level of unemployment remained high. The increase in the number of paupers was blamed for the poor contractor at Great Stanmore being unable to meet the basic needs of the parish poor in 1825.¹²⁶ The Ealing vestry employed large numbers of men in 1828 to level the ground at Ealing Dean due to the lack of paid work.¹²⁷

¹²³ Twickenham District Library. Teddington VMB 1823-34. Entries at the end of the volume. This item is not catalogued.

¹²⁴ BA&LSC. PAF/6. Finchley VMB 1825-31. 24 December 1828.

¹²⁵ Letter to Sir R.H. Inglis in: Memoir of the Life and Public Services of Sir Thomas Stamford Raffles, By His Widow 2nd edition, (1835) II, p 364.

¹²⁶ LMA. DRO 14/C1/3. Great Stanmore VMB 1804-27. 11 and 21 March 1825.

¹²⁷ ELHL. Acc 85/17. Ealing VMB 1797-1831. 5 November 1828.

At Edmonton in 1829 the select vestry refused all out relief even though there were six children to a bed and many other complaints of overcrowding in the workhouse.¹²⁸ It is apparent that the ability to control under-employment and unemployment was slipping further from the hands of local rulers; a clear emphasis on systematic economy over relief had taken place.

The 1830s opened with a new phase of distress mixed with unrest. The depth of this distress was perhaps felt most by the migrant labourers who had been a part of the Middlesex rural economy for so long. From Hampstead Justitia Duplex wrote of the:

'deplorable condition of the hay-makers [one of whom] was yesterday relieved by my wife, when at the point of sinking from exhaustion, informed her that, in his forced and painful applications for casual relief had experienced scarcely anything but refusal; two *gentlemen* had even threatened to hand him over to the police!'

Undoubtedly some charitable relief was given. At Highgate it was claimed that relief was generous to the extent of drawing unemployed haymakers from the surrounding areas of Hampstead and Finchley.¹²⁹ However this was not a problem which could easily be solved on a parish basis. The migrant labouring poor across Middlesex were facing famine in the early 1830s.

'In the neighbourhood of Acton, in Middlesex, two of the poor fellows were found dead in a ditch. In the parish of Willesden, not far distant, two more were discovered in the same situation, and a fifth was found dead also somewhere about Hampstead. Upon opening the bodies, no sustenance whatever was found in the stomachs, excepting some sorrel, upon which plant the poor creatures had subsisted until death put a period to their sufferings'.¹³⁰

¹²⁸ LMA. DRO 4/Box 26/3. Edmonton Workhouse Committee Minutes 1827-30. [This is taken from a class list drafted in the 1950/60s and does not appear in the public class list].

¹²⁹ The Times. 18 June 1830, p 5. col 6 for both entries. The italics for *gentlemen* is from the Times itself.

¹³⁰ The Times. 22 June 1830, p 5 Col. 6.

Regular unemployment was now an established part of the rural labourer's life. At Ruislip the usual number of 20 inmates in the workhouse had doubled to 40 persons in 1830, while at the same time there were 37 unemployed men on the rounds.¹³¹ Two years later Finchley established a parish unemployment exchange ¹³², while during the same year the Greenford vestry resolved that all farmers were to employ one labourer to every 50 acres of meadow and the same for every 30 acres of arable in an attempt to combat unemployed among the able bodied.¹³³

The employed labourers increasingly found their living standards under threat. These threats were directly challenged and local employers were faced with a growing militancy. In early December 1830 Mr J. Higgs, one of the Harrow farmers, attempted to cut wages by two shillings per week. When he announced the wage cut to his labourers his hayricks were fired with a score of labourers watching on and

'making fun of the matter: and at the one time, when the engines were obliged to stop for want of water, on being solicited to assist they sneeringly refused, exclaiming that they hoped to see a good many more such bonfires'.¹³⁴

At Bedfont one of the Sherborne farms had suffered an arson attack and Mr Read, a fellow farmer had been warned that

¹³¹ Bowl, E. The Goodliest Place in Middlesex (Hillingdon Borough Libraries, 1989) pp 185, 188.

¹³² BA&LSC. PAF 1/6. Finchley VMB 1825-31. 27 January 1832.

¹³³ HC/GC. Greenford VMB 1830-45. 31 October 1832.

¹³⁴ C. Morsley, News From the English Countryside 1750-1850 (London, George G. Harrap & Co., 1979) pp 245-6.

'If you do not employ more hands on your Farm your place shall be burnt down to the ground this day week at night seven o Clock the numerous Poor are starving in this parish and Think you can afford to Employ more hands.'

Robert Jones, the Bedfont vicar had also been advised to 'do a something for the numerous Poor of this parishe' if he wished to escape from the same fate.¹³⁵ No risks were taken during the dangerous years of 1830-31. Magistrates increased the guards at the North Hyde gunpowder depot at Heston having received information of a planned attack. At Uxbridge and Heston special constables were sworn in due to expected unrest. A number of labourers from the paper mills at Wooburn near Uxbridge, (Wooburn was across the county border in Buckinghamshire) had rioted and had been imprisoned. Labourers in the Uxbridge public houses were reported to be waiting for their return in order to 'lend a hand'.¹³⁶

The 'Swing' disturbances have been played down in Middlesex history in much the same way as the economic depression which proceeded them.¹³⁷ However the evidence of further threatening letters at Edgware, Hendon, Hanwell and Kingsbury¹³⁸, and more arson attacks at Bedfont¹³⁹, (again) Enfield¹⁴⁰, Hampton and South Mimms up until early 1831, show that 'Swing' was active in the north and western parishes of Middlesex.¹⁴¹ The politicisation of the labourers is

¹³⁵ PRO. HO 52/8 f. 634.

¹³⁶ PRO. HO 52/8 ff. 638, 632, 641.

¹³⁷ M. Rces. Op Cit. p 142. 'Middlesex... was not deeply involved in the agricultural outbreaks in 1830. The fear of revolt was no doubt present... but generally the county was quiet. The reason for this is that the depression in Middlesex was relatively slight.'

¹³⁸ Morsley. Op Cit. p 246.

¹³⁹ BPP. Rep. Poor 14, p 299c.

¹⁴⁰ PRO. HO 52/8 f. 660.

undeniable. As well as purely local targets such as a farmer-overseer at Harrow, and a farmer-churchwarden at Bedfont; we can discern a larger political awareness in the labourers' activities. The victim of the arson attack at South Mimms was George Byng who had been a Middlesex M.P. since 1790 and who was at this time the Father of the House of Commons; and at Hayes and Hillingdon incitement to riot speeches were made.¹⁴² Such activity relating to and emanating from a hitherto seemingly apathetic class infuriated and alarmed local worthies and the county elite. Charles Lamb witnessed the firing of several barns and haystacks at Enfield in December 1830 and commented that

'It was never good times in England since the poor began to speculate upon their condition. Formerly they jogged on with as little reflection as horses. The whistling ploughman went check by jowl with his brother that neighed. Now the biped carries a box of phosphorus in his leather breeches, and in the dead of night the half-illuminated beast steals his magic potion into a cleft in the barn, and half the country is grinning with new fires'.¹⁴³

To an extent it was bewildering to employers how it could be that labourers could 'speculate on their condition'. Even Higgs, who had lost £600 at the fire on his farm at Harrow, when asked of his opinion of those responsible claimed, 'I don't think it was done by any poor person, I look upon it that it was done by a very different sort of character'. This at a time when Higgs was the Harrow overseer.¹⁴⁴ However the public and private faces of the Middlesex farmers looked both ways in 1830. While Higgs publicly disclaimed that any local labourers could possibly be involved

¹⁴¹ Hobsbawm & Rude', *Op Cit.* Table of Incidents - Appendix III. pp 312-358.

¹⁴² *Ibid.* Table of Incidents again - Appendix III. pp 312-358.
PRO. HO. 52/8 ff. 636, 643.

¹⁴³ Letter to Charles Dyer in: Pope, *Op Cit.* pp 63-65.

¹⁴⁴ *The Times.* 4 December 1830, p 3. Col. 6.

in firing his farm, four fellow Harrow farmers, James Hill, Anthony Trollope, Joseph Perry and Thomas Hosdon, wrote to their landlord, Lord Northwick expressing the fear they felt towards their employees. They informed Northwick that while the price they can secure at the market for their produce has fallen

'our expences, my Lord continues the same, our poor rates have been more than doubled within a few years, and would indeed take four times the produce to pay them, and we feel ourselves obliged to comply with the demands of our Labourers to preserve our Stacks from the flames'.¹⁴⁵

Rural unrest was enough of a problem for local gentlemen to take precautions for protecting property and enforcing order. In December 1830 Hugh De Burgh of West Drayton and Charles Newdigate of Harefield recruited 47 local gentlemen to the Uxbridge Yeomanry in response to the labourers' activities.¹⁴⁶ At the beginning of the same month the two sheriffs of Middlesex issued a notice expressing their concerns over the fire at Harrow and called a meeting to co-ordinate the activities of the county magistrates.¹⁴⁷

Farmers themselves were not of course immune from the dire consequences of depression. In 1829 Samuel Greenhill of Harrow had hanged himself when his farm failed, and his neighbour Thomas Foster a smallholder was 'all to pieces' because his estate had to be sold.¹⁴⁸ Northwick, who held the manor of Harrow, was notorious as the epitome of the 'grasping landlord'; he was described by Harrow farmers as 'a cormorant who was eating us up'.¹⁴⁹ His tenants regularly

¹⁴⁵ LMA. Acc 76/2273.

¹⁴⁶ Stoncham, C. & Freeman, B. Historical Records of the Middlesex Yeomanry 1797 - 1927 (Middlesex Yeomanry Regimental Committee, 1930) p 12-3.

¹⁴⁷ The Times. 4 December 1830, p 3. Col. 6.

¹⁴⁸ LMA. Acc 76/1813.

complained of the lack of repairs to the farmsteads and outbuildings which often were in such a dilapidated state that broken windows were blocked up with paper to keep out the cold.¹⁵⁰ In December 1830 farmers jointly wrote to Northwick drawing his attention to the depression and requesting reductions in rent.¹⁵¹ Northwick's response was to accuse one of the farmers, Thomas Trollope, as ringleader of a conspiracy against him and distraint was made on his crops.¹⁵² Nevertheless rents in north Middlesex were reduced at Hendon and Kingsbury; even Northwick at Harrow had to reduce rents between 1827 and 1833 in an attempt to keep his old tenants and encourage new ones.¹⁵³ Prospects for the large farmer at this time were different. In 1834 parishes in west Middlesex such as Bedfont, Feltham and Hayes were described as having relatively few landowners and large farms were the norm.¹⁵⁴ Evidence to the 1836 Select Committee suggests that in west Middlesex it was those few farmers holding between 150 to 200 acres who were particularly suffering and that large farmers were able to maintain their farms. This of course meant restructuring their farming practices such as at both the Tillyer and Sherborne farms (1000 and 1600 acres respectively) where a move away from growing peas for the London market due to falling prices is discernible from the mid 1830s. The central and south west Middlesex parishes had also escaped the sheep rot which had so badly effected the north.

¹⁴⁹ Trollope, A. An Autobiography 2nd edition (California, Cambridge U.P., 1947) p 3.

¹⁵⁰ LMA. Acc 76/1723, 1800, 2300, 2337, 2344.

¹⁵¹ LMA. Acc/76/2273.

¹⁵² LMA Acc 76/2276, 2277. Part of Northwick's concern may have been caused by the arrival of a 'Swing' letter around the same time. The letter demands the reduction of rents and warns Northwick that 'our emisaris shall and will do their work you have ground the labouring man too long'. LMA. Acc 76/2275.

¹⁵³ LMA. Acc 76/1763, 1813.

¹⁵⁴ BPP. Rep. Poor 10, p 299a, 300a.
BPP. Rep. Poor 16, p 101h.

Francis Sherborne usually had a flock of 1500 to 2000 sheep on his farm and James Tillyer 500 to 800. Both farmers had used unsold wheat to feed the sheep and other beasts. Therefore goods which were depreciating in price were moved out of the market and used as feed material to improve other aspects of the farm business; thus at the same time as complaining of poor wheat prices Tillyer claimed that in respect of his sheep he could make a satisfactory price for the meat and a good price for the wool.¹⁵⁵

The period 1815 to 1837 had seen a sharpening of class lines in rural Middlesex. The ending of the French Wars undoubtedly had the effect of dislocating a relatively stable labour market. However this is not enough to explain the class character of post 1815 rural Middlesex. A key element in the material basis for changes in class perception relates to enclosure and the rise in importance of wage labour. Agricultural employment was not a right; it was at best seasonal and uncertain. A similar case for material change leading to sharpened class perceptions can also be made for the potential of small holdings deprived of common rights. Where smallholders had access to pasture common it gave them the opportunity to run their own livestock thus providing meat and perhaps milk in their diets. Where enclosure meant an allotment of land too small to keep their own livestock the individual smallholder not only lost the meat and dairy produce but could not secure the animal waste products necessary to nourish his plot of land. Added to this were the problems of securing an adequate and regular wage. The inability of wages and/or relief to adequately provide for the labouring population gave rise to social instability and so led to rural

¹⁵⁵ BPP. First and Second Reports From the Select Committee Appointed to Inquire into the State of Agriculture and Agricultural Distress With Minutes of Evidence and Appendices, 1836 (Shannon, Irish U.P., 1968) Vol. 3. pp 188-90, 195, 197, 293.

unrest. Chambers and Mingay may perceive no connection between the 'Swing' activities and enclosure¹⁵⁶, however the Bedfont vicar thought differently when he nostalgically commented that prior to the recent arson attacks and threatening letters 'Bedfont was formerly situated in the unenclosed wolds of Staines Cow Heath - Now; all is sorrow and distrust'.¹⁵⁷ Employers, landowners and large farmers had to deal with resistance to enclosure on the one hand, and then if successful had later to deal with demands regarding wages. Thus the conflict and subsequent struggle continued even if the issue under dispute changed. Witnesses to the Select Committee on Agricultural Distress in both 1833 and 1836 reported that wages in Middlesex were set too high as a result of the disturbances of 1830-31 and that the condition of the agricultural labourer was better than at any previous time.¹⁵⁸ Such conclusions are not corroborated by wage evidence contained in the appendices of the 1834 Report of the Poor Law Commissioners. Wages of the agricultural labourer were said to be as little as 8/- per week in Hayes, although a more typical wage for Middlesex agricultural labourers in 1834 was around 12/3.¹⁵⁹ However this assumes that agricultural employment was constant and this was not the case. At Harrow the agricultural labourer received around 10/- per week or £26 per annum 'supposing work is available all year round - which for most it is not.' Winter unemployment in the 1830s was also reported as the norm in Edgware, Feltham, Hayes, Hornsey, Northolt, Tottenham and Willesden.¹⁶⁰

¹⁵⁶ Chambers & Mingay, *Op Cit.* p 104.

¹⁵⁷ PRO. 52/8 f. 624.

¹⁵⁸ Report From the Select Committee On Agriculture With the Minutes of Evidence Appendix and Index, 1833 (Shannon, Irish U.P., 1968) 2, p 553.

BPP. First and Second Reports From the Select Committee Appointed to Inquire into the State of Agriculture and Agricultural Distress With Minutes of Evidence and Appendices, 1836 (Shannon, Irish U.P., 1968) 3, pp 168, 171.

¹⁵⁹ BPP. Rep. Poor 16, p 91h.

¹⁶⁰ BPP. Rep. Poor 10, p 299a and 300a.

Caught between the difficulty of securing regular paid employment, and the prying eyes and hardened attitudes of the relieving officials, the Middlesex rural workforce experienced a profound sense of injustice. This was manifested in an acute growth in class perception throughout the rural area. As the wage was now all important, anything which threatened that wage was viewed with suspicion. In 1843 village opinion in the Ealing, Hanwell, Greenford, Norwood and Penge area was very much against agricultural machinery being used in times of scarcity of work. The one machine of 'comparatively modern construction' at this time was a winnowing machine at Norwood. With weary resignation it was complained that

'There is a strong prejudice in this district against the use of all modern invention for facilitating or abridging labour, and the dislike to many admirable machines, now much used in husbandry, originates in a conscientious though mistaken solicitude for the welfare of the labouring classes'.¹⁶¹

Interestingly this comment asserts a paternalist view of Middlesex employers and plays down active class resentment and activity. Such a view is in conflict with other contemporary Middlesex evidence. In 1834 a farmer/churchwarden from Harmondsworth commented that no-one was keen to take on the office of overseer 'especially now as there has been so much firing about'.¹⁶² Conflict was continually present at this time as demonstrated by 'a riotous assemblage of persons' preventing the trustees of the Ruislip poor's field enforcing the strict regulation of the common pasture.¹⁶³ Confrontation could be non-violent but marked by a bold determination as

BPP. Rep. Poor 15, p 165g, and p 185h.

BPP. Rep. Poor 16, p 93h, 101h, 103h.

(This however excludes the overoptimistic Cranford respondent who estimated the agricultural labourer's wage to be 19/- per week.)

¹⁶¹ Tremehere. Op Cit. p 122.

¹⁶² BPP. Rep. Poor 15, p 100f.

evinced by the actions referred to earlier of the poor Ickenham labourers who allotted themselves several parcels of land in 1834 against the wishes of the lord of the manor.¹⁶⁴ Evidence of cases such as those given above suggests an assertive stance of the nineteenth century rural Middlesex working class rather than the paternalism suggested earlier. With respect to the employer-employee relationship this was explicitly recognised in 1869 when it was admitted by Middlesex farmers that mowing was not performed much by machinery as they were

'...unwilling to risk a collision with their regular staff of labourers, who look with an evil eye on that which they consider (however unjustly) an interference with the rights of labour'.¹⁶⁵

The undoubted fact that the economic benefits of common rights were less important in the Middlesex of the 1860s than the 1660s brings us to a further consideration in terms of class. The access to land should not be seen in purely agrarian terms. Opposition to enclosure has a very real and close affiliation to the early popular radicalism of the late eighteenth century and beyond. Subsistence crises of the 1790s led to a working class ideology against the unproductive landscape in a way which turns the landowning communities' view on its head. In 1795 'Citizen' Richard Lee declared the use of the sickle to be 'daily declining; as *Gentlemen* of landed property are got into a way of parcelling out their land into Sheep-walk, Lawns, and parks for deer to run about in'. As commented by Malcolm Chase the fact that such statements were at most only a quarter-truth saw this drawing together of grievances contained within the rural and urban communities and this link was maintained throughout the nineteenth century.¹⁶⁶ In late 1816 a

¹⁶³ LMA. DRO 19/C1/6. Ruislip Memoranda Book. 16 May 1834.

¹⁶⁴ See above Chapter 8.

¹⁶⁵ Clutterbuck, *Op Cit.* p 10.

hand written note purported to have been widely distributed across east London called for 'Britons to Arms'.

'No Regent,! No Castlereagh! Off with their Heads! No Place-men Tythes. or Enclosures! down with them all - Stand true or we are Slaves for Ever!'¹⁶⁷

Anti-enclosure then was seen by urban radicals of the early nineteenth century as part of their armoury of anti-establishment ideology against the wealthy and powerful. Not only that but it remained so well into the second half of the century. Enclosure of the commons and common fields undoubtedly left its mark on nineteenth century radicals. John Bedford Leno, the secretary of the Uxbridge Branch of Chartists, had been charged as a small boy to look after his aunt's two cows grazing them on the herbage along the side of the roads and tracks.¹⁶⁸ When Leno began producing the monthly Uxbridge Spirit of Freedom and Working Mans Vindicator in the late 1840s common lands and enclosure was taken up as an injustice of the rich perpetrated on the poor. The aristocracy/wealthy are criticised as their power/profits etc. are based on the earlier thefts of their ancestors. Yet

'you have not kept your own hand from picking and stealing; to go no further back than the last half century, you have enclosed no less than 3,750,000 acres of waste land! waste land? that is to make us think it is of no value; cunning rogues! enclosed? Innocent word!' The greed of the already rich knew no bounds, they were 'worse than Ahabs and Jezabels, not content with your already magnificent estates, you have coveted, stretched forth your hands, and grasped the common lands belonging to the poor, ay, even to the humble footpaths'.¹⁶⁹

¹⁶⁶ Chace, M. The People's Farm: English Radical Agrarianism 1775-1840 (Oxford U.P., 1988) pp 186-187.

¹⁶⁷ PRO. HO 40/3/3 f. 24. A copy of this document is at Appendix 10.

¹⁶⁸ Leno, J.B. The Aftermath: With Autobiography of the Author (London, Reeves & Turner, 1892) p 5.

¹⁶⁹ The Uxbridge Spirit of Freedom and Working Mans Vindicator 8 November 1849. [Monthly]. p 113-115.

[An open letter addressed: 'To the Thieves and Robbers of both Houses of Parliament'.

Taking a stance against enclosure was not an issue of only ideology and rhetoric but part of the practical organisation of nineteenth century radical movements. Dorothy Thompson made the point that large demonstrations whether against the New Poor Law or in favour of Chartism were held on commons and wastes on the edges of towns and cities.¹⁷⁰ The same can be said for the commons surrounding London. I have already mentioned the use of Hampstead Heath for journeymen carpenters in the late eighteenth century and the use of village greens for union meetings in the late nineteenth century. However open spaces were also needed for larger political demonstrations and the Middlesex commons provided the venues for many meetings. The first open-air demonstration of the London Corresponding Society (LCS) took place at Hackney in October 1793. Thousands attended amid rumours that 'Tom Paine was come to plant the tree of Liberty'.¹⁷¹ In late 1795 demonstrations called by the LCS were held at Copenhagen Fields at Islington. The October demonstration was attended by between 100,000 to 150,000 people, while the November meeting was claimed to have attracted 200,000.¹⁷² Although the influence and size of the LCS waned from their high point of the mid 1790s, 1797 saw further outdoor meetings at Islington, Hackney and Hornsey.¹⁷³ The fact that space was at such a premium in the city by the mid Victorian period meant that London radicals were denied access to the open spaces which had sustained a mass platform in the regions. The growth of parks did nothing to redress the issue. Anthony Taylor has recently claimed that parks failed to satisfy

¹⁷⁰ Thompson, D. The Chartists: Popular Politics in the Industrial Revolution (New York, Pantheon Books, 1984) p 242.

¹⁷¹ Thompson, The Making p 136.

¹⁷² Ibid, pp 157-159.

¹⁷³ Ibid, p 182.

'plebeian hunger for space in the capital. Amongst radicals and the reform community, the issue of public access to the open spaces resolved itself into a broader campaign on behalf of long established rights of assembly and demonstration. It thus acted for a number of other radical themes'.¹⁷⁴

The importance of meetings as an integral part of popular radical organisation was made time and time again. When public assemblies were restricted at Bishop Bonners Field at Hackney by Home Office decree in 1852 it was an official attack on a well recognised radical meeting ground. Meetings protesting about the ban were called and the reformer Ralph Curzon accused the Tories of being

'afraid of freedom of speech and discussion, lest it turn to action. All great reforms in England from the Charter gained on the field of Runnymede down to the present, had either commenced, or been consummated by meetings held in the open air'.¹⁷⁵

At Hampstead a meeting at Primrose Hill to celebrate the tercentenary of Shakespeare's birth took place in April 1864. At the close of the official meeting reformers and trade unionists began a second meeting. This was a pro-Garibaldi rally condemning the recent decision taken by the government to have him expelled. This led to a major protest as the police moved in to stop this aspect of the meeting. The prevention of the rally led to the questioning of the police's role in regard to open air political demonstrations and became a part of the discussions which ultimately led to the formation of the Reform League.¹⁷⁶ Two years later at Hyde Park there were riots over the extension of the franchise. The prohibitive expense of hiring public halls for meetings placed

¹⁷⁴ A. Taylor, "'Commons-Stealers", "Land-Grabber" and "Jerry-Builders": Space, Popular Radicalism and the Politics of Public Access in London, 1848-1880', *International Review of Social History* 40 (3) (1995) p 386.

¹⁷⁵ Ibid. Op Cit. pp 389-390. Quoting from 'People's Paper', 3 July 1852 p 7. Public meetings were not banned but the by-laws were prohibitive and effectively put a stop to the 'older radical culture of the public Assembly'. Also Taylor, p 399.

¹⁷⁶ Ibid. pp 395-98. The Chartists and other radical groups claimed the works of Shakespeare had a strong radical subtext.

an increasing burden on radical politics. The Reform League had requested permission to meet in Hyde Park at the time of the 1866 disturbances but met with opposition from the Home Office. In an open letter to the Times, Thomas Jones a member of the Reform League, complains to the Home Secretary that

'You say you would not interfere with the meeting if it were held elsewhere, but I ask where are the masses of your unenfranchised countrymen to meet? Nearly all the open spaces of the metropolis have been enclosed... Where then are the people to meet?'.¹⁷⁷

During the 1870s Hackney was once again a focus for direct action and fence breaking. The District Board had organised a petition for the enclosure of 180 acres of common at Hackney Downs under the Metropolitan Common Acts (1866) and it was vested in the Metropolitan Board of Works in 1872. In 1875 fences had appeared on the common under the order of the lord of the manor seeking to sell a part of the land to a railway concern. Thus there was in progress a lawsuit in Chancery between the lord of the manor and the District Board. In December 1875 a large crowd assembled on the downs to be addressed by John De Morgan. De Morgan was born in Ireland and was active in the temperance movement during the 1860s.¹⁷⁸ By 1870 he became more involved in the wider labour movement lecturing on the 'Rights of Labour' to the Cork Labourers Association. This was in response to an employer's successful prosecution of the men during a labour dispute. At this time he joined the International Working Mens Association and established a branch at Cork where he had already built his reputation.¹⁷⁹ By the mid 1870s De Morgan was heavily involved in the 'land question' and when addressing the crowd at Hackney he

¹⁷⁷ The Times 23 July 1866.

¹⁷⁸ St. Clair, S. Sketch of the Life and Labours of John de Morgan, Orator, Elocutionist and Tribune of the People (Lecds, de Morgan & Co., 1880) p 3.

¹⁷⁹ Ibid. pp 5-6.

'described enclosures which had recently been made, and which he asserted were wholly illegal, at the same time adding that their removal would be a perfectly legal act... The fences which they saw before them had been erected in defiance of popular feeling, and rights of way were being stopped which had existed from time immemorial. In these circumstances the only remedy that remained for the people - the only means of getting back their rights was to remove the fences without delay'.¹⁸⁰

The crowd proceeded to pull down the enclosure and all traces of the fences were destroyed. Reports of the breaking down of the fences at Hackney Down were widely reported but vary little in their accounts.

'A Lord of the Manor had stolen some portion of a metropolitan common known as Hackney Downs. On December 11th, [1875] upwards of 50,000 people assembled on Hackney Downs to witness the destruction of the fences. The police numbered in force and seemed prepared to resist the Commoners. Mr De Morgan warned them that their lives were in danger if they opposed and wisely did the police withdraw. The fences were then destroyed and burnt, the fire lasting until four o'clock in the morning'.¹⁸¹

The event was even the object of satire in Punch. It came complete with the flavour of early modern spelling.

'A FYTTE OF HACKNEY DOWNS.

It was open walking where Hackney Downs

Lies green beneath the skies.

From a time whereto man's memory

Runneth not contrariwise.

¹⁸⁰ The Times 13 December 1875, p 9. col f.

¹⁸¹ Who is John de Morgan: A Few Words of Explanation by a Free and Independent Elector of Leicester (London, George Howe, nd. c.1877) p 7.

The Lord of the Manor hath made essaye,
 To enclose and build thercon;
 And a blessing upon the Board of Works,
 That to law with him have gone!

He planted postes and set up rayles,
 And hedged hym yn the grounde.
 The churl mote have waited at least until
 He law on hys side had founde.

For the Lord, the Hackney Commoners said,
 To collar our common land,
 Never sticking so much as to ask our leave,
 Ytt ys more than we will stand!

What right hath he that land to cribb?
 And a curse upon his crown!
 No more to set fences and palings up,
 Than we have to pull them down.'

And later

'So fourth to those iron rayles they went,
 To tear them from the land;
 When they were ' ware of thirty stout knaves,
 of Bobbies blue a band!

The Bobbies, they drew their good ash staves,

for to guard the railings fain,

But a word their Superintendent spake,

And they putt them up agayne.

Then went the commoners to their work,

With many an hundred mo.

They seized the fences on Hackney Downs,

And laid the enclosures low'.¹⁸²

Bonfires made from fences were also the result of an enclosure made at Fulham in 1878. A public meeting had taken place at Beaufort House presided over by, amongst others, Lord Ranelagh, Lieutenant-General M'Murdo and Sir Charles Dilke. The meeting was called to protest against the sale and subsequent enclosure of Fulham Common. This committee had been content to pass a motion against the recent enclosure for which there was 'was ample evidence that it had been used as common land for centuries'.¹⁸³ However many of the inhabitants were unwilling to leave the matter at that. On leaving the meeting 'a large number of parishioners' made their way to the common where they broke down the fence which ran for some 1,200 feet.¹⁸⁴

'When the meeting broke up, almost everybody seemed to be going the same way. One or two cries of "Down with the fence" were raised, but there was no response, yet it seemed strange that so many

¹⁸² Punch 69, 25 December 1875, p 271.

¹⁸³ The Times 14 March 1878, p 10 col. f.

¹⁸⁴ The Times 15 March 1878, p 11 col. a.

should be going in the direction of Ecl Brook Common... Suddenly there was a sharp crack, which announced the work of demolition had begun. Then there was a responsive cheer, and a rush forward.

Men, Women and children were engaged in the work of breaking down the fences and piling the wood up into large bonfires. Soon half a dozen fires were blazing and drawing comments from the crowd. 'Some told how for years they had daily walked along the footpath, [on the common] others speculated with quiet satisfaction on the cost of the fence, variously estimated at from £50 to £100'. The police on arriving tried to capture one of the demonstrators but stepped back when it appeared the crowd may turn to riot. Once the work had been done and the fences completely destroyed a 'gentlemanly dressed young man then took round his hat for beer money for the active destroyers of the fence, even asking the policemen themselves for a contribution'.¹⁸⁵

The second half of the nineteenth century then saw a return to a more violent opposition to enclosure and the question of land access. I have already mentioned cases at Hounslow in 1867 and at Staines in the 1880s regarding the continued struggles to maintain access to land which also tend to support this conclusion.¹⁸⁶ It may be objected that there was no violence at Hounslow in the account given previously. However it would be a mistake to consider such events in isolation. In 1872 the caretaker of Hounslow Heath was badly beaten by three local inhabitants when he challenged their right to walk on the heath. The three claimed they had simply 'raised the question', that is to say to protest against an perceived illegal encroachment through a supposed trespass which could then be tried in law. Two of the men were sentenced to

¹⁸⁵ The English Labourers Chronicle 23 March 1878, p 5, cols. c-d.

¹⁸⁶ See Chapter 8 above.

18 months and the third 6 months hard labour.¹⁸⁷ However violence against the person was rare with personal energy usually being directed towards the fences. When the police had been involved at Hackney Downs and Fulham they (the police) had stood back rather than provoke a physical encounter. Moreover in the more rural districts violence was not really expected. At Staines violence of any magnitude seemed remote but a small amount of physical pressure would be acceptable.

'The same thing [enclosure] was tried in 1787, new rules of management were printed in 1797, a trial to enclose the Lammas in 1814, and again in 1828, in each case it was defeated. And shall we, the inhabitants, show such craven spirit in 1886 to 'cave in' when only pecked at, for it will never come to a fight, only a bounce, or a very slight glove affair'.¹⁸⁸

This quote from a Staines commoner above shows the feeling of tradition which those fighting for common rights felt in late nineteenth century Middlesex, that they were somehow involved in the same fight as their forebears.¹⁸⁹ However by this time the Middlesex inhabitants were in many ways involved with a more modern struggle. The Middlesex commons of the 1650s were an important element within the local economy. Their importance remained, although diminishing, throughout the eighteenth century. By the second decade of the nineteenth century enclosure had made their supplementary role as a part of a dual economy income for the poor labourer almost non-existent. The commoner had been separated from the land and the consequence was to prove an immediate disaster for the Middlesex labourer. The 1820s and 1830s were characterised by

¹⁸⁷ The Times 21 November 1872, p 9 col. f.

¹⁸⁸ LMA. Acc 1481/1. Unidentified newspaper cutting from 1886.

¹⁸⁹ Ibid. newspaper cutting from the West Middlesex Times, 29 April 1922. Edward Simmons was now the Staines homage foreman and the lammas lands had been in dispute as long as the manor steward. H. Scott-Freeman, could remember.

poverty and not, as prophesied by the pro-enclosure propagandists, full time paid employment for all. The disturbances of the early 1830s need to be seen as a class issue which shows the labourers responding to the hardening of attitudes against them which we can trace from the early to mid 1820s. This sets the scene for a conscious class relationship between Middlesex agricultural workers and farmers which by 1830 were wholly modern in their character. The rural workforce of Middlesex from the early nineteenth century onwards were no longer 'a little bit proletarian', they were fully fledged members of the working class and their final transition had been a painful one. The union meetings on the Middlesex greens in 1889 was connected to the rise of 'New Unionism' and indicates the role which enclosure had placed upon them. The struggle for the commons became a struggle over wage rates. In their own way the rural workforce of Middlesex came to terms with it the only way they could. The material benefits enjoyed by the commoners, poachers, labourers, and the Middlesex 'regular staff of labourers', were hard won victories. Any partial recoveries or gains in their world were their own.

APPENDIX (1)

Chronology of Parliamentary Enclosure in Middlesex 1769-1862.

YEAR OF ACT	PARISH/ MANOR	ACRES ESTIMATED	ACRES AWARDED	YEAR OF AWARD	CUMULATIVE ACREAGE ENCLOSED *
1769	Ruislip (p) St Catherines End	350	ns	1769	350
1771	Stanwell (Act to stop up certain paths)				350
1774	Lalcham (m)	ns	ns	1803	350
1777	Enfield Chase	8,349	ns	1777	8,689
1780	Ickenham (p)	ns	683	1781	9,372
1789	Stanwell (m) and (p)	3,000	2,126	1792	11,498
1795	Hillingdon and Cowley (ps)	ns	227 (H) 104 (C)	1796	11,829
1799	Teddington (m) and (p)	883	969	1800	12,798
1800	Hanworth and Kempton (ms) in Hanworth, Feltham and Sunbury (ps)	3000	740 (H) 1,336 (F) 1,496 (S)	1803 1802 1803	16,370
1800	Edmonton (p)	ns	1,232	1804	17,602
1801	Enfield (p)	3540	ns	1806	21,142
1803	Harrow (p)	ns	1,570	1817	22,712
1804	Ruislip (p)	ns	2,870	1814	25,582
1805	Harmondsworth (p)	3,000	2,270	1819	27,852
1806	Chiswick (p)	68		Enclosure Act not executed.	
1809	Hayes and Norwood (ms)	2,000	2,410	1814	30,262
1809	Ashford (p)	1,200	1,329	1811	31,591
1811	Finchley (p)	900	ns	1816	32,491
1811	Hampton (p)	ns	494	1826	32,985
1811	Harefield (p)	700	ns	1813	33,685
1812	Hillingdon	3,600	ns	1825	37,285
1813	East Bedfont (p)	1,100	1813	1817	39,098
1813	Hornsey (p)	400	ns	1816	39,498

* (From award if available - where not - from estimate)

APPENDIX (1) Continued

Chronology of Parliamentary Enclosure in Middlesex.

YEAR OF ACT	PARISH/MANOR	ACRES ESTIMATED	ACRES AWARDED	YEAR OF AWARD	CUMULATIVE ACREAGE ENCLOSED *
					Carried Over
1813	Isleworth, Twickenham & Heston (ps)	2,570	ns	1818 1818 1818	42,068
1813	Lalcham and Chertsey	165	160	1816	42,228
1813	Greenford (p)	640	ns	1816	42,868
1813	Hanwell (p)	350	ns	1816	43,218
1813	Stanmore (p)	216	201	1839	43,419
1814	Chiswick (p)	141	ns	1814	43,560
1815	Willesden (p)	560	ns	1823	44,120
1818	Cranford (p)	395	395	1820	44,515
1819	Harlington (p)	820	ns	1821	45,335
1824	West Drayton (p)	ns	544	1828	45,879
1825	Northolt (p)	646	ns	1835	46,525
1836	Staines (p)		553	1842	47,078
1836	Shepperton		672	1842	47,750
1845 & 1848	Littleton	625	541	1851	48,291
1845 & 1851	Edgware Bury Common	58	58	1854	48,349
1852	Tottenham	ns	ns	Tottenham Corporation Act	
1858	Shepperton	120	120	1862	48,469

* (From award if available - where not - from estimate)

APPENDIX (2)

Petitions to bring in bills, anti enclosure petitions, presentment of bills and royal assent etc. Middlesex enclosure details from the House of Commons Journals 1766-1825.

PARISH	VOLUME (HCJ)	PAGE	ITEM	DATE
Acton	70	50	Petition to bring in a bill; bill ordered	25 November 1814
	70	71	Bill presented; not proceeded in	9 February 1815
Ashford	64	34	Petition to bring in a bill; bill ordered	9 February 1809
	64	137	Bill presented	14 March 1809
	64	256	Royal assent	28 April 1809
Bedfont, East	68	95	Petition to bring in a bill; bill ordered	18 December 1812
	68	286	Bill presented	8 March 1813
	68	424	Petition against	27 April 1813
	68	463	Bill re-committed	10 May 1813
	68	512	Regents consent signified	21 May 1813
	68	589	Royal assent	22 June 1813
Chipping Barnet, East Barnet and South Mimms	62	184	Petition to bring in a bill; bill ordered; not proceeded in	27 February 1807
Chipping Barnet, East Barnet *	70	40	Petition to bring in a bill; bill ordered	24 November 1814
	70	70	Bill presented	9 February 1815
	70	222	Petition against	19 April 1815
	70	263	Regents consent signified	1 May 1815
	70	297	Royal assent	12 May 1815
Chiswick	60	99	Petition to bring in a bill; bill ordered; not presented	28 February 1805
	61	381	Bill presented	9 June 1806
	69	115	For leave to present a petition of enclosure, referred	10 December 1813
	69	117	Leave given; petition presented; bill ordered; leave for notice granted	13 December 1813
	69	157	Bill presented	25 March 1814
	69	280	Royal assent	18 May 1814

* Hertfordshire parishes.

APPENDIX (2) Continued

Petitions to bring in bills, anti enclosure petitions, presentment of bills and royal assent etc. Middlesex enclosure details from the House of Commons Journals 1766-1825.

PARISH	VOLUME (HCJ)	PAGE	ITEM	DATE
Cowley and Hillingdon	50	75	Petition to bring in a bill; bill ordered	21 January 1795
	50	547	Royal assent	19 May 1795
Cranford	73	4	Petition to bring in a bill; bill ordered	28 January 1818
	73	24	Bill presented	5 February 1818
	73	81	Petition against	19 February 1818
	73	189	Royal assent	17 March 1818
Drayton, West	79	18	Petition to bring in a bill; bill ordered	10 February 1824
	79	88	Bill presented	23 February 1824
	79	428	Royal assent	28 May 1824
Ealing	70	50	Petition to bring in a bill; bill ordered; not presented	25 November 1814
Edmonton	55	238	Petition to bring in a bill; bill ordered	27 February 1800
	55	672	Kings consent signified	19 June 1800
	55	692-3	Clause added to authorise the vicar to grant leases	24 June 1800
	55	726	Lords amendments agreed to	3 July 1800
	55	747	Royal assent	9 July 1800
Enfield Chase	36	12	Petition to bring in a bill; bill ordered	6 November 1776
	36	78	Petition to have a piece of land called Gannock Bank included in the bill; instruction given accordingly	27 January 1777
	36	105	Kings assent signified	3 February 1777
	36	199	Petition of Samuel Clayton against the bill; referred to committee	20 February 1777
	36	207	Petition of Henry Owen, rector of Edmonton against the bill; referred to committee	21 February 1777
	36	209	Petition of Wilmot, Earl of Lisburne (Ireland) against the bill; referred to committee	24 February 1777
	36	227	Petition of Mr Bowyer to have a piece of land allotted to him, referred to committee	25 February 1777
	36	318	Royal assent	27 March 1777

APPENDIX (2) Continued

Petitions to bring in bills, anti enclosure petitions, presentment of bills and royal assent etc. Middlesex enclosure details from the House of Commons Journals 1766-1825.

PARISH	VOLUME (HCJ)	PAGE	ITEM	DATE
Enfield	56	20	Petition to bring in a bill; bill ordered	5 February 1801
	56	459	Bill presented	22 May 1801
	56	547	Petition against	12 June 1801
	56	554	Committee to send for persons, papers and records	15 June 1801
	56	665	Royal assent	2 July 1801
Finchley	66	57	Petition to bring in a bill; bill ordered	31 January 1811
	66	84	Bill presented	12 February 1811
	66	111	Petition against	22 February 1811
	66	233	Royal assent	4 April 1811
Fulham and Hammersmith	56	166	Petition to bring in a bill; bill ordered; not presented	13 March 1801
	70	40	Petition to bring in a bill; bill ordered	24 November 1814
	70	71	Bill presented, not proceeded in	9 February 1815
	71	49	Petition to bring in a bill; bill ordered; not proceeded in	16 February 1816
Greenford	68	76	Petition to bring in a bill; bill ordered	16 December 1812
	68	85	Bill presented	17 December 1812
	68	338	Royal assent	23 March 1813
Hampton	66	60	Petition to bring in a bill; bill ordered	31 January 1811
	66	127	Bill presented	28 February 1811
	66	343	Regents consent signified	17 May 1811
	66	387	Royal assent	31 May 1811
Hanwell	68	76	Petition to bring in a bill; bill ordered	16 December 1812
	68	85	Bill presented	17 December 1812
	68	338	Royal assent	23 March 1813

APPENDIX (2) Continued

Petitions to bring in bills, anti enclosure petitions, presentment of bills and royal assent etc. Middlesex enclosure details from the House of Commons Journals 1766-1825.

PARISH	VOLUME (HCJ)	PAGE	ITEM	DATE
Hanworth, Feltham and Sunbury	55	87	Petition to bring in a bill; bill ordered	29 January 1800
	55	375	Petition against	4 April 1800
	55	546	Bill re-committed	20 May 1800
	55	559	Clause added to ensure an abstract of the Kings allotment will be made	23 May 1800
	55	588	Kings consent signified	27 May 1800
	55	647	Lords amendments agreed to	13 June 1800
	55	683	Royal assent	20 June 1800
	56	416-7	For leave to present a petition to amend Act; leave given; petition presented; to lie on the table.	15 May 1801
	56	434	Read again and referred	19 May 1801
	56	457-8	Reported; day appointed for further considering report	22 May 1801
	56	467-8	Report further considered; bill ordered	27 May 1801
	56	482	Bill presented	1 June 1801
	56	564-5	Petition against the bill; to lie on the table until third hearing; counsel ordered	16 June 1801
	56	576	Bill read third time; motion for calling counsel negatived	17 June 1801
	56	644	Lords amendments agreed to	29 June 1801
	56	666	Royal assent	2 July 1801
Harefield	61	70	Petition to bring in a bill; bill ordered; not presented	3 March 1806
	66	76	Petition to bring in a bill; bill ordered	1 February 1811
	66	84	Petition to bring in a bill; bill ordered - solicitor was unaware that the House had fixed a date beyond which private bill would not be heard, (probably a repeat of an earlier petition)	12 February 1811
	66	139	Bill presented	4 March 1811
	66	402	Lords amendments agreed to	7 June 1811
	66	434	Royal assent	15 June 1811

APPENDIX (2) Continued

Petitions to bring in bills, anti enclosure petitions, presentment of bills and royal assent etc. Middlesex enclosure details from the House of Commons Journals 1766-1825.

PARISH	VOLUME (HCJ)	PAGE	ITEM	DATE
Harlington	74	39	Petition to bring in a bill; bill ordered	27 January 1819
	74	163	Bill presented	25 February 1819
	74	483	Lords amendments agreed to	27 May 1819
	74	531	Royal assent	14 June 1819
Harmondsworth, Cranford and Harlington	56	166	Petition to bring in a bill; bill ordered; not presented	13 March 1801
	57	103-4	Petition to bring in a bill; bill ordered	12 February 1802
	57	248	Bill presented	22 March 1802
	57	269	Committed	26 March 1802
	57	279-80	Petition against the bill; referred; counsel ordered; all to have voices; not proceeded in	31 March 1802
Harmondsworth	60	108	Petition to bring in a bill; bill ordered	1 March 1805
	60	283	Bill presented	17 May 1805
	60	424	Kings consent signified	26 June 1805
	60	480	Lords amendments agreed to	8 July 1805
	60	489	Royal assent	10 July 1805
	71	37	For amending act; referred	15 February 1816
	71	97	Leave granted for notices; not proceeded in	27 February 1816
Harrow	51	365-6	Petition to bring in a bill; bill ordered	10 February 1796
	52	332	Petition to bring in a bill; bill ordered	24 February 1796
	57	148	Petition to bring in a bill; bill ordered	19 February 1802
	57	490	Bill presented	24 May 1802
	57	522	Bill committed	31 May 1802
	57	539	Petition against; referred and counsel ordered; all to have voices; not proceeded in	3 June 1802
	58	166	Petition to bring in a bill; bill ordered	15 February 1803
	58	195	Bill presented	22 February 1806
	58	419	Royal assent	17 May 1806

APPENDIX (2) Continued

Petitions to bring in bills, anti enclosure petitions, presentment of bills and royal assent etc. Middlesex enclosure details from the House of Commons Journals 1766-1825.

PARISH	VOLUME (HCJ)	PAGE	ITEM	DATE
Harrow (continued)	61	271	For leave to present a petition to amend Act, leave given; petition presented; bill ordered	2 May 1806
	61	282	Bill presented	7 May 1806
	61	381	Royal assent	9 June 1806
Hayes	54	201	Petition to bring in a bill; bill ordered	22 February 1799
	57	101	Petition to bring in a bill; bill ordered; not presented	12 February 1802
	59	99	Petition to bring in a bill; bill ordered; not presented	22 February 1804
	60	102	Petition to bring in a bill; bill ordered; not presented	28 February 1805
	61	24	Petition to bring in a bill; bill ordered; not presented	3 February 1806
	62	95	Petition to bring in a bill; bill ordered	3 February 1807
	62	270	Bill presented	23 March 1807
	62	642	Petition re-newed; bill ordered; not presented	3 July 1807
	64	61	Petition to bring in a bill; bill ordered	20 February 1809
	64	174	Bill presented	24 March 1809
	64	382	Royal assent	3 June 1809
Hillingdon	61	32	Petition to bring in a bill; bill ordered; not proceeded in	7 February 1806
	67	59	Petition to bring in a bill; bill ordered	23 January 1812
	67	114	Bill presented	14 February 1812
	67	159	Petition against	28 February 1812
	67	290	Royal assent	20 April 1812

APPENDIX (2) Continued

Petitions to bring in bills, anti enclosure petitions, presentment of bills and royal assent etc. Middlesex enclosure details from the House of Commons Journals 1766-1825.

PARISH	VOLUME (HCJ)	PAGE	ITEM	DATE
Hornsey	68	76	Petition to bring in a bill; bill ordered	16 December 1812
	68	85	Bill presented	17 December 1812
	68	176	Petition against	18 February 1813
	68	388	Royal assent	23 March 1813
Ickenham	37	533	Petition to bring in a bill; bill ordered	25 January 1780
	37	544-5	Petition of John Crosier against	1 February 1780
	37	694	Petition of Joseph Brown against	6 March 1780
	37	837	Royal assent	4 May 1780
Isleworth, Twickenham and Heston	67	57	Petition to bring in a bill; bill ordered; not presented	22 January 1812
	68	95	Petition to bring in a bill; bill ordered	18 December 1812
	68	286	Bill presented	8 March 1813
	68	424	Petition against	27 April 1813
	68	463	Bill passed	10 May 1813
	68	511-2	Lords amendments agreed to	21 May 1813
	68	561	Regents consent signified	14 June 1813
	68	589	Royal assent	22 June 1813
	73	36-7	To amend; referred	9 February 1818
	73	115	Leave granted for notices; bill ordered	2 March 1818
	73	134	Bill presented	5 March 1818
	73	328	Royal assent	8 May 1818
Laleham	31	104	Petition to bring in a bill; bill ordered	31 January 1767
	31	455	2nd petition to bring in a bill; bill ordered	7 December 1767
	31	488	Petition against; to lie on the table until report	21 December 1767
	34	513-4	3rd petition to bring in a bill; bill ordered	28 February 1774
	34	580	Royal assent	22 March 1774

APPENDIX (2) Continued

Petitions to bring in bills, anti enclosure petitions, presentment of bills and royal assent etc. Middlesex enclosure details from the House of Commons Journals 1766-1825.

PARISH	VOLUME (HICJ)	PAGE	ITEM	DATE
Laleham Burway (Surrey)	68	66	Petition to bring in a bill; bill ordered	9 December 1812
	68	275	Bill presented	15 February 1812
	68	417	Royal assent	15 April 1813
Northolt	80	59	Petition to bring in a bill; bill ordered	17 February 1825
	80	232	Bill presented	21 May 1825
	80	628	Royal assent	5 July 1825
Norwood	53	252	Petition to bring in a bill; bill ordered; not proceeded in	16 February 1798
Ruislip (Ryslip)	32	127	Petition to bring in a bill; bill ordered	31 January 1769
	32	181	Petition against	7 February 1769
	32	206	Petition of Elizabeth Rodgers and others against the bill; to lie on the table	14 February 1769
	59	22	Petition to bring in a bill; bill ordered	1 December 1803
	59	246	Bill presented	30 April 1804
	59	373	Royal assent	29 June 1804
Staines	70	29	Petition to bring in a bill; bill ordered; not brought in	22 November 1814
	71	33	Petition to bring in a bill; bill ordered; not brought in	14 February 1816
	80	40	Petition to bring in a bill; bill ordered	14 February 1825
	80	224	Bill presented; not proceeded in	18 March 1825
Stanmore, Great	68	36	Petition to bring in a bill; bill ordered	9 December 1812
	68	160	Bill presented	15 February 1813
	68	365	Royal assent	1 April 1813

APPENDIX (2) Continued

Petitions to bring in bills, anti enclosure petitions, presentment of bills and royal assent etc. Middlesex enclosure details from the House of Commons Journals 1766-1825.

PARISH	VOLUME (HCJ)	PAGE	ITEM	DATE
Stanwell	31	43	Petition to bring in a bill; bill ordered	12 December 1766
	31	166-7	Petition against	8 February 1767
	31	167	Petition against	18 February 1767
	31	187	Petition against	26 February 1767
	31	199	Bill passed in the negative	3 March 1767
	44	130	Petition to bring in a bill; bill ordered	20 February 1789
	44	375	Royal assent	19 May 1789
Teddington	54	170	Petition to bring in a bill; bill ordered	12 February 1799
	54	555	Kings consent signified	24 May 1799
	54	695	Lords amendments agreed to, Kings consent signified to the amendments; parties consenting	26 June 1799
	54	711	Royal assent	1 July 1799
Willesden	70	47	Petition to bring in a bill; bill ordered	24 November 1814
	70	136	Bill presented	3 March 1815
	70	338	Lords amendments agreed to	30 May 1815
	70	363	Royal assent	7 June 1815

All information contained in the above appendix taken from the House of Commons Journals

APPENDIX (3)

Thomas Gream's Survey of Hanwell Parish: Middlesex in 1803.

	NAME OF OCCUPIER	ACRE	ROOD	PERCH
1	BALDWIN, WILLIAM. ESQ.	23	1	3
2	BENT, THOMAS	12	1	4
3	BIRCH, WILLIAM. ESQ.	2	1	11
4	BRAMSGROVE, GEORGE	5	1	35
5	BRAMSGROVE, THOMAS	70	0	14
6	BROWN, STEPHEN	73	2	15
7	BRIANT, ANN	1	1	36
8	CHAMBERLAIN, NICHOLAS	0	1	28
9	COMMERELL, CATHERINE	12	3	9
10	COMPSON, JOSEPH	4	2	1
11	FOWNES, JOHN	1	0	23
12	FOX, JONAS	1	3	11
13	GLASSE, REVD. G.H.	30	0	23
14	GODFREY, CATHERINE	0	1	22
15	GREEN, THOMAS	2	1	6
16	GRAEME, ANN	1	2	36
17	HANNINGTON, REVD. J.C	8	2	6
18	HUTCHINGS, MR.	3	1	0
19	HIERENS, JOHN	146	3	37
20	HIESELLER, THOMAS	10	0	2
21	JACKSON, THOMAS: HEIRS OF.	55	1	35
22	JAKELL, THOMAS	9	3	36
23	KNEVITT, JONATHAN	13	0	37
24	LAMBERT, WILLIAM ESQ.	15	0	20
25	MACDONALD, CHIEF BARON	84	1	20
26	NEWMAN, SAMUEL	167	0	7
27	OWEN, SAMUEL	1	3	31
28	PUGH, SAMUEL	23	0	23
29	SMITH, ISAAC ESQ.	2	3	15
30	STEVENITT, ELIZABETH	14	0	1
31	WESTMORE, JOHN	59	2	3
32	WILLAN, THOMAS	22	2	9
	TOTAL	868	41	559

APPENDIX (4)

John Claridge's Survey of Northolt: Middlesex in 1806.

	NAME OF TENANT	ACRE	ROOD	PERCH
1	AMES, JOHN	18	1	0
2	ATKINS, RICHARD	0	1	0
3	BROWN, SAMUAL	0	0	20
4	BOWEN, BENJAMIN	3	0	0
5	BUGBEARD, THOMAS	1	0	0
6	CLARK, GEORG	51	2	0
7	CHANDLER, THOMAS	108	3	27
8	DUFFIN, JOHN	1	2	0
9	DEAN,	2	0	0
10	DICKS, RICHARD	1	0	20
11	DRURY, THE REVD. MR	2	0	0
12	GURNEY, JOHN	221	3	0
13	GODMAN, JOHN & LITTLE, MARY	0	0	20
14	GOLDERS, THOMAS	37	2	0
15	GOLDERS, THOMAS	7	1	0
16	GOLDERS, THOMAS	2	1	0
17	GOODES, JOSEPH	138	3	0
18	GRAINGERS, WILLIAM	13	3	0
19	GREENHILL	16	0	0
20	HERIDGE,	0	1	0
21	HILL, WILLIAM	2	0	0
22	HERBERT, THOMAS	62	1	0
23	HERBERT, THOMAS	37	2	0
24	HERBERT, THOMAS	5	2	0
25	HERBERT, THOMAS	4	3	0
26	HINGE, WILLIAM	0	0	20
27	HERBERT, WILLIAM	0	2	0
28	JACKSON	0	3	0
29	JACKSON	1	2	0
30	JACKSON	4	0	0

APPENDIX (4) Continued

John Claridge's Survey of Northolt: Middlesex in 1806.

31	JERSEY, THE EARL OF	30	0	0
32	KNAPP, MARY	0	2	0
33	LAWS, JAMES	0	2	0
34	LOVEL, THOMAS	0	0	20
35	MILLNER, JAMES	132	2	0
36	MILLNER, JAMES	3	0	0
37	NAILER, JAMES	4	0	0
38	OAKLEY, JOHN	3	0	0
39	OVERSEERS	0	0	0
40	POOLEY, THOMAS	4	0	0
41	POLLY, & TUSLERS	0	0	0
42	POLLY, MARY	2	0	20
43	STONE, ROBERT JN.	148	1	0
44	STONE, ROBERT JN.	9	2	0
45	STONE, ROBERT SN.	142	2	0
46	STONE, ROBERT SN.	9	0	0
47	SHEPERD, WILLIAM	1	0	0
48	SAYERS, JOHN	56	3	0
49	STRANGE, AGAR, ESQ.	4	0	0
50	STEPHENS, THOMAS	2	0	0
51	SHOESMITH, JAMES	0	0	20
52	SHEPERD, GEORGE	0	2	0
53	TUSLER, JAMES	104	2	0
54	? , ARNOLD	4	0	0
55	WOODBIDGE, THOMAS	134	3	26
56	WEBB, JOHN	2	2	0
57	WEDON, JAMES	0	1	0
58	WEBB, JOHN	0	0	20
59	WILSHEN, GEORGE	62	2	20
60	WILSHEN, GEORGE	1	3	0

APPENDIX (4) Continued

John Claridge's Survey of Northolt: Middlesex in 1806.

61	WILSHEN, THOMAS	67	3	37				
62	WILSHEN, THOMAS	25	3	0				
63	WHILE, JAMES	25	0	0				
	TOTAL	1,709	73	270				
					In Hand - glebe	26	3	19
					Thomas Golders - glebe	28	2	11

A S S O C I A T I O N

F O R O P P O S I N G

T H E H A R R O W I N C L O S U R E .

A Brief statement of facts having been published by this association on the twenty-fourth of March, shewing the secret and irregular manner in which the present proposed Bill for an Inclosure had been brought forward, an *anonymous* paper by way of answer, evidently written by one of the friends to the measure, has since been printed and circulated, which calls for some observations in reply. — It is indeed difficult to discover the real nature and tendency of this curious production. — It *professes* to be no *apology* and is manifestly no *justification*. — It is replete with contradiction and sophistry. — It sets out with stating “ That they are happy to find the grounds of opposition are not so much to the *Bill itself* as to some supposed breach of decorum in those who have been most anxious to bring it forward;” and in the next page asserts that “ a large portion of the meeting at Harrow declared that their objections went to *any Bill whatever*, and others protested against the commutation for tythes. — The friends of the Bill were charged with stealing a march upon the proprietors, and appointing solicitors, and preparing a Bill in *private*, without *first* calling a public meeting to collect the *general* opinion whether any inclosure at all was thought advisable. — Their excuse is “ That to the formation of a plan for a Bill in Parliament much deliberation must be necessary, and that in an assembly of two or three hundred persons. (the number of the proprietors of Harrow) it could hardly be hoped that room could be afforded for such deliberation!!!”

THESE pretexts are too flimsy not to be seen through. — Indeed the friends of the Bill have now thrown off the mask — and it is obvious that to all argument, truth, justice, equity, reason, the *general* good of the parish, the comforts of the *poor*, and the private interests of the *great body* of proprietors, they bid defiance; and place their sole trust and confidence in WEIGHT OF PROPERTY. — “ By the *Weight of Property*,” say they, “ the question must ultimately be decided, and if there is a sufficient proportion of that *Property* in favor of the measure, they shall be influenced rather by that *Property* than the number or the loudness of those who clamour against the Bill.” — Thus do they ring *Property* in your ears to drown the voice of reason and truth, and with huge legs like a *Colossus*, do they besstride the smaller proprietors. — But the fact is they have not at present such a weight of property in their favor as is required by the legislature, and we trust they *never* will obtain it, for surely the proprietors are of too liberal and independant a spirit to countenance such a principle as avowedly actuates the promoters of the measure, or be induced to sign a Bill by any other motive than a full and decided conviction of its propriety and utility.

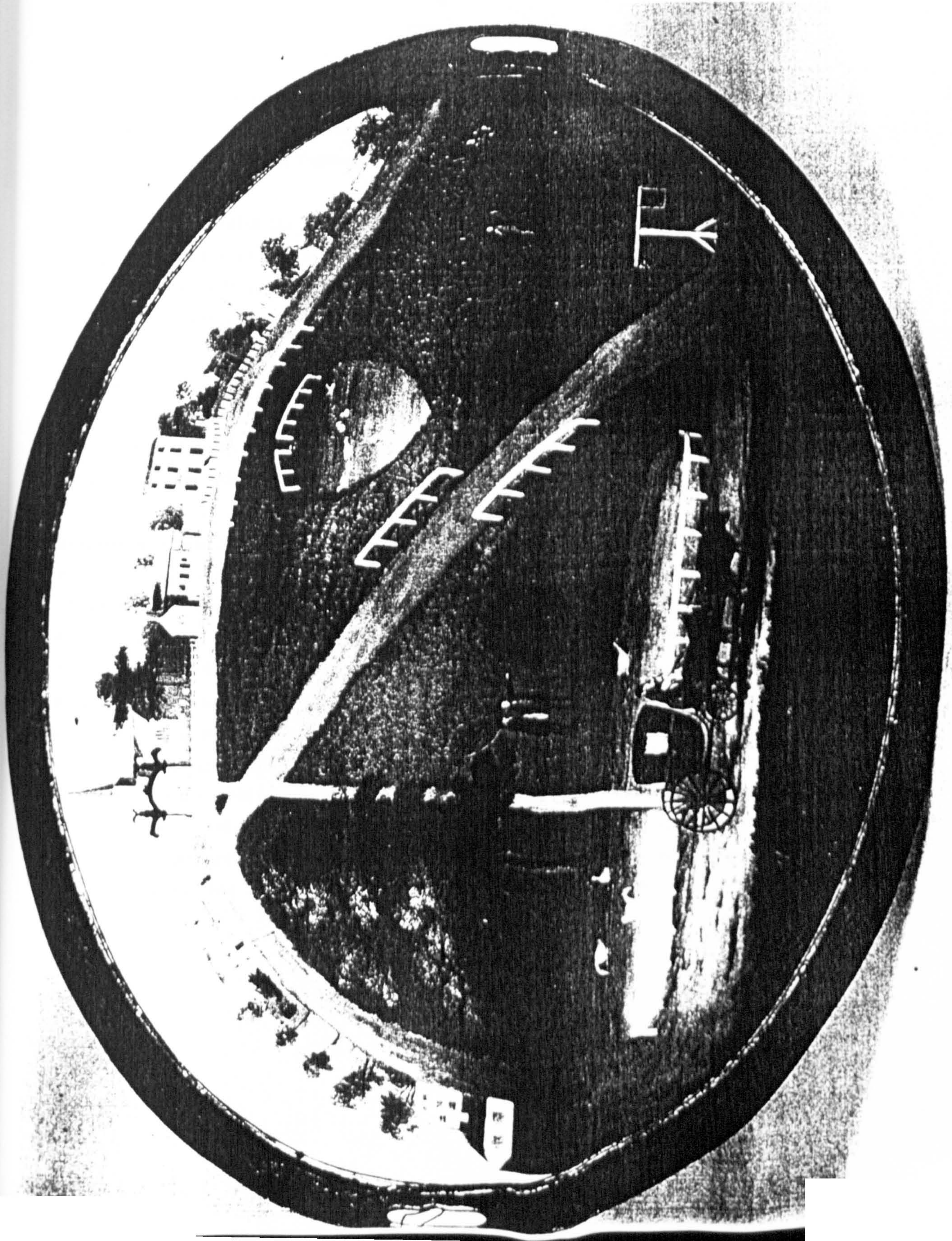
IN the anonymous paper above-mentioned, the association are called upon to *publish their arguments if they have any* against the Inclosure. — There was no occasion for this challenge — In January one thousand seven hundred and ninety-seven they were submitted to the proprietors in a circular paper containing the letter of the *Duke of Northumberland* upon the Ilseworth inclosure, with suitable comments, comprehending the main leading arguments against any inclosure at Harrow, which paper may still be had by applying to the association — All the objections *then* urged exist in full force *now*, nay time and experience have confirmed and strengthened them.

WE beg leave to refer the friends of the Bill to the forcible arguments and liberal sentiments contained in his Grace's letter, and shall at present by way of a *Memento*, briefly recapitulate the main points on which the association rely, and lay down some general outlines of calculation as a more sure and satisfactory guide to the proprietors.

THE two main points that affect the interests of the proprietors are first, The *Proportion of the Common* which each person is likely to have as an allotment in lieu of his commonable rights, and secondly, The *Commutation for Tythes* — (The *Common Fields* shall be reserved for a separate consideration.)

APPENDIX (6)

Copy From a Tray Produced to Commemorate the Failed Attempt at Enclosure at Bedfont. 1801. Original in the Parish Church at Bedfont. See page 125 for Inscription.



APPENDIX (7)

Preamble to the Teddington Enclosure Bill.

'A
BILL
FOR

Dividing, Alloting, and otherwise Improving, all the Common Fields, Common Wastes, and other Commonable Lands and Grounds, within the Manor and Parish of *Teddington*, otherwise *Todington*, otherwise *Tottington*, otherwise *Tuddington*, in the County of *Middlesex*.

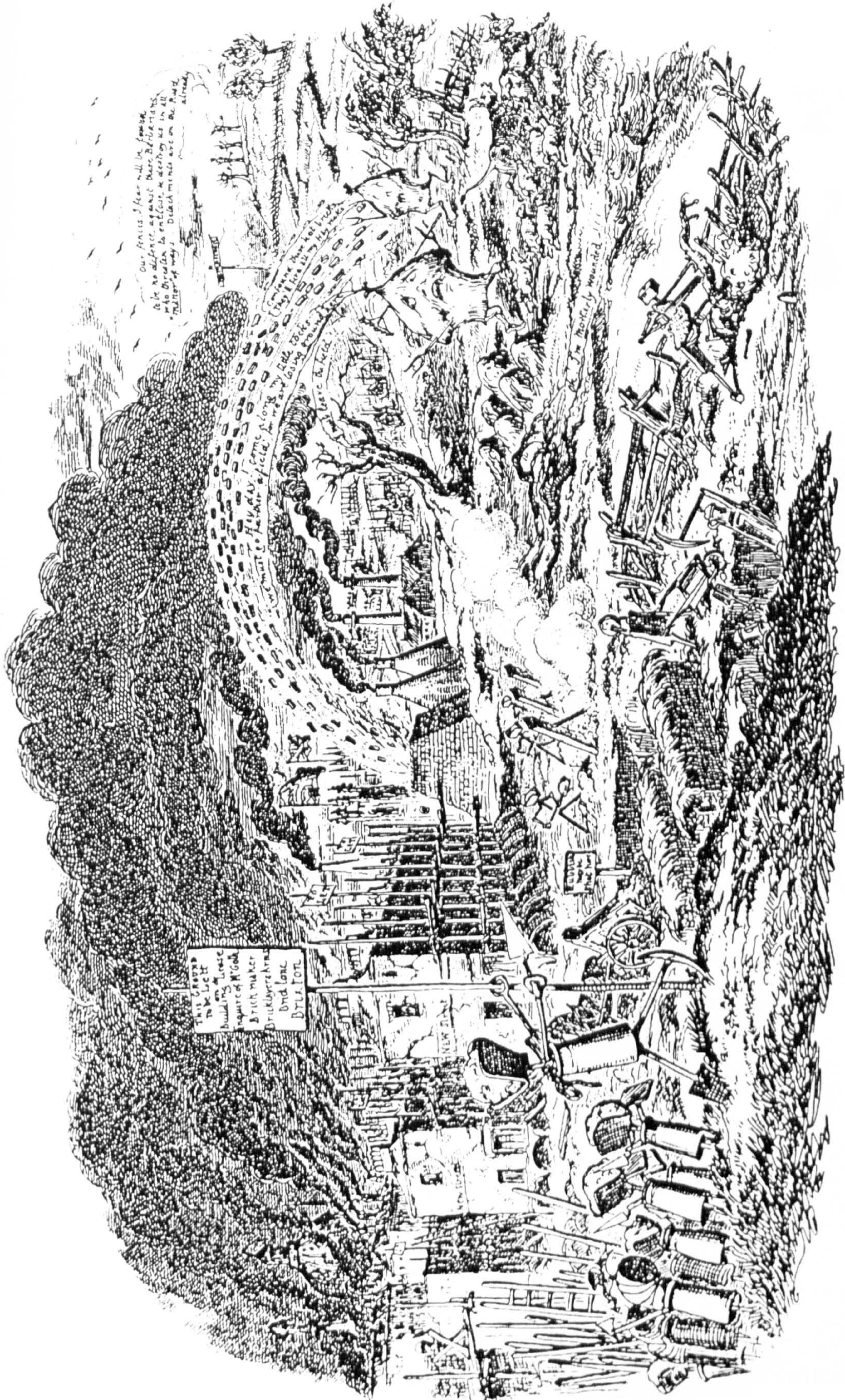
Whereas there are within the Parish of *Teddington*, otherwise *Todington*, otherwise *Tottington*, otherwise *Tuddington*, in the County of *Middlesex*, several Open and Common Fields, Common Meadows, Common Pastures, Wastes, and other Commonable Lands and Grounds, containing together, by Estimation, Eight Hundred and Eighty-three Acres, or thereabouts:

and whereas Henry Peters, Esquire, is Lord of the Manor of *Teddington*, otherwise *Todington*, otherwise *Tottington*, otherwise *Tuddington*, aforesaid, extending over the Whole of the said Parish, and is seised of the impropriate Rectory of the said Parish, and entitled to all Tythes, both Great and Small, arising Within the same Parish:

as whereas the said Henry Peters, Esquire, the Right Honourable Jacob Earl of Radnor, John Hiley Addington, Esquire, Thomas Davis, Elizabeth Davenport, Robert Cornish, John Painter, John Awick, Thomas Cuff, Richard Fry, Martin Lemon, William Gunner, James Dury, John Sparrow, Richard Collett, Lucy Poole, John Poole, and divers other Persons, are Proprietors of the several Lands, Grounds, Common Rights, and other Hereditaments, in, over, and upon the said Open and Common Fields, Common Meadows, and Common Pastures: and the said Lands and Grounds of the said several Proprietors are greatly intermixed and dispersed, and otherwise inconveniently situated, and the same, as well as the said Commons and Wastes, in their present State are incapable of much Improvement, and it would be greatly to the Advantage of the several Persons interested therein, if the same were divided and inclosed, and specific Parts thereof allotted to the said several Proprietors proportionally, and according to the Value of the respective Properties, which would tend greatly to the Improvement of their said Estates: But the same cannot be effected without the Aid and Authority of Parliament...'

APPENDIX (8)

George Cruikshank's 'London Going Out of Town - or - The March of Bricks and Mortar' 1829.



LONDON going out of Town. — or — The March of Bricks & mortar!

APPENDIX (9)

Poster: Public Meeting of the West London Central Anti-Enclosure Association. 1847. LMA. MJ/SR/4713.

Public Rights and No Surrender!
THE FOOTWAY
THROUGH
HOLLAND PARK
KENSINGTON.

"Footway Rights are becoming a Question of the Day."
Weekly Times, July 25th, 1847.

The Magistrates in Quarter Sessions assembled, at the Sessions' House, Clerkenwell Green, have this day refused their sanction to Lord Holland's application to deprive the Public of that lovely Walk in front of Holland House, Kensington, which has existed for centuries! (a Walk, for which NO "Equivalent" (!) CAN, in REALITY, be given; because, for CONVENIENCE and EXTENSIVE VIEWS, it has not its EQUAL in any Thoroughfare in the Neighbourhood,) but as it is the intention of Lord Holland to recommence proceedings with a view of effecting his purpose, all who are for maintaining the FOOTWAY in question are earnestly entreated to attend the

Public Meeting

OF THE

WEST-LONDON

CENTRAL ANTI-ENCLOSURE ASSOCIATION,

WHICH WILL BE HELD ON

MONDAY, OCTOBER 18, 1847,

AT SEVEN FOR EIGHT O'CLOCK, AT

CLARK'S ROOMS,
114, EDGWARE ROAD,

PADDINGTON,

(A FEW DOORS FROM THE HARROW ROAD.)

With a view of taking such steps in the matter as will SECURE to the Public their Just Rights!

HENRY DOWELL GRIFFITHS,
Secretary

Oct. 12th, 1847.

All Communications relative to the above important Question are requested to be made to the Secretary, as above.

Steam Press:—N. F. MULLIN, PRINTER, 9, Circus Street, Bryanston Square.

APPENDIX (10)

Handbill: 'Britons to Arms'. nd. c 1816. PRO. HO 40/3/3 f. 24.

24

Britons to Arms!
 The whole Country waits the signal
 from London to fly to Arms! Plaster
 break open all Gun & Sword Shops! or
 other likely places to find Arms! —
 Run all Constables thro' who touch
 a Man of us! — No rise of Bread!
 No Regent! No Castlereagh! Off with
 their Heads! — No Place-men Tithes,
 or Enclosures! — down with them all
 — Stand true or we are Slaves for
 ever! — NB printed Bills with further
 particulars will be out in due time —
 5000 of written ones are now up
 in different parts of the Town. 892

APPENDIX (11) (See notes on page 268 for sources for census information).

Middlesex Population figures 1801, 1811, 1821, 1831, 1841 and 1881.

Parishes, extra-parochial places and townships, in the Middlesex hundreds and divisions (divisions are part of the Ossulstone Hundred).

Hundred/ Division	Parish etc.	1801	1811	1821	1831	1841		1881
Edmonton Hundred	Edmonton	5,093	6,824	7,900	8,192	9,027		23,463
	Enfield	5,881	6,636	8,227	8,812	9,367		19,104
	Mimms (South)	1,698	1,628	1,906	2,010	2,760		4,002
	Monken Hadley	584	718	916	979	945		1,160
	Tottenham	3,629	4,571	5,722	6,937	8,584		46,456
Total		16,885	20,377	24,671	26,930	30,683		94,185
Elthorne Hundred	Brentford (New)	1,443	1,733	2,036	2,085	2,174		2,138
	Cowley	214	382	349	315	392		498
	Cranford	212	267	288	377	370		503
	Drayton (West)	515	555	608	662	802		1,009
	Greenford	359	345	415	477	588		538
	Hanwell	817	803	977	1,213	1,469		5,178
	Harefield	951	1,079	1,228	1,285	1,516		1,503
	Harlington	363	461	472	648	841		1,538
	Harmondsworth	879	926	1,076	1,276	1,330		1,812
	Hayes	1,026	1,252	1,530	1,575	2,076		2,891
	Hillingdon	1,783	2,252	2,886	3,842	6,027		9,295
	Ickenham	213	257	281	297	396		376
	Northolt	336	392	455	447	653		496
	Norwood	697	875	1,124	1,320	2,385		6,681
	Perivale	28	37	25	32	46		34
	Ruislip	1,012	1,239	1,343	1,197	1,413		1,455
Uxbridge	2,111	2,411	2,750	3,043	3,219		3,346	
Total		12,959	13,533	17,843	20,091	23,523		39,291

APPENDIX (II) Continued.

Middlesex Population figures 1801, 1811, 1821, 1831, 1841 and 1881.

Hundred/ Division	Parish etc.	1801	1811	1821	1831	1841		1891
Ossulstone Hundred (Finsbury Division)	Artillery Ground (old)	1,428	1,385	1,487	1,418	1,558		2,516
	Charter House	249	162	144	164	185		149
	Finchley	1,503	1,292	2,349	3,210	3,224		11,191
	Friern Barnet	432	487	534	615	849		6,424
	Glass House Yard	1,221	1,343	1,358	1,312	1,415		931
	Hornsey	2,716	3,349	4,122	4,856	5,937		37,078
	Clerkenwell	23,396	30,537	39,105	47,634	56,756		69,076
	St. Luke	26,881	32,545	40,877	46,642	49,829		46,849
	Islington	10,212	15,065	22,417	37,316	55,690		282,865
	Stoke Newington	1,462	2,149	2,670	3,480	4,490		22,781
	St. Sepulchres	3,768	4,224	4,740	4,769	4,801		2,401
Total		73,268	92,538	119,803	151,416	184,734		482,261
Gore Hundred	Edgware	412	543	551	591	659		816
	Harrow	2,485	2,813	3,017	3,861	4,627		10,277
	Hendon	1,955	2,589	3,100	3,110	3,327		10,484
	Kingsbury	209	328	360	463	536		759
	Pinner	761	1,078	1,076	1,270	1,331		2,519
	Stanmore (Great)	722	840	990	1,144	1,177		1,312
	Stanmore (Little)	424	547	712	876	830		862
Total		6,968	8,738	9,806	11,315	12,487		27,029

APPENDIX (11) Continued.

Middlesex Population figures 1801, 1811, 1821, 1831, 1841 and 1881.

Hundred/ Division	Parish etc.	1801	1811	1821	1831	1841		1891
Ossulstone Hundred (Holborn Division)	Holborn and St. George the Martyr	22,205	23,972	26,492	27,334	29,335		28,874
	St. Clement Danes	4,144	3,910	4,010	3,864	3,877		10,280
	St. Mary le Strand ¹	474	-	-	-	-		1,989
	St. Giles in the Field and Bloomsbury	36,502	48,536	51,793	52,907	-		45,382
	Hampstead	4,343	5,483	7,263	8,588	10,093		45,452
	St. Marylebone	63,982	75,624	96,040	122,206	138,164		154,910
	Paddington	1,881	4,609	6,476	14,540	25,173		107,218
	St. Pancras	31,779	46,333	71,838	103,548	128,479		236,258
	Rolls Liberty	2,409	2,620	2,737	2,682	2,565		546
	Savoy ²	320	-	-	-	-		215
	Saffron Hill, Hatton Garden, Ely Rents and Ely	7,781	7,482	9,270	9,745	9,455		3,980
Total	Place Liberty	175,820	218,569	275,919	345,414	347,141		635,104
Isleworth Hundred	Heston	1,782	2,251	2,810	3,407	4,071		9,754
	Isleworth	4,346	4,661	5,269	5,590	6,614		12,973
	Twickenham	3,138	3,757	4,206	4,571	5,208		12,479
Total		9,226	10,669	12,285	13,568	15,893		35,206

¹ After 1801 this is returned with the figures for Westminster.

² Being surrounded by Westminster (although not being a part of it) it is later entered in the returns with the figures for Westminster. Being small and obviously not a rural area its omission is not a problem in this study.

APPENDIX (11) Continued.

Middlesex Population figures 1801, 1811, 1821, 1831, 1841 and 1881.

Hundred/ Division	Parish etc.	1801	1811	1821	1831	1841		1881
Ossulstone Hundred (Kensington Division)	Acton	1425	1,674	1,929	2,453	2,665		17,126
	Chiswick	3,235	3,892	4,236	4,994	5,811		15,975
	Ealing	5,035	5,361	6,608	7,783	8,407		25,436
	Fulham	4,428	5,903	6,492	7,317	9,319		12,900
	Hammersmith	5,600	7,393	8,809	10,222	9,888		39,188
	Kensington	8,556	10,886	14,428	20,902	26,834		97,700
	Chelsea	11,604	18,262	26,860	32,371	40,179		88,128
	Twyford (West)	8	10	33	43	27		75
	Willesden	751	671	1,413	1,876	2,930		27,453
Total		40,642	54,052	70,808	87,961	106,060		323,981
Spelthorne Hundred	Ashford	264	266	331	458	524		1,484
	Bedfont (East)	456	577	771	968	982		1,452
	Feltham	620	703	962	924	1,029		2,909
	Hampton	1,722	1,984	2,288	2,529	3,097		4,776
	Hampton Wick	793	770	1,216	1,463	1,614		2,164
	Hanworth	334	533	552	671	751		1,040
	Laleham	372	481	499	588	612		544
	Littleton	147	130	149	134	111		126
	Stanwell	893	1,032	1,225	1,386	1,495		2,156
	Shepperton	731	751	782	847	858		1,289
	Staines	1,750	2,042	1,957	2,486	2,487		4,628
	Sunbury	1,447	1,655	1,777	1,863	1,828		4,297
	Teddington	699	732	863	895	1,199		6,599
Total		10,228	11,656	13,372	15,212	16,587		33,464

APPENDIX (11) Continued

Middlesex Population figures 1801, 1811, 1821, 1831, 1841 and 1881.

Hundred/ Division	Parish etc.	1801	1811	1821	1831	1841		1881
Ossulstone Hundred (Tower Division)	Limchouse	4,678	7,386	9,805	15,695	21,121		32,041
	Aldgate	6,153	5,265	6,429	3,453	3,627		2,883
	Christ Church, Spitalfields	15,091	16,200	18,650	17,949	20,436		21,340
	St. George	21,170	26,917	32,528	38,505	41,350		47,157
	Hackney	12,730	16,771	22,494	31,047	37,771		163,681
	Wapping	5,889	3,313	3,078	3,564	4,108		2,225
	Bromley	1,684	3,581	4,360	4,846	6,154		64,359
	Poplar ¹	4,493	7,708	12,223	16,849	20,342		55,077
	Shoreditch	34,766	43,930	52,966	68,564	83,432		126,591
	Whitechapel	23,666	27,578	39,407	30,733	34,053		30,709
	Stratford Bow	2,101	2,259	2,349	3,371	4,626		37,074
	Bethnal Green	22,310	33,619	45,676	62,018	74,088		126,961
	Norton Fladgate	1,752	1,716	1,896	1,918	1,674		1,528
	Shadwell	8,828	9,855	9,557	9,544	10,060		8,170
	St. Catherine	2,652	2,706	2,624	² 72	96		104
	Stepney	20,767	27,491	36,940	51,023	63,723		132,391
Tower Liberty ³	563	1,192	668	713	1,417		1,161	
Total		189,293	237,070	301,187	359,431	397,989		853,454
Overall total		535,289	667,202	845,694	1,071,338	1,135,097		2,523,975

¹ Poplar created from Stepney parish in 1817.

² The decrease in population here is due to the building of St. Cartherines Dock.

³ From 1811 both Tower of London and Old Tower (outside of the city) are calculated together.

APPENDIX (12).

Middlesex Occupational Census 1801 (selected parishes). The problems associated with the census make it difficult to determine precise figures. While the issues surrounding seasonal work, multi-employment and the various counting methods used by enumerators (the inclusion of agricultural, industrial and trade workers children in the third column) make precision an unreasonable aim it is possible to discern general trends and to distinguish in which parishes agriculture was important in terms of local employment.

1801				
Hundred/ Division	Parish etc.	1. Number of people chiefly employed in agriculture	2. People mainly employed in trade, manufacture or handicrafts	3. People not classified in the preceding classes
Edmonton Hundred	Edmonton	412	557	4,124
	Enfield	642	478	4,761
	Mimms (South)	99	95	1,504
	Monken Hadley	41	67	476
	Tottenham	163	331	3,135
Total		1,357	1,528	14,000
Elthorne Hundred	Brentford (New)	24	334	1,085
	Cowley	74	107	33
	Cranford	36	19	4
	Drayton (West)	81	56	11
	Greenford	40	6	313
	Hanwell	59	78	680
	Harefield	189	112	640
	Harlington	301	50	12
	Harmondsworth	275	53	551
	Hayes	200	82	744
	Hillingdon	209	190	1,384
	Ickenham	193	58	2
	Northolt	328	8	-
	Norwood	220	33	444
Perivale	19	-	9	
Ruislip	493	18	501	
Uxbridge	64	537	1,510	
Total		2,805	1,751	7,932

APPENDIX (12) Continued.

Middlesex Occupational Census 1801 (selected parishes).

1801				
Hundred/ Division	Parish etc.	3. People not classified in the preceding classes	2. People mainly employed in trade, manufacture or handicrafts	3. People not classified in the preceding classes
Gore Hundred	Edgware	61	61	290
	Harrow	386	127	1,972
	Hendon	312	454	1,189
	Kingsbury	80	15	114
	Pinner	134	40	587
	Stanmore (Great)	100	89	533
	Stanmore (Little)	42	73	309
Total		1,115	859	4,994
Isleworth Hundred	Heston	259	139	1,384
	Isleworth	257	322	3,767
	Twickenham	121	256	2,761
Total		637	717	7,912
Ossulstone Hundred (Kensington Division)	Acton	215	141	1,069
	Chiswick	195	141	2,824
	Ealing	120	216	2,639
	Fulham	450	2,276	3,587
	Hammersmith	227	391	546
	Kensington	44	599	7,347
	Chelsea	183	1,165	10,352
	Twyford (West)	6	-	2
	Willesden	196	33	522
	Total		1,636	5,890

APPENDIX (12) Continued.

Middlesex Occupational Census 1801 (selected parishes).

1801				
Hundred/ Division	Parish etc.	1. Number of people chiefly employed in agriculture	2. People mainly employed in trade, manufacture or handicrafts	3. People not classified in the preceding classes
Spelthorne Hundred	Ashford	49	9	264
	Bedfont (East)	171	20	456
	Feltham	66	254	620
	Hampton	132	191	1,722
	Hampton Wick	58	261	793
	Hanworth	65	35	334
	Laleham	349	12	372
	Littleton	39	2	147
	Stanwell	155	116	893
	Shepperton	40	79	731
	Staines	50	354	1,750
	Sunbury	182	152	1,447
	Teddington	100	71	699
Total		1,456	1,556	10,228
Various	Finchley	183	56	1,264
	Friern Barnet	58	51	323
	Hackney	44	897	11,789
	Hampstead	199	426	3,718
	Hornsey	152	188	2,376
	Shoreditch	2,339	5,937	26,490
Total		2,975	7,555	45,960

APPENDIX (13).

Middlesex Occupational Census 1801 (by hundreds).

1801					
Hundred/ Division	Parish etc.	1. Number of people chiefly employed in agriculture	2. People mainly employed in trade, manufacture or handicrafts	3. People not classified in the preceding classes	4. Total population
Totals	Edmonton Hundred	1,357	1,528	14,000	16,885
	Elthorne Hundred	2,805	1,751	7,932	12,959
	Finsbury Division	592	14,761	57,915	73,268
	Gore Hundred	1,115	859	4,994	6,968
	Holborn Division	728	26,410	135,499	175,820
	Isleworth Hundred	637	717	7,912	9,266
	Kensington Division	1,636	5,890	28,888	40,642
	Spelthorne Hundred	1,456	1,556	6,981	10,228
	Tower Division	2,752	36,027	147,577	189,293
	Middlesex	13,078	89,499	411,698	535,329

APPENDIX (14).

Middlesex Occupational Census 1831 (selected parishes).

1831									
Hundred/ Division	Parish etc.	Families chiefly employed in			Agriculture			Labourers employed in labour which is not agricultural	Total number of persons ¹
		Agri- culture	Trade, manuf- acture or handi- craft	Neither of the previous two	Occupiers employing labourers	Occupiers not employing labourers	Labourers employed in agriculture		
Edmonton Hundred	Edmonton	595	507	660	38	2	620	131	8,192
	Enfield	599	578	708	44	6	641	346	8,812
	Mimms (South)	298	113	32	31	2	265	80	2,010
	Monken Hadley	6	48	134	6	-	41	38	979
	Tottenham	177	374	877	28	7	232	302	6,937
Total		1,585	1,620	2,411	147	17	1,799	897	26,930
Elthorne Hundred	Brentford (New)	25	335	86	5	-	25	172	2,085
	Cowley	6	34	23	1	1	12	12	315
	Cranford	24	17	37	4	1	26	23	377
	Drayton (West)	41	36	77	5	-	64	38	662
	Greenford	63	16	13	12	1	66	-	477
	Hanwell	28	83	116	1	2	44	75	1,213
	Harefield	137	68	74	14	7	161	21	1,285
	Harlington	82	41	13	15	12	95	-	648

Table continued over the page

¹ This table concentrates on the agricultural population. The inclusion of the total population is to contrast this figure with those showing the numbers involved in agriculture. I have not given the figures for other categories which the total figure was sub-divided into in the 1831 census.

APPENDIX (14) Continued.

Middlesex Occupational Census 1831 (selected parishes).

1831									
Hundred/ Division	Parish etc.	Families chiefly employed in			Agriculture			Labourers employed in labour which is not agricultural	Total number of persons
		Agri- culture	Trade, manuf- acture or handi- craft	Neither of the previous two	Occupiers employing labourers	Occupiers not employing labourers	Labourers employed in agriculture		
Elthorne Hundred (continued)	Harmonds- worth	178	40	31	21	3	205	26	1,276
	Hayes	168	79	82	11	-	200	13	1,575
	Hillingdon	14	253	509	22	11	120	388	3,842
	Ickenham	45	12	10	10	7	39	7	207
	Northolt	70	9	8	10	11	82	-	447
	Norwood	149	87	12	10	1	138	22	1,320
	Perivale	5	-	-	5	-	5	-	32
	Ruislip	206	48	53	26	39	166	-	1,197
	Uxbridge	7	347	327	1	1	12	474	3,043
Total		1,248	1,505	1,471	173	97	1,460	1,271	20,091
Gore Hundred	Edgware	34	45	56	7	3	48	19	591
	Harrow	376	213	130	32	11	454	34	3,861
	Hendon	162	163	204	33	7	209	106	3,110
	Kingsbury	40	17	25	6	-	56	9	463
	Pinner	101	42	45	15	9	102	16	1,270
	Stanmore (Great)	36	71	99	3	1	35	47	1,144
	Stanmore (Little)	45	68	77	2	-	60	14	876
Total		794	619	636	98	31	964	245	11,315

APPENDIX (14) Continued.

Middlesex Occupational Census 1831 (selected parishes).

1831										
Hundred/ Division	Parish etc.	Families chiefly employed in			Agriculture			Labourers employed in labour which is not agricultural	Total number of persons	
		Agri- culture	Trade, manuf- acture or handi- craft	Neither of the previous two	Occupiers employing labourers	Occupiers not employing labourers	Labourers employed in agriculture			
Isleworth Hundred	Heston	260	83	308	21	2	328	100	3,407	
	Isleworth	389	383	435	31	16	368	340	5,590	
	Twickenham	327	270	416	30	18	380	87	4,571	
Total		976	736	1,159	82	36	1,076	527	13,568	
Spelthorne Hundred	Ashford	44	21	23	2	1	60	24	458	
	Bedfont (East)	105	29	68	9	9	116	28	968	
	Feltham	100	50	25	10	-	106	-	924	
	Hampton	33	170	392	3	-	30	206	2,529	
	Hampton Wick	23	131	169	2	-	33	92	1,463	
	Hanworth	111	17	15	6	-	134	9	671	
	Lalcham	50	20	32	5	2	64	21	588	
	Littleton	18	4	4	2	-	21	7	134	
	Stanwell	147	61	67	18	4	180	17	847	
	Shepperton	56	40	69	5	-	90	253	2,486	
	Staines	16	202	291	10	-	34	29	1,386	
	Sunbury	99	138	134	17	6	130	41	1,863	
	Teddington	62	71	68	6	2	78	13	895	
	Total		864	954	1,357	95	24	1,076	740	15,212

APPENDIX (14) Continued.

Middlesex Occupational Census 1831 (selected parishes).

1831									
Hundred/ Division	Parish etc.	Families chiefly employed in			Agriculture			Labourers employed in labour which is not agricultural	Total number of persons
		Agri- culture	Trade, manuf- acture or handi- craft	Neither of the previous two	Occupiers employing labourers	Occupiers not employing labourers	Labourers employed in agriculture		
Various	Acton	182	128	203	11	-	171	86	2,453
	Chiswick	277	531	254	27	7	288	186	4,994
	Ealing ¹	288	896	527	29	5	315	424	7,783
	Finchley	220	176	210	14	12	256	107	3,210
	Friern Barnet	63	45	19	8	13	63	14	615
	Fulham	573	496	496	35	5	748	113	7,317
	Hackney	582	2,505	3,220	44	30	607	1,236	31,047
	Hammersmith	263	1,544	433	26	6	242	703	10,222
	Hornsey	214	338	359	10	6	218	183	4,856
	Islington	320	4,874	3,381	13	38	320	1,335	37,316
	Willesden	172	98	135	20	-	194	42	1,876
Total		3,154	11,631	9,237	237	122	3,422	4,429	111,689

¹ Including Old Brentford.

APPENDIX (15).

Middlesex Occupational Census 1831. By hundreds and divisions (divisions being the divisions of Ossulstone Hundred).

1831								
Hundred/ Division	Families chiefly employed in			Agriculture			Labourers employed in labour which is not agricultural	Total number of persons
	Agri- culture	Trade, manuf- acture or handi- craft	Neither of the previous two	Occupiers employing labourers	Occupiers not employing labourers	Labourers employed in agriculture		
Edmonton	1,585	1,620	2,411	147	17	1,799	897	26,930
Elthorne	1,248	1,505	1,471	173	97	1,460	1,271	20,091
Gore	794	619	636	98	31	964	245	11,315
Isleworth	976	736	1,159	82	36	1,076	527	13,568
Finsbury Division	827	21,865	11,877	49	73	906	6,214	151,409
Holborn Division	576	41,898	40,993	93	77	634	21,349	346,255
Kensington Division	2,062	9,458	8,659	176	44	2,351	3,970	87,961
Tower Division	801	52,897	30,584	89	80	937	26,887	359,864
Spelthorne	864	954	1,357	95	24	1,076	740	15,212
Total	9,733	131,552	99,147	1,002	479	11,203	62,100	1,032,605

The figures for appendices 8 to 12 are taken from the following:

BPP. Abstract of the Answers and Returns Enumeration 1801; Part I, England and Wales (London, Frank Cass & Co. Ltd., 1968). Reprint.

BPP. Comparative Account of the Population of Great Britain in the Years 1801, 1811, 1821 and 1831 (Shannon, Irish U.P., 1968). Reprint.

BPP. Abstract of the Answers and Returns. Enumeration Abstract 1831; Volume One (London, 1833).

BPP. Abstract of the Answers and Returns Enumeration 1841 (London, 1843).

BPP. Census of Great Britain, 1851. Population Tables (London, HMSO., 1852).

BPP. Census of England and Wales 1881, Volume I. Area, Houses and Population. Counties (London, HMSO., 1883).

There is also a summary in Page, W. ed. A History of Middlesex (London, Constable & Co., 1911) VCH, II, pp 112-120. There is some minor variations within these sources due to the changes in which the enumerators treated those parishes which overlapped between London and Middlesex.

BIBLIOGRAPHY

This bibliography is divided respectively into a note on manuscript sources followed by a general listing of those manuscripts sources, contemporary periodicals, and newspapers and publications of criminal proceedings, parliamentary reports and papers, contemporary published sources, general secondary works and finally a list of local secondary works.

NOTE ON MANUSCRIPT SOURCES

I mentioned in the preface to this work (above p 9) that I had sought to cast a wide net in terms of sources. This of course increases the time spent in tracking down documents but is nevertheless an essential part of any historical investigation seeking to understand the lives of ordinary people who lived in the past. A researcher may restrict their archival detective work if they are seeking to review the internal administrative history of the Home Office or the lives of the wealthy. The voluminous papers of the Home Office will be found under one roof at the PRO at Kew while the private or estate papers of the well to do landowner will also likely be a contained and discrete series of documents. This note on manuscript sources is not written as a ready made list of sources for Middlesex rural history ¹,

but as an guide to other researchers who are looking to use similar archival material.

Middlesex manorial and vestry documents have in the main been deposited with the London Metropolitan Archives. However it would be a mistake to believe that manors or parishes have their full archive deposited in any one place. The Guildhall Library (Manuscripts Section) contains a great deal of manorial material for those manors which belonged to the Bishop of London as well as those of the Dean and Chapter of St Paul's Cathedral. Some manorial documents (such as those for Enfield, Hanworth and Shepperton) can also be found in the Public Record Office (PRO) as the manors concerned belonged to the Crown or were under the control of the Duchy of Lancaster ².

The main repository for vestry records is also the London Metropolitan Archives. However a great number are to be found in local borough archives and libraries. Some of the vestry material used in this study, such as the Greenford vestry minute books 1776-1845, can still be found in the local parish church. On other occasions parish records have been incredibly difficult to find. Some of the vestry records for Harmondsworth are with the West Drayton & District Local History Society

¹ Manuscripts sources are listed on pp 271-279 below.

² The PRO however holds a vast amount of non-crown land material. Considerable quantities of manorial records were used as evidence in court cases which were never subsequently reclaimed and therefore became part of the PRO's holdings. A good place for researchers to begin their search for manorial records is the National Register of Archives (NRA). The NRA is now on-line and can be searched by the name of the required manor.

(WD&DLHS). The enclosure commissioners notebook for Hillingdon 1812-1819 are also with the WD&DLHS. Both of these documents were overlooked when their respective Victoria County History volumes were published ³. I happened to chance on such references in local history society newsletters (typescript). Through approaching societies via the local borough archivists, who were then able to arrange for me to view the material under their supervision, I was able to use these records. Other material was even harder to find. The Shepperton vestry minute books are housed by the Sunbury & Shepperton Local History Society at one of their members house, where I spent many a happy hour looking through the material.

The social and economic historian often shies away from the records of the central criminal and equity courts due to their complexity. This reticence is compounded by the changes which took place in legal practice thus leaving the legal archive a maze for the uninitiated. They are also indexed and arranged in a way which makes their use as part of

a thematic study difficult (usually by name or county). A full survey of such records from the period 1656 to 1889 was prohibited by these problems. There are no union indexes for the equity courts of Exchequer or Chancery at present. However the PRO is currently engaged in building a limited equity data base which will hopefully bring these records into greater use by local and regional historians. Old Bailey Sessions Papers (OBSP) suffer from similar problems ⁴. I have made a survey of the printed OBSPs up until 1834 when the Central Criminal Court books take over ⁵. The deposition material contained in the OBSPs have proved to be invaluable in providing evidence of local attitudes towards land and land access ⁶.

³ For a full listing of Middlesex Victoria County History volumes see below p 306.

⁴ Middlesex did not have a separate assize court and Middlesex cases were dealt along with the London cases at the Old Bailey. Records are indexed by the mid-eighteenth century but only by name, once again making the index useless for thematic study and the survey itself a time consuming exercise. Indexing the OBSBs by name, place, type of crime and date is a project waiting for the right indexer to come along..

⁵ I have used the OBSPs at the Guildhall Library. Copies have recently (May/June 1998) been deposited with the PRO but have not been accessioned. The Central Criminal Court books are in the PRO under CRIM 10.

⁶ See above Chapter 9.

in the English countryside of the past. Of particular use for this work were the bibliographies contained in Nesson's Commoners, Overton's, Agricultural Revolution, Reed & Wells, Class, Conflict and Protest and Snell's Annals. The lists of recent publications contained in the Agricultural History Review have also been invaluable in bringing useful articles and books to my notice. A further essential part of the bibliography has of course been the footnotes from local studies too numerous to mention (they are all listed below in the local studies section of this bibliography) but of especial use were Pam's Enfield Chase, and Taylor's "'Commons-Stealers'". Also of particular use has been Creton, H. ed., Bibliography of Printed Works on London History to 1939 (London, Library Association Publishing, 1994). I have not included this in my bibliographical listing as it does not appear to 'fit'. Nevertheless it has proved invaluable in bringing to my attention the work which previous researchers have produced on rural Middlesex.

It is perhaps apt that I finish this note on recent development on search engines for historians. Worthy of particular mention is the search engine now available at the British Library which allows very simple word searches (in my case 'enclosure', 'inclosure' or the name of particular Middlesex parishes) to turn up essential material. Sophisticated search engines are currently re-drawing the role of the modern researcher. The

use of CDROM indexes for the Times Newspaper and the Parliamentary Papers are reducing research time by days (if not months). The most recent development on this theme is currently being piloted by the PRO where a selected series of records can now be word searched over the internet. This approach to searching archives may revolutionise research in the very near future. Unfortunately this came too late for my work (the pilot only went live in July 1998).

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- Friern Barnet VMB, 1760 - 1821. DRO 12/1/C1/1. Harrow VMB, 1794 - 1810. DRO 3/C1/2.
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- Great Stanmore, claims, valuation, commissioners minute book, 1813 - 1838. Acc 262/23. Hillingdon proprietors minutes re pro-enclosure meetings and enclosure bill, 1794 - 1795. Acc 610/1-3.
- Minutes of committee and general meetings of the Hammersmith association for prosecuting felons. Includes a list of subscribers. 1811, 1827. Hornsey VMB, 1739 - 1803. DRO 20/C1/1.
- P80/PAU/11 Hornsey VMB, 1758 - 1768. DRO 20/C1/2.
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- Jersey estate papers. Acc 331 and 405.
- Kingsbury and Edgware leases. Acc 307.
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