

22

Memorandum from

THE LIBRARY

LONDON SCHOOL OF ECONOMICS,
Houghton Street,
Aldwych, London, W.C.2

TO

.....
.....
.....

Enclosure of Common Fields in the Eighteenth and Nineteenth Centuries.
by Gilbert Slater, M.A.

Chapter I.	Enclosure in general.	Page 1.
II.	The Two Types of Enclosure Act.	3.
III.	An Open Field Parish.	9.
IV.	A Recent Enclosure.	18.
V.	Two Dorset Manors, Stratton and Grimstone.	28.
VI.	Extent of Existing Common Fields.	51.
VII.	Some Recent Enclosures.	96.
VIII.	Agriculture in Open Field Parishes.	111.
IX.	Nonfolk Agriculture.	119.
X.	13 George III. c. 31.	132.
XI.	Enclosure and Depopulation.	140.
XII.	Enclosure and the Poor.	184.

Chapter <u>XIII</u> .	Three Acres and a Cow.	Page 204
<u>XIV</u> .	Statistical Summary of Enclosure by Act of Parliament.	221.

PART II

Chapter <u>I</u> .	Enclosure of Common Fields without Parliamentary sanction.	Page 1.
<u>II</u> .	Run - rig and Common Field.	23.
<u>III</u> .	The Progress of Enclosure without Parliamentary sanction.	230.
<u>IV</u> .	The Results of Enclosure.	358.

Appendix <u>I</u> .	General Legislation affecting Enclosure.
Appendix <u>II</u> .	

ENCLOSURE
of
COMMON FIELDS
in the
EIGHTEENTH AND NINETEENTH CENTURIES.

By
Gilbert Slater, M.A.

CHAPTER I.

ENCLOSURE IN GENERAL.

ENCLOSURE IN GENERAL.

The Internal history of the villages of a country is a more obscure, but not less important, part of the history of the country as a whole, than the internal history of its towns. For a large proportion of the villages of England, the central event in their history is expressed by the word "Enclosure." The word "Enclosure" means, of course, primarily, the surrounding of a piece of land with hedges, or other barriers, to the free passage of men and animals. But the hedge is the mark and sign of exclusive ownership in the land which is hedged; hence "Enclosure" has the secondary sense, of the conversion of collective ownership of land into private and individual ownership.

There is probably comparatively little land in England which has passed directly from a condition of pure waste, neither used nor valued by anybody, into a condition of individual use and ownership. More commonly there has been an intermediate stage of collective use, by the general body of inhabitants of a village, or of neighbouring villages, or of some part of them, either as common of fuel and pasture, or as commonable meadows, or commonable arable fields. This collective

use implied a certain degree of collective ownership. The transition into private ownership and individual use has taken place in various ways.

(1) By special Acts of Parliament, or by the authority of Enclosure Commissioners under the General Act^s of 1845, and subsequent amending Acts.

(2) By the buying up of all conflicting claims by the chief land-owner.

(3) By the common agreement of the collective owners.

(4) In the case of commonable waste only, under the Statute of Merton, by the Lord of the Manor "approving," (i.e. appropriating) the whole, or part of the waste.

(5) By special licence of Tudor Monarchs.

(6) By various forms of force and fraud.

(7) *Between 1836 and 1845 by an agreement of two thirds at least in number or value of the collective owners.*

An investigation of Enclosure naturally begins with Enclosure by Act of Parliament. There were passed between the year 1700 and the General Enclosure~~s~~ Act, 4049 private Enclosure Acts for England and Wales, one for a Royal burgh in Scotland, and a few for Ireland, which are accessible in the British~~s~~ Museum, and form the basis of this monograph.

CHAPTER II.

THE TWO TYPES OF ENCLOSURE ACT.

TWO TYPES OF ENCLOSURE ACT.



The significance of these Enclosure Acts varies very much.

The great majority belong to either of two extreme types.

One extreme type may be described as "Acts for extinguishing Village Communities;" the other as "Acts for extending Cultivation." In the former case the act is for the purpose of abolishing collective ownership and use of land under cultivation, in the latter case the land to be enclosed is like the familiar Surrey commons, very much in a state of nature, prevented from being cultivated by the rights of various individuals to pasture animals, cut turf, gather fuel or dig gravel.

In form, acts of the two classes are practically identical. Here, for instance, are the preambles and the substance of two acts passed in the year 1795.

1795 c. 43

Whereas there are in the parish of Henlow, in the County of Bedford, divers Open and Common Fields, Meadows, Pastures, Waste Lands, and other Commonable Lands and Grounds, containing by estimation, Two Thousand Acres or thereabouts.

1795 c. 79

Whereas there are in the Manor and Parish of Kirkby in Ashfield, in the County of Nottingham, several Commons and Waste Grounds, containing by Estimation One Thousand and Nine hundred Acres, or thereabouts:

And whereas the most noble Jemima, Marchioness Grey, is Lady of the Manor of Henlow Grey, Elizabeth Edwards, Widow, is Lady of the Manor of Henlow Warden, and George Edwards, Esquire, is Lord of the Manor of Henlow Lanthony, and together with several other persons are the Owners and Proprietors of the said Open and Common Fields, Meadows, Pastures, Waste Lands, and other Commonable Lands and Grounds, and entitled to rights of Common thereon.

And whereas Thomas Gregory, Clerk, is the Vicar of the Church of Henlow aforesaid, and as such is entitled to certain Tithes yearly arising from several Lands and Grounds within the same Parish, or to some moduses or Compositions in Lieu thereof; and the said Elizabeth Edwards is entitled to certain other Tithes yearly arising within the said Parish of Henlow.

And whereas the said Open and Common Fields, Lands, Grounds, Meadows and Pastures lie intermixed and are inconveniently situated, and are in their present State incapable of Improvement, and the several Proprietors thereof and Persons interested therein are desirous that the same may be divided and inclosed, and specific Shares thereof set out and allotted in Lieu of and in Proportion to their several and respective Estates, Rights and Interests

And whereas the Most Noble William Henry Cavendish, Duke of Portland, is Lord of the Manor of Kirkby in Ashfield, and Owner of the Soil of the said Commons and Waste Lands, as Parcel of, and belonging to the said Manor, and is also Patron of the Rectory of Kirkby in Ashfield aforesaid:

And whereas the Very Reverend Sir Richard Kaye, Baronet, Dean of Lincoln, is Rector of the said Parish, and as such entitled to all the Tythes, both Great and Small, arising within the said Parish, and also to several Moduses or Yearly Payments for and in lieu of all Tythes, of the Tythe of Hay only, in respect of certain Lands within the Said Parish.

And whereas the said Commons and Waste Lands, in their present Situation are incapable of Improvement, and it would be very advantageous to the several Persons interested therein if the same were divided and inclosed, but such Division and Inclosure cannot be effectually made without the Authority of Parliament:

therein; but such Division and Inclosure cannot be effected without the Aid and Authority of Parliament:

May it therefore

Please your Majesty

Then follow the provisions of the Act.

Certain persons are named to be Commissioners for valuing, dividing and allotting the Grounds in question

Two of them may act

Commissioners are to take an oath

(The form of the oath is practically identical in either case).

Provision is made for appointing New Commissioners if necessary, and an Umpire.

Notice of Commissioners' meetings to be given in Parish Church

Survey to be made

10 days notice to be given of time of sending in claims

Commissioners to settle disputes, their decisions not to affect titles

Commissioners to settle boundaries of Parish and Manors.

May it therefore

Please Your Majesty

Then follow the provisions of the Act

Certain persons are named to be Commissioners for dividing, allotting and inclosing the Commons

Two of them may act.

Commissioners are to take an oath.

Notice of Commissioners' meetings to be given in Parish Church and in Nottingham Newspaper.

Survey to be made

14 days notice to be given of time of sending in claims

Commissioners to settle disputes, their decisions not to affect titles

Arbitrators to be appointed to settle boundaries.

Commissioners to set out drains,
water courses, &c.

And to set out Roads

Commissioners to set out Roads.

Allotment to be made for public
Gravel Pits, not more than 2
acres.

Allotment to be made for public Gra-
vel Pits, stone quarries, watering
places for cattle, not more than 10
acres.

Allotments to be made in lieu of
Tithes.

Allotments to be made in lieu of Rec-
tor's Glebe, Common rights and tithes.

Corn Rents to be paid to Vicar.

Not more than 8/20th to be allott-
ed to Lords and Ladies of Manors
in Lieu of Manorial rights

One fourth of one of the Commons, one
eighteenth part of the others to be
allotted to Lord of Manor as owner of
the Soil and Minerals, and an allot-
ment to be made in lieu of Chief Rents

A Common Pasture to be allotted to
Owners of Cottages that have rights
of Common.

The Residue to be allotted in pro-
portion to existing "Rights, Shares,
Interests, Properties and Right of
Common" except such rights as are
compensated for by above provisions,
regard being had to quality as well
as quantity of land in different
holdings.

One half the Residue to be allotted
to each Farm house, Cottage or Toft
head having rights of Common, in e-
qual portions; one half to be divid-
ed among the same in proportion to
their holdings in the old enclosed
lands in the parish.

Allotments to be Freehold.

The Tithe Allotments to be fenced
at the expense of Owners of Lands
to be enclosed,

Rector's Allotment to be fenced at
the expense of other Owners.

Other allotments to be fenced by
the persons who receive them

Other allotments to be fenced by the
persons who receive them; the method
of fencing being proscribed.

Commissioners to draw up Award. Commissioners to draw up Award, which which is to be accepted in writing. is to be accepted in writing.

Commissioners to direct the course of Husbandry till the division and allotment is made.

Commissioners to determine how the expense is to be borne, and if necessary to recover by Distress.

Expense to be divided among those who receive allotments in proportion to their interests, and determined by Commissioners, who may recover by Distress.

Power is given to Guardians &c. to borrow.

Power is given to Guardians &c. to borrow.

Appeal may be made to Quarter Sessions.

Appeal may be made to Quarter Sessions.

Saving Manorial Rights.

Saving Manorial Rights.

General Saving.

General Saving.

The legal similarity between the two acts is perfect. The economic dissimilarity is no less perfect. The economic change involved in the enclosure of the Forest and Commons in the Nottinghamshire Act, can be readily conceived by any one familiar with the commons still happily numerous throughout England. The great argument for the Act was that land producing only fuel and timber for the neighbourhood, and inferior pasturage, was thereby brought into cultivation; and, so far as it could be effected by legislation, made to produce as much food as possible at a time when the material resources of the country were taxed to the uttermost. The arguments against

it, beyond the possibility of hardship or injustice to individuals, powerful as they would seem at the present day in the case of an analogous proposal to enclose 1900 acres of the remainder of Sherwood Forest, of Epping Forest, Ashdown Forest or the New Forest, in the year 1795 had never been heard of. From the fifteenth century, right through the sixteenth, seventeenth and eighteenth, there is an abundant literature of tracts, sermons &c. denouncing enclosure, but it is enclosure of the kind of which the Bedfordshire Act is an example. If the writers by chance refer to the enclosure of wastes and forests, it is for the purpose of commending it. The development of our towns and urban industries, of the import trade in food, the growth of wealth and population, have combined to make us value highly the untilled and unappropriated lands, which roused the agriculturist of a century ago to a frenzy of indignation.

It is much less easy for the modern reader to understand the transition implied in the act for Henlow, though there are still to be found a considerable number of farmers and labourers in various villages who have lived and worked under similar conditions to those that were abolished for Henlow by the act. A detailed description of a village where the old system still prevails, and of a recent enclosure, will afford a key to the understanding of an important chapter in the history of England.

CHAPTER III.

AN OPEN FIELD PARISH.

AN OPEN FIELD PARISH.

Perhaps the best surviving example of an open field parish is that of Laxton, or Lexington, in Nottinghamshire, about 10 miles from Newark and Southwell. It lies remote from railways and high roads, and is only to be reached by bye roads. From whatever quarter one approaches the village, one enters the parish through a gate. As may be seen by the annexed map, the village is in the centre of the parish and is surrounded by enclosed fields. Other enclosures are to be found on the most remote parts of the parish, in some cases representing, apparently, old woodland which has been converted into tillage or pasture; in other cases portions of the arable fields. But nearly half the area of the parish remains in the form of two great arable fields, and two smaller ones which are treated as two parts of the third field. The different holdings, whether small freeholds, or farms rented from the Lord of the Manor, who owns nearly all the parish, consist in part of strips of land scattered all over these fields, in a manner which can best be understood by reference to the map. Within these arable fields cultivation is not carried on according to the

discretion of the individual farmer, but by strict rules of great antiquity. In each of the fields a three year course is rigidly adhered to.

1st year, wheat.

2nd. year, spring corn (ie. barley, oats, peas, beans, vetches, tares &c.)

3rd. year, fallow.

If therefore Laxton be visited early in June, the following description of the appearance of the parish will be found correct. The traveller passes through the boundary gate. He finds his road leads him through the "Spring corn" field, which lies open on either side of the road. A phrase which is continually used by old farmers when attempting to describe common fields, will probably occur to him in this field. "It is like allotments." But it is like an allotment field with many differences. All the great field is divided up into oblong patches, each patch growing its own crop. but with no more division or boundary between one crop and the next than a mere furrow.

If then the traveller looks again at a strip of land growing, say, beans, he will find that this strip consists of one, two, or more ridges, locally termed "lands." A "land" in Laxton has a pretty uniform width of $5\frac{1}{2}$ yards, and a normal length of one furlong; but by the

necessity of the case the length varies considerably. Owing to this variation in length the various strips of land which make up the different holdings in the common fields, when their area is expressed in acres, roods, or poles, seem to have no common measure.

Because the soil of Laxton is a heavy clay it is customary to plough each "land" every year in the same manner, beginning at the edges, and turning the sod towards the centre of the "land." Hence each "land" forms a long narrow ridge, heaped up in the middle, and the lie of the "lands" or ridges was at some unknown date so well contrived for the proper drainage of the land, that it is probable that if the whole of a field were let to a single farmer, he would still plough so as to maintain the old ridges.

The same ridges are to be found on the other two fields, one of which is a stretch of waving wheat; while the third, or fallow field, is being leisurely ploughed, a number of sheep getting a difficult living from the thistles and other weeds in the still unploughed portions, and on the "sicks," i.e. certain grassy parts of the field which are defined by boundary marks, and are never allowed to be ploughed.* In one extreme corner of the parish is Laxton Heath, a somewhat swampy common covered with coarse grass. Here too sheep are grazed in common, according to a "stint" somewhat recently determined

*Coloured green on the map.

upon. Before the stint was agreed to, every commoner had the right of turning out as many sheep as he could feed in winter, the result being that the common was overstocked, and the sheep nearly starved. The stint regulates the number of sheep each commoner may graze upon the common according to the number he can feed on his other land in the parish. It was not adopted without opposition on the part of those whose privileges it restricted.

This brings us to the question, who are the commoners? There are two sorts of claim by which a man may be entitled to common rights, and to a voice in such deliberations as those by which a stint is agreed to. One is by a holding in the common open fields, the other is by the occupation of a "toft-head." A "toft" is not very easy to define. One may say that it either is, or represents, an ancient house or cottage in the village; but that immediately suggests the question, "How ancient?" It is well known in the village which cottages are "tofts" and which are not. Those which are, command a rent about £2 a year higher in consequence. It is to be noted that if the house or cottage which is the visible sign of "toft-head" may be pulled down, and a new one erected on the same spot, the new house has the same rights attached to it. One is naturally led to the hypothesis that up to

a certain date* all cottages erected in Laxton carried common rights, but that after that date no new common rights could be created. There

*The following extract from a 18th century writer throws some light upon this point:-

Another disorder of oppression
aduerte this wone wiche is muche odyous,
A lord geauyn to private affection
lettynge the pooreman an olde rotten howse,
which hathe (to the same) ^rpoofyttes commodious
its Close, and Common, with Lande in the feeelde
but noate well haere howe the pooreman is peeelde.

The howse shall hee haue and A gardeyne plott,
but stonde he must to the reperation:
Close, Comon or Lande fallithe none to his lott;
that beste might helpe to his sustentation.
the whoale Rente payethe hee for his habitation,
as thoughe hee dyd thappertenauncis possesse
Such soare oppression needethe speadye redresse.

The Pleasaunt Posesye of Princelie Practise (1548)
William Forrest. Chapter III., 21 & 22.
E.E.T.S. Extra Series, XXXII.

We have here the practice of divorcing the cottage from its common right described as a novelty. The act of 31 Elizabeth c. 7, by prohibiting the letting of cottages without 4 acres of land, in effect prohibited the letting of a cottage without a common right, as the 4 acres would not be the highly valued Close, and could not be waste or ^{common} pasture. 4 acres in the common arable field was implied, and this of course carried a right of common. ^{as the rights of other villagers were infringed,}

are therefore two classes of commoners; the farmers who hold land in the common fields, and the labourers who occupy the privileged cottages. A farmer may possess a number of common rights in respect of (1) his farmhouse if it be a "toft," (2) his arable holding, and (3) any toft cottages he may own or rent and sub-let to labourers, retaining their common rights. The labourer has but one common right. Each common right entitles the holder to one vote, and to one share in the division of the money revenues drawn from the commonable lands, besides the right of feeding an indefinite number of sheep on the fallow field, and the regulated number on the common. The money revenue that comes from the commonable fields is obtained as follows. The grass lands ("sicks"), coloured green in the map, in the two common fields which are under crops cannot be grazed upon conveniently, because any animals would be liable to stray into the crops. They are therefore mown for hay, and the right to mow them is sold by auction to one of the commoners, and the price realised is divided. Recently this has worked out at about 14/- per common right. Each commoner also has the right of pasturing animals upon the two fields that are under crops, directly the harvest has been carried.

The exercise of this right, which appears to be most keenly valued, as it is found to persist in many parishes after all other ^{common rights} ~~traces~~ of

^{over} the common fields system have died away, obviously opens the door to quarrels. It is not to be expected that all farmers should finish carrying their crops on the same day; and the position of the man who is behind all his neighbours, and so is standing between the commoners and their right of pasture, is not an enviable one. But a constitutional system of government exists for the purpose of dealing with these and other difficulties. A "Foreman of the Fields" and a "Field Jury" are elected: the Field Jury settles all disputes between individuals, while the duties of the Foreman include that of issuing notices to declare when the fields are open for pasturing; on which day all the gates, by which as I have previously mentioned the parish is entered, must be closed, while all the gates of the farm-yards are thrown open, and a varied crowd of animals winds along the drifts and spreads over the fields.

It will be noticed that the commonable lands of Laxton include only arable fields and common pasture. The commonable meadows which the parish no doubt once had, have been partitioned and enclosed at a date beyond the recollection of the oldest inhabitant. The neighbouring parish of Eakring still has commonable meadows. In this respect Eakring is a more perfect example of the open field parish than Laxton, though

its common arable fields have been much more encroached upon; and have in fact been reduced to scattered fragments, so that the Rector was unable to tell me whether there were five, six or more of them. The villagers, however, say simply "Three, the wheat-field, the bean-field, and the fallow-field." The commonable meadows are, like the common fields, held in scattered strips intermingled; and are commonable after hay-harvest. The rule in Eakring is that if one man only has any hay left on the meadow, the other commoners can turn in their cattle and relieve him of it; but if he can get a neighbour to leave but one haycock also, he is protected.

The constitution of Eakring differs somewhat from that of Laxton. There are regularly four toft meetings every year, presided over by the Steward of the Lord of the Manor, at which all questions relating to the commonable lands are settled. Further all toft holders have an equal right to feed an indefinite number of sheep on the fallow field, and the other fields when available; but the exercise of the right is regulated by a species of auction. The number of sheep that can be pastured with advantage is agreed upon, and since the total number of sheep which the assembled toft-holders desire to put on

is sure to exceed that number, a price to be charged per sheep is by degrees fixed by mutual bargaining, till the numbers of sheep for which their owners are willing to pay is reduced to the number that the pasture can bear. The ~~enterprising~~ cottager and toft-holder therefore, who though not holding an acre of land in the parish, has yet enterprise enough to bid for the right of keeping a flock of sixty sheep on the common-fields, is therefore heartily welcomed by that section of the toft-holders who have no desire to bid against him, because he forces up the value of their rights.

CHAPTER IV.

A RECENT ENCLOSURE.

A RECENT ENCLOSURE.

Up till 1898 an even better example of an open-field parish could be seen in Northamptonshire. In that year was completed the enclosure of Caistor and Ailesworth, two hamlets forming part of the parish of Caistor, situated 3 miles from Peterborough on the road to Northampton. In 1892 when application was made to the Board of Agriculture, which now represents the Enclosure Commissioners of the General Enclosure Act of 1845, there were in the two hamlets, out of a total area of 4,973 A, 2,425 A of common arable fields, 815 A of common pastures and meadows, and 370 A of commonable waste, and only about 1,300 A. enclosed. In Laxton the commonable land is less than half the area of the parish. It will be seen from a comparison of the maps, that the greater amount of old enclosure in Laxton has had its effect on the distribution of the population. There are a few outlying farmhouses; in Caistor and Ailesworth all the habitations and buildings except a watermill and a railway station are clustered together in the two hamlets, which form one continuous village. At present very nearly all the land of Laxton and Bakring is in the ownership of the respective

lords of the two manors; in Caistor and Ailesworth the Ecclesiastical Commissioners are the largest landowners; but nearly as much land is the property of Earl Fitzwilliam, and there are besides a number of small landowners. Before enclosure all these properties were intermixed all over the area of the two hamlets, the two chief properties coming very frequently in alternate strips. The colouring on the maps is used to distinguish the different properties before and after enclosure.

Though the area of commonable land in Caistor was so much greater than in Laxton, those customs of village communal life which we have described had retained much less vigour; and to the decay of the power of harmonious self government the recent enclosure was mainly attributable. The customary method of cultivation in Caistor and Ailesworth was a three field system, but a different three field system to that described above. The succession of crops was

1st. year, wheat,

2nd. year, barley,

3rd. year, a "fallow crop,"

or as locally pronounced, "follow crop." Each year in the spring the farmers and toft-holders of Caistor, and similarly of Ailesworth,

would meet to decide the crop to be sown on the fallow field. One farmer, who held the position - though not the title - of "Foreman of the Fields" kept a "stint-book," a list of all the villagers owning common rights, and the number of rights belonging to each. The number of votes that could be cast by each villager depended upon the number of his common rights. The fallow crop might be pulse or turnips or other roots or tares or anything else that seemed advisable; but it was essential to the farmers' interests that they should be agreed. For a tradition existed in the village that unless the farmers were agreed as to the crop to be sown on the fallow field, that field could be treated as though it really were fallow, it could be pastured on all the year by all the toft-holders, and any crop which any farmer might sow would be at the mercy of his neighbours' cattle and sheep. I could not find that this had ever happened. On the other hand, the farmers being agreed about the crop, they could also determine the date when the fallow field should become commonable* The wheat-field and barley-field became commonable after harvest; the meadows and pastures were commonable between August 12th and February 14th.

The reason why the medieval three field system was retained in Laxton, but was altered in Caistor to an improved three field system,

* This is good law. By 43 George III, c 81 these agreements could be made by "a three-fourths majority in number & value." See below

is to be found in the nature of the soil. That of Laxton is a heavy clay, growing wheat of noted quality; that of the Northamptonshire parish is lighter, in parts very shallow and stony. Another result of the difference of soil was a different system of ploughing. The Caistor method was that technically known as "Gathering and Splitting," viz. alternately to plough each strip from the margin inwards, turning the sod inwards, and the reverse way, turning the sod outwards, so that the general level of the field was not broken into a series of ridges. In Caistor, as in Laxton, no grassy "balk" divided one man's "land" from his neighbour's, the furrow only had to serve as boundary, and sometimes the boundary was bitterly disputed. Before the enclosure there was one spot in the common fields where two neighbours kept a plough each continually, and as fast as one ploughed certain furrows into his land, the other ploughed them back into his.

Another difficulty occasionally arose when high winds prevailed at harvest time. The great extent of the open fields, and the slightness of any opposition to the sweep of the wind, at such times allowed the corn to be blown from one man's land, and scattered over his neighbours'. Indeed it recently happened that one year when peas had been chosen as the fallow crop, that a storm carried the whole crop to the hedge bordering the field, and so mixed together in inextricable

confusion the produce belonging to thirty or forty different farmers.

Another source of dispute was one that has been a prolific cause of trouble in common fields for centuries. Where the extremities of a series of adjoining "lands" abut on a land belonging to another series at right angles, the land so abutted on is termed a "headland," and the occupiers of the lands that abut on it have the right of turning their ploughs on the headland, and taking the plough from one strip to another along it. The occupier of the headland therefore has to defer ploughing it till all his neighbours have finished, and often chafes at the delay. Recently a farmer in the unenclosed parish of Elastone Hardwick, near Cheltenham, in Gloucestershire, attempted to find a remedy for this inconvenience. He ploughed his headland at the time that suited his convenience, and then sued his neighbours for trespass when they turned their ploughs in his land. Needless to say he lost more by his action than by the trespass.

In Caistor quarrelsome farmers were wise enough to avoid the law courts. Instead they wrote appealing against their neighbours to their respective landlords, but the landowners were unable to restore harmony.

The death of a farmer who had won the highest respect of his neighbours, and who had continually used his great influence to allay ill-feeling and promote harmony, brought on a state of tension that gradually became unbearable; and the appointment by the Ecclesiastical Commissioners of a new agent, who could not understand and had no patience with the peculiarities of common-field farming, led to steps being taken for Enclosure.

The first step necessary was to obtain the agreement of the great majority of the people interested. The agent in question, assisted energetically by the leading farmer in Ailesworth, succeeded in doing this without much difficulty. In 1892 application was made for an order to the Board of Agriculture, whose inspector reported warmly commending the project. The simple statement of the farmers with regard to their farms, - "I hold 175 acres in 192 separate parcels," would convince him that a change was necessary. The figures for holdings are not given by the Enclosure award, but a summary of the facts with regard to some of the smaller properties gives the following:-

The Glebe consisted of

						A	R	P
16	scattered strips of land in	Wood Field,	area	10	.	1	.	16,
5	..	..	..	..	..	3	.	12,
7	..	..	..	..	..	4	.	2,
33	..	..	..	..	..	20	.	26,
34	..	..	..	..	..	24	.	29,
50	..	..	..	..	..	37	.	37,
18	..	..	..	..	..	10	.	20,
2	Lammas Closes,		..	7	.	2	.	24,

making a total of 165 outlying parcels of land, scattered far and wide over a parish of five thousand acres in extent, and yet amounting, with some small closes near the village, only to 118 acres in area.

Further

Proprietor	A	R	P	in	32 parcels,	
..	owned	17	.	3	.	19
..	B	3	.	0	.	16
..	C	80	.	1	.	5
..	D	9	.	0	.	18
..	E	2	.	0	.	2
..	F	2	.	3	.	14
..	G	1	.	2	.	10

		A	R	P		
Proprietor H	owned	2	2	3	in	9 parcels,
..	J ..	2	1	18	..	7 .. .
..	K ..	166	2	24	..	217 .. .
..	L ..	13	3	37	..	30 .. .

Parliamentary Enclosure, however, is not to be obtained without conditions. That reckless disregard of the wider public interests both of the locality and of the nation at large in the land to be enclosed of which the administration of the General Enclosure Act from 1845 to 1874 has been accused, has been expelled from the Board of Agriculture by the vigorous and ably conducted agitation to which we owe the preservation of Epping Forest, Hampstead Heath and many other priceless commons. In ~~Caistor~~ Caistor and Ailesworth, in the first place Ailesworth Heath, which occupies the highest and most remote corner of the parish, was excluded from the operation of the Enclosure Act. It is a wild little common, which beyond feeding a few sheep and furnishing a quarry, seems to be fit for nothing but picnics and black-berrying. Situated at the distance of about five miles from Peterborough which again stands on the margin of the fen country, it will probably come to be valued by the townsmen for its unprofitable wildness.

Next the parish boasts its antiquities, the remains of a part of the ancient Roman Road from London to York, and certain blocks of stone, locally known as Robin Hood and Little John. The Enclosure Act provides for the preservation of these.

A bathing place in the River Nen, which bounds the parish on the south, selected at the most convenient spot, and three recreation grounds of 6 acres each, and one of 14 acres, are handed over to the safe keeping of the Parish Councils of Caistor and Ailesworth, besides four pieces of land making 42 acres in all, for allotments and field gardens. The farmers mournfully point out that these 70 acres thus reserved for the common use and benefit of the villagers are some of the best land and the most conveniently situated. The recreation grounds in particular they scorn as foolishness. Possibly, however, because the village prides itself on its prowess in the football field, the indignation against this supposed fad of the central government is mild compared with that expressed by some of the thrifty people of Upton St. Leonards, near Gloucester, which was being enclosed at the same time. Here the recreation ground was dubbed by some the "Ruination Ground," enticing as it did the young lads from digging in their

fathers' allotments, to cricket and football, and so subverting the very foundation of good morals.

Subject to these deductions the whole of the open commonable lands and many of the old enclosures after being surveyed and valued and after roads where necessary had been diverted or newly set out, were redistributed among the old proprietors so as to give each his proportional share as far as possible in the most convenient manner. This was both a lengthy and a delicate task, but it was finally completed in 1898, six years after the matter first came before the Board of Agriculture. Each several proprietor is then required to fence his allotment in the manner prescribed by the Commissioners who make the survey and award. The cost of the survey and allotment usually works out at about £1 per acre; the cost of fencing may be a great deal more. Though the parliamentary expenses are now trifling, the total cost of abolishing the "system of mingle-mangle" as Carew called it in 1800, in any parish where it still exists, is not to be lightly faced in times of agricultural depression.

CHAPTER V.

TWO DORSET MANORS,
STRATTON AND GRIMSTONE.

TWO DORSET MANORS,
STRATTON AND GRIMSTONE.

Dorchester is bounded on the south by Fordington Field. The parish of Fordington, up to the year 1875, was uninclosed; it lay almost entirely open, and was divided into about 80 copyholds, intermixed and intercommonable, the manor belonging to the Duchy of Cornwall. But in 1875 the Duchy authorities bought out the copyholders, and the old system disappeared.

About three or four miles from Dorchester, along the road to Maiden Newton and Yeovil, are the two adjoining villages of Stratton and Grimstone, forming together the Prebend of Stratton, belonging till recently to the See of Sarum, which have only been enclosed since 1900. The enclosure was effected without any Parliamentary sanction; it was brought about, I am told by the present lord of the two manors, by the refusal of the copyholders, who held by a tenure of lives, to "re-life." In consequence all the copyholds, except a few cottages, have fallen into the hands of the lord of the manor; all Grimstone has been let to a single farmer, and Stratton divided into three or four farms.

Besides the very late survival of the common field system in these two manors, there are two other features which make them specially notable. In the first place they are, agriculturally, thoroughly characteristic of the Wessex type of open field village, the type that prevailed over Berkshire, Hampshire, Wiltshire and Dorset. In the second place the manorial system of village government survived with equal vigour; the proceedings of the manorial courts and the customs of tillage and pasturage forming manifestly only two aspects of one and the same organisation. It is fortunate that the court rolls for the last two hundred years have been preserved, and that they are in the safe custody of the present lord of the manor.

On the south west the lands of Stratton and Grimstone are bounded by a stream, the river Frome, flowing towards Dorchester, from which Stratton Mill has the right of taking a defined amount of water. Between the stream and the villages are the commonable meadows; on the north east of the villages the arable fields, tapering somewhat, stretch up the hill slope to Stratton and Grimstone downs. The whole arrangement is shown very clearly in the tithe commutation map, dated 1839. The two manor farms were separate and enclosed, and lay side by side along the boundary between the

two manors, in each comprising about one third of the cultivated land. The remaining arable land in each manor formed, so far as fences were concerned, one open field, divided into three oblong strips, known respectively in Stratton as the East, Middle and West Field, in Grimstone as Brewers Ash Field, Rick Field, and Langford Field. The rotation of crops was 1. wheat, 2. barley, 3. fallow. The lower part of the fallow field was sown with clover, and was known as the "hatching ground" - a term we find elsewhere in the forms "hitch-land" and "hook-land" - the upper part was a bare fallow. More recently an improved method of cultivation was adopted. The barley crop every third year was maintained, but after it was carried, Italian rye grass was sown in the upper part of the barley field (instead of a bare fallow). This was fed off with sheep in the spring, and then put into turnips; the following year barley was sown again. The lower part however continued to be sown with clover in the fallow year, this was fed off with sheep, and wheat followed.

The arable fields consisted of "lands" or "lawns," each supposed to be 40 "yards" (i.e. poles) long, and one, two, or four "yards" broad - hence supposed to be quarter acres, half acres, or acres. Half acres were the more common; but whatever the area in theory it was somewhat less in actual fact.

The West Field in Stratton was somewhat smaller than the other two, in consequence of the extreme portion - that next the down and farthest from the village - being enclosed. These enclosures in shape and arrangement exactly resemble the lands in the open field; they are about one acre each. They are called "The Doles." Further there are a series of small square enclosures taken out of the down, called "The New Closes." All the Doles and the New Closes were in grass.

A remarkable fact is that all the "lands" were scrupulously separated from one another by meres or balks of turf, which however were known not by these names. Among the people they were, and are, known as "walls," but in the court rolls one finds the term "lanchetts" which one connects with "lynches;" and "land-shares," which seems to explain the term "launchers" which I have found in Devonshire. In the level parts of the fields the "walls" were mere strips of turf about a foot wide; but in the sloping parts they formed steep banks, sometimes several feet high, and the successive "lands" formed terraces one above the other.

All the cultivators, except the tenants of the two manor farms, were copyholders, holding for a tenancy of three lives, the widow of the holder having the right to continue the holding during the

period of her widowhood. By a somewhat extraordinary custom the lessee of the manor had at any time (even though his lease had but a day to run) the right to grant a copyholder two lives, i.e. to accept a fine, and substitute two new names for those of dead or dying persons on the "copy."

The copyholds, when not "cotes" or simply cottages with common rights, were either "half livings," "livings," or in one or two cases, other fractions of a living. A half living consisted of four or five nominal acres in each of the common fields, and common rights upon the meadow, common fields and common down, in Stratton for one horse, two cows, and 40 sheep. A whole living consisted of a share about twice as large in the field and meadow, and a common right for two horses, four cows and 80 sheep. But each copyhold, whether a whole or half living, included one Dole and one New Close. There were three whole livings and twelve half livings in Stratton, and 5 "cotes," i.e. cottages with one or two strips of land in the arable fields attached to them. In Grimstone there were four whole livings, six half livings, one three quarters living, and one whole and a quarter living. In either manor therefore, if we reckon the half livings as equal to one whole, there were nine whole livings in all; those of Stratton being normally held by fifteen copyholders, those of Grimstone by twelve; though the number might happen in practice to

be less. Thus at the time of the tithe commutation (1838) there was in each manor one copyholder who had two half livings. In all formal documents a "living" is termed a "place," and a half living a "half place." The common rights attached to a living in Grimstone differed slightly from those in Stratton; they are further explained below.

Once a year, at about Christmas, the tenants of ~~each~~ manor met, the Steward presiding; the elected officials submitted their accounts, and resigned their offices, and their successors were re-elected. The most important of these were two "viewers of the fields and tellers of the cattle," commonly known simply as the "viewers." There was also a "hayward," and two "chimney peepers," (described in the Court-rolls as Inspectors of Chimnies.") The Inspectors of Chimneys do not appear in the rolls of the eighteenth century; instead are the more important officials the "Constabul" (sic) and "Tythingman," who ceased to be appointed after the establishment of the county police and the commutation of the tithes.

The duty of the "chimney peepers" was, as their name implies, to see that chimneys were kept properly swept so as not to endanger a neighbour's thatched roof. The hayward was in charge of the pound; he was entitled to charge 4d a head for all stray beasts

impounded if they belonged to the manor, and 8d a head for outsiders.

The "viewers" had more varied duties. In the first place they had to appoint one villager as "Lacy's Bridge man." "Lacy's bridge" is a structure of loose stones at a place where the stream which for the most part bounds Stratton meadow, crosses it; and the duty of the bridge man is to keep it in sufficient repair to enable sheep to cross. The viewers used to appoint the cottagers in turn, going down one side of the road to the end of the village, and up the other side.

Next the viewers provided the manor bull. They bought the bull, they charged a fee for his services, and made all necessary regulations. The breed favoured varied from year to year, and the viewers were never known to please everybody with their choice.

Then the viewers appointed the common shepherd, in whose charge were the sheep of the whole manor almost all through the year. And in general they had to enforce all the decisions of the court with regard to the times when sheep or cows should be allowed in the meadow, when the sheep should come into the "hatching ground," how and where horses should be tethered, and particularly to see that each tenant sowed his clover properly. And when the hay in the

meadow was ripe, they marked out to each tenant the plots which fell to his share that year. It was usual to re-elect one of the viewers, so that though there was an annual election, each viewer held office for two years, being for the first year the junior viewer, for the second the senior.

There is much that is interesting in the management of the sheep flock. From April 6th to September 18th the sheep fed by day on the down, and were folded by night on the fallow field. The fold began at the top of the field, and gradually worked downwards, covering about half an acre every night, and so manuring the whole. There being no other water supply on the downs, all the tenants had to take turns to carry up water to fill the water-troughs, and the viewers saw that they did so. On September 18th the sheep came into the "hatching ground," on which, as we have seen, clover had been sown; and it is noticeable that this crop, sown individually by each copyholder on his own lands, was fed off by the common flock under the supervision of the common shepherd. In winter the sheep belonging to each tenant had to be folded separately; and the Doles and New Closes were used for wintering the sheep. Some made it a practice to sell off their flock when feed became scanty, and to buy again the next spring; but traditional custom was to keep the sheep till they were four or five

years old, at which age they became fat, perhaps by superior cunning; meanwhile, of course, they had been yielding wool and manure. In later years, though every half living was entitled to forty sheep, by a common agreement the number was limited to twenty five in spring, and later in the year to thirty five, when the lambs reached the age at which they were counted as sheep in the calculation of common rights.

Perhaps the most curious feature in the local system of agriculture was the management of the common meadow. Sheep were allowed in it from March 1st to April 6th (it would only bear 10 or 11), then they had to come out and join the common flock, and the grass was let grow to hay. At hay time the viewers went out, and by the help of some almost imperceptible ridges in the soil, and certain pegs driven into the river banks, they marked out to each tenant the plots ^{to} which he was ^{entitled} allowed. There were 47 of these little plots; 27 of them were definite parts of particular copyholds, but nineteen were "changeable allotments," each of which belonged one year to one holding, the next year to another, according to certain rules; while the remaining allotment, a little three cornered plot in the middle called "Hundred Acres," amounting to perhaps five perches in area, was divided among the holders of the adjacent "Long Lands." On July 6th, the hay having been carried, the cows came in

and grazed in the meadow till Nov.23rd, and then the meadow was watered.

I have before me the map of the meadow, now somewhat tattered, being drawn upon a half sheet of thin foolscap, and a little notebook recording particulars of the different plots in the meadow, and in the case of the changeable allotments, who were entitled to them each year from 1882 to about 1905, which the viewers used in partitioning the meadow. The map I reproduce. The notebook reads:-*

Stratton Common Meadow.

Lear Croft Changeable Allotment next the
Yard but one to Sparks ^x

1882	Ozzard
83	Brett
84	Ozzard
85	Green

Water Gates Changeable Allotment No.1

1883	M. Dean (Newberry)
84	R. Davis
85	Dean
86	Davis

Hole Rush - Changeable No.1

1883	Mr. R. Davis
84	Mr. Dean (Newberry)
85	" Davis
86	" Dean

Hole Rush No.2

1882	Ozzard
83	Brett
84	Ozzard
85	Green

* I give only 4 years, or a complete cycle, which is usually one of two years, but sometimes of four, and in two cases of eight years.
x Parks' in map

Hole Rush No.3
or All Rush

1883 R. Davis
84 Dean (Newberry's)
85 Davis
86 Dean

Hole Rush near the Parish
No.5

1883 Mr. Dean (Newberry)
84 R. Davis
85 Dean
86 Davis

Hole Rush No.4
1883 Mr. Kellaway
84 Brown
85 Kellaway
86 Brown

Hole Rush No.6
near the Parish
1883 Brown
84 Kellaway
85 Brown
86 Kellaway

Long Lands No.2
1883 Mr. Dean (Dunn)
84 Brett
85 Brett
86 Dean

Long Lands No.3
1883 Ozzard
84 Mrs Dunn
85 Mr. Dean
86 Mrs Dunn

Long Lands No.1
1883 Mr. Tilley
84 Ozzard
85 Tilley
86 Ozzard

Long Lands No.5

1883 Ozzard
84 Tilley
85 Ozzard
86 Tilley

Long Lands No.4

1883 Mrs Dunn
84 Mr Dean (Newberry's)
85 Mrs Dunn
86 Dean

The first part of the Three Patches in the Great Horse Shoe is the "Mill Bars Patch" containing about 26 Perches.

The second part is the narrow strip next to Mr. Channen's - 17 Perches.

The third part is the lower patch } adjoining Mr. Channen's }	rood	perches
	1	10
Total	2	13

Changeable Allotments in the Great Horse Shoe.

The Three Patches are one part.

Three Patches.

1883 Ozzard
84 Mr. Dean (Dunn)
85 Mr. Tilley
86 Mill
87 Tilley
88 Mill
89 Ozzard
90 Brett

The Square Patch is joining the patch by the Mill Bars, it may be called the fourth part of the "Great Horse Shoe," it contains about

2 roods and 4 perches.

1883 Mr. Tilley
 84 Mill
 85 Ozzard
 86 Brett
 87 Ozzard
 88 Green
 89 Tilley
 90 Mill

40

The Stake Weir is one part of the Little Horse Shoe about one rood and nine perches changeable.

1882 Ozzard
 83 Dean (Newberry's)
 84 Tilley
 85 Mill

The "Little Horse Shoe" changeable. The narrow strip and the strip round the corner next to Stake Weir patch is one part.

1883	Mill			
84	Ozzard			
85	Dean			
86	Tilley	A	r	p
narrow strip				16
patch round the corner		1		22

The small strip of land called "Hundred Acres" is a part of the Long Lands and is divided amongst the half acres.

 The nine cantons under the Parks Hedge are about 10 Pefches each.

About the agricultural merits of the whole system of managing common fields, down and meadow, there is naturally a difference of opinion. An old labourer says that before the old customs began to decay "they made the most of everything," that the crops are not so

good now, and you can't get the butter or the cheese which used to be produced. The butter nowadays goes rancid immediately, and the cheese has no taste. On the other hand the enterprising young farmer who now holds the manor farm of Stratton, who has himself been a viewer, says, "They always had two crops," i.e. the corn crops had to struggle with couch grass, which partly because of insufficient ploughing, and partly because it had a secure foothold in the "walls," was never properly got rid of.

That the life of the old system was gradually dying out before it was ended by the extinction of the copyholds appears from two circumstances: the old habit of mutual help in ploughing, one tenant lending his horse to another, had died out; and the viewers had difficulty in getting their expenses refunded. The wonder is that its vitality was so persistent.

The history of the manors can be pretty fully traced by means of the Court rolls from 1649, when a Parliamentary Survey was held, to the present day. In 1649 Stratton had one copyhold tenant holding a place and a half, four holding one place each, and ten holding half a place each, making $10\frac{1}{2}$ "places" or "livings" altogether. There were besides 12 copyholders who each held a "customary cottage with thappurtenances." During the next two

hundred years (from 1649 to 1838) the number of "livings" diminished from 10½ to 9; the actual number of holders of livings or half livings diminished only from 15 to 14, but the twelve "customary cottages with thappurtenances," which included one or two acres of arable land and corresponding common rights, diminished to 5 "cotes. The other cottagers, however, retained the right of cutting as much furze on certain "sleights" on the down, at any one time, as they could carry home on their head and shoulders; and the total number of cottagers was just less by two in 1838 than in 1649.

The Court rolls contain besides declarations of rights of the manor to water from the stream, and to the allegiance of certain residents outside, and a record of the changes in the tenantry, the names of the officers elected, and the regulations agreed upon for the management of the land. Thus there is usually some regulation as to the length of the rope by which a horse may be tethered in the common fields; mares are continually being prohibited from being kept in common or common field; pigs must not be allowed to stray, cow dung must not be removed from the meadow, nor certain thorny bushes in the meadow be cut, nor may ducks or geese be fed in it. The penalty for each of these offences is a fine of 5/- or 10/-. The neglect to carry water up to the down for the sheep

is another punishable offence. In 1748 it was found that the sheep pond needed to be mended, the viewers accordingly had to see to its repair, and penalties were agreed upon for refusing to pay the proper share of the cost.

Previous to 1765 the dates for e.g. turning cows into the meadow or sheep into the "hatching ground" varied from year to year; but the settlement then arrived at was maintained for a succession of years. The jury

"Present that the Common Meadow be broke with horses on November 22nd,* that it be laid up on January 5th and continue unfed till February 5th, then be broke or fed with sheep.

"That the Hatching Ground be laid up on January 5th, and not be fed again till September 19th.

"That the Cow Leaze must not be fed with sheep in time of sheep shearing, nor with horses or mares at winnowing time."

The year 1789 was a comparatively important date in the agricultural history of Stratton during the eighteenth century. At the court held on October 9th it was agreed that "the tenants shall meet in the West Field on the 14th inst. between 9 and 10 in the morning, to bound out the several lands, and afterwards each shall

* At this time the court met in October.

leave a Lanchett of a furrow between his and the adjoining land under penalty of a fine of 20s. And no tenant shall turn his plough on his neighbour's land after the 21st of November." It would appear that the scrupulous observance of the "walls" dividing one man's land from another, which was such an exceptional feature of Stratton and Grimstone Common Fields, dates from this meeting.

Fordington parish, until the extinction of the copyholds, had many features which compare curiously with those of Stratton and Grimstone. It is very much larger; for whereas Stratton and Grimstone together have an area of only about 1200 acres, the area of Fordington is 2749 acres, of which, up to 1876, nearly 1800 acres was common field and common meadow, and 618 acres commons adjoining the common field. Fordington is also peculiarly divided into three portions; the arable field and common pastures lying immediately south of Dorchester, the meadows forming a detached area by the side of the river Frome, and the village itself a third detached area.

The copyholds in Fordington were known ^{some} as "whole-places," "half-places," as in Stratton, and Grimstone, but others as "farthing holds." One cannot help asking what were the original meanings of these terms, and how they are related to the "virgates" of Domesday,

and to the "yardlands" of the Midlands, and the broad and narrow oxgangs of Yorkshire and Lincolnshire. Concerning these terms it appears to be established that a "yardland" or "virgate" was originally one quarter of a "carucate" or ploughland, i.e. the amount of arable land (about ¹²⁰~~130~~ acres in average soil) which a plough team of 8 oxen could plough in a year, together with its due share of meadow and common pasture. A broad oxgang was about 24 acres of arable land, and therefore apparently the northern representative of a yardland or virgate; and a narrow oxgang was about 12 acres of arable, or half a broad oxgang.

In Stratton, as we have seen, every "whole place" or "whole living" had common rights for two horses, four cows, and 80 sheep; every half place common rights for one horse, two cows and 40 sheep. The areas of land attached to the three whole places were respectively 18 A, 3 R, 35 P, 10 A, 2 R, 3 P, 22 A, 0 R, 11 P; - averaging just 20 acres; the half places varied from 9 A, 0 R, 19 P to 13 A, 2 R, 25 P, the smaller half places having an advantage in quality of soil, and the average being almost exactly 11 acres.

In Grimstone the common rights as well as the area of land belonging to particular whole or half places varied somewhat. The half places consisted respectively of

	Area			Common Rights		
	A.	R	P.	Horses	Cows	Sheep
A	11	0	28	1	3	56
B	12	0	7	1	3	48
C	16	3	7	1	3	60
D	12	3	11	1	3	44
E (two half places) (average 12 acres)	19	2	27	2	5	96

the Whole Places

A	21	1	25	2	5	104
B	21	1	38	2	5	96
C	21	0	19	2	4	96
D	20	2	32	2	5	96

The "whole and a quarter place" had 26 A, 0 R, 13 P of land and rights for 3 horses 5 cows and 120 sheep, and the "three quarter place" 16 A, 1 R, 2 P, with rights for 1 horse 5 cows and 80 sheep. If these be added together and divided by two we arrive at two whole places of 21 A, 0 R, 27 P, with common rights for 2 horses, 5 cows and 100 sheep. This may be taken as the typical whole place, and the half place is just a little more than the mathematical half of a whole place. The fact that the common rights attached to a given unit were more extensive in Grimstone than in Stratton is the natural consequence of the fact that Grimstone had 244 acres of down and 35 acres of cow-common, Stratton only 190 acres of down and 26 acres of cow-common.

But when we compare these with the whole places, half places and farthingholds of Fordington we find rather a puzzling

discrepancy. In the latter parish the fourteen whole places each had, in 1841, the date of the tithe commutation, rights for 4 horses, 3 cows and 120 sheep: - except one, which had no common rights at all, but, apparently by compensation, had 66 acres of arable land, 11 more than any of the others. The smallest of the others had 42 A, 3 R, the largest 55 A, 0 R, 22 P - the average being about 48 acres: - in other words in Fordington a whole place had more than twice as much arable land as in Stratton or Grimstone, and carried a common right for four horses instead of for two.

Each of the 21 half places in Fordington had common rights for 3 horses 2 cows and 66 sheep - which more closely approximates to threequarters than to a half of the rights of a whole place. The area of land attached to a half place is however on the average somewhat less than half that attached to a whole place; the largest having 25 A, 1 R, 6 P, the smallest 15 A, 1 R, 36 P; the average being just under 21 acres. It happens curiously that the largest "farthingholds" had more land than the smallest half-places; as their areas range from 11 A, 1 R, 7 P to 17 A, 3 R, 35 P. There were nineteen of them, and their average area was $14\frac{1}{2}$ acres. Each had a common right for 2 horses 2 cows and 40 sheep.

The following tentative hypothesis may be suggested as an

explanation. It is based on the presumption that the names represent a more ancient set of circumstances than the actual facts recorded in the tithe apportionment.

I think it on the whole more probable that these units of holdings are based upon ploughing by horses than upon ploughing by oxen. In other words I think that the system of co-aration persisted unimpaired in these particular villages after horses had superseded oxen for ploughing purposes, which might have happened at a very early date. This seems plainly indicated by the fact that during the 190 years from 1649 to 1839 the majority of the copyholders in Stratton and Grimstone had only one horse apiece, therefore they must have combined to work even a two horse plough; and, as I have said above, the practice of helping one another with horses for ploughing only died out in very recent years.

I think further that a "whole place" or "whole living" meant the land cultivated by one plough, but that in Stratton and Grimstone the plough was a light and shallow one drawn by two horses only; and in Fordington a heavier plough drawn by four horses. The soil in Stratton and Grimstone is very thin and stony and would not bear deep ploughing, that of Fordington is much deeper and heavier. Further Stratton and Grimstone fields lie on the steep slopes descending from the downs, Fordington field is gently

undulating. Therefore a four horse plough in Fordington would plough more than twice as much land as a two horse plough in the other villages. A whole place then in Fordington naturally would have common rights for four horses, in Stratton and Grimstone for two horses only.

A half place in Stratton and Grimstone was, therefore, the holding allotted to the tenant who had one horse, and it carried a common right for one horse. Though a half place in Fordington carried in 1841 a common right for three horses, I am inclined to believe that it originally was the holding of a tenant who had two horses, i.e. half a plough team, and originally had a common right for two horses only; and, similarly, though a farthinghold in 1841 had a common right for two horses, I am inclined to think it originally was the share of the man who had one horse only, and only carried a common right for one horse. That is to say I think the names here a better guide than the nineteenth century common rights. If one were to adopt the opposite view on this point, one would infer that a "half place" was a misnomer for a "three quarter place," and was the allotment of the man who had three horses, and that a "farthinghold" should properly be called a half place. But on this assumption it would thbe hard to explain the fact

that the arable land attached to a half place is on the average a little less than half that attached to a whole place; and that attached to a farthinghold only a little more than one quarter.

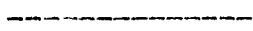
It seems quite probable that when in the course of the gradual improvement of horses and ploughs in Fordington, the stage was reached at which three horses were sufficient for a plough, the holders of half places already possessing two horses each, endeavoured to emancipate themselves from the necessity of joint-ploughing, by obtaining an additional horse; and that when they had generally succeeded in this, they obtained the right of pasturing three horses each on the commons and common field; and when a two horse plough had come into general use, the holders of farthingholds would naturally take similar steps, and so acquire common rights for two horses each.

There is one other noteworthy fact with regard to Fordington revealed by the tithe apportionment. Certain lands scattered over the fields of a total area of 4 A, 2 R, 20 P were the property of the parish constable for the time being; the churchwardens similarly held 1 R, 7 P, the parish hayward 1 A, 3 R, 13 P and the parish reeve 3 A, 0 R, 17 P. These ancient village offices were therefore in Fordington not entirely unremunerated.

CHAPTER VI.

EXTENT OF EXISTING COMMON
FIELDS.

EXTENT OF EXISTING COMMON FIELDS.



A "Return of the Average of Waste Lands subject to Rights of Common, and of Common Field Lands in each Parish of England and Wales, in which the Tithes have been commuted under the Tithe Commutation Acts, so far as the same can be ascertained from the Maps, Agreements, Awards, and Apportionments relating to the Commutation of Tithes in the custody of the Tithe Commissioners for England and Wales, deducting any lands inclosed under the General Enclosure Acts since the Commutation; also the estimated Total Acreage of such lands in the remaining Parishes of each county," dated 27 Nov. 1873, ordered by the House of Commons to be printed, April 13, 1874, gives us the following results:-

County	Number of parishes stated to have Common Fields	Area of such Common Fields	Estimated area of other Common Fields in the County
<u>England</u>			
Bedford	9	7,056	12,925
Berkshire	21	13,227	2,705
Buckingham	16	2,315	2,305
Cambridge	9	4,798	2,678

County	Number of parishes stated to have Common Fields	Area of such Common Fields	Estimated Area of other Common Fields in the County
Cheshire	16	599	116
Cornwall	16	895	6
Cumberland	22	1,177	868
Derby	11	1,119	638
Devon	15	1,125	32
Dorset	29	6,793	810
Durham	3	1,036	171
Essex	48	4,614	295
Gloucester	53	4,327	2,986
Hereford	52	2,309	189
Hertford	39	9,511	1,785
Huntingdon	4	1,336	2,336
Kent	21	4,183	126
Lancashire	22	2,125	1,173
Leicester	3	42	93
Lincoln	24	6,258	10,823
Middlesex	6	697	870
Monmouth	2	64	3
Norfolk	52	3,530	394

Northampton	3	4,103	13,446
Northumberland	1	44	7
Nottingham	14	4,282	6,617
Oxford	12	4,120	4,839
Rutland	6	3,930	5,726
Shropshire	12	485	40
Somerset	77	7,794	728
Southampton	25	5,725	663
Stafford	26	1,138	402
Suffolk	34	2,395	184
Surrey	19	3,732	277
Sussex	22	2,989	122
Warwick	5	1,232	1,208
Westmoreland	6	425	359
Wiltshire	44	18,167	4,503
Worcester	20	3,092	1,131
York, City & Ainsty	4	187	372
.. East Riding	14	4,046	7,359
.. North Riding	7	547	240
.. West Riding	44	6,486	4,361

<u>Wales</u>				
Anglesey	2	414	33	
Brecon	2	1,549	5	
Cardigan	4	372	0	
Carmarthen	8	489	38	
Carnarvon	1	100	7	
Denbigh	4	278	18	
Flint	5	297	4	
Glamorgan	10	783	40	
Merioneth	2	110	8	
Montgomery	3	1,885	24	
Pembroke	8	642	18	
Radnor	3	6,167	158	
Totals				
England	853	153,867	97,001	250,868
Wales	52	13,086	353	13,439
	<hr/>	<hr/>	<hr/>	<hr/>
	905	166,953	97,354	264,307

We have therefore the assurance of the Copyhold, Inclosure and Tithe Commission that in the year 1873 Common fields existed in 905 parishes of England and Wales, of a total area of 166,953 acres, and

that there was reasonable ground for inferring the existence of 97,354 acres of common field land, scattered presumably over some four or five hundred more parishes; in other words that about one parish in every ten in England and Wales presented an example of the medieval system of land holding and cultivation similar, though as a rule on a smaller scale, to the survivals at Laxton and Caistor.

The statement is amazing, and not only would it be received with incredulity by any student of the question, but by any one familiar with the rural districts of any county of England, so far as it relates to that county. The Commission invites our suspicion of its statistics. The main purpose of the return was to give the acreage of surviving Commons; these are estimated at 2,368,465 acres. As late as 1871 however the Commission had declared on the basis of an estimate made in 1843, that 8,000,000 acres of Commons still existed, and 1,000,000 acres of common field or meadow. A little scrutiny of some details confirms one's suspicions.

Thus, to take a single county, Kent has from the early days of the enclosure controversy been famous as a well inclosed county. The author of the "Discourse of the Common weal of this Realm of England" mentions "those counties that be most inclosed, as Essex, Kent, Devonshire." (1549) Skipping two and a half centuries we find the reporter

of the Board of Agriculture in 1796 declaring that such a thing as a common field did not exist in Kent.* We are confirmed in our acceptance of this statement by finding that there have been no enclosures in Kent of common fields by Act of Parliament, either before 1793 or since. Yet the return gives Kent 21 parishes having common fields of an ascertained acreage of about 4,183 acres. It therefore is necessary to criticise the methods by which the figures in the return were arrived at.

They are based on the Tithe Maps, the Commissioners remarking that "the common field lands are generally distinguishable by the particular manner in which they are marked on the Tithe Maps, and their area has been estimated from those maps." The Tithe Commission was appointed in 1836 (3 and 7 Wm. IV.c.71), and the tithe maps and apportionments were made mostly before 1850; we are told "the total area embraced by the Tithe Documents is 28,105,803 acres. The total area of the remaining parishes is 8,961,270 acres."

In order, therefore, for the Commission to have obtained a correct result, it was necessary

(a) that the common field lands should have been rightly distinguished from other lands,

*Boys, Kent, 2nd edition 8° (1796) p. 53

(b) that their area should have been rightly estimated;

(c) that due allowance should have been made for enclosures between the date of the tithe apportionment and the date of the return;

(d) that the area of common field in the parishes for which there are no tithe maps should have been estimated on correct principles

Not one of these conditions was satisfied.

(d) Taking them in reverse order, it is assumed in calculating the area of common fields in parishes that have no tithe maps, that they have the same ratio of common field to other land as those which have tithe maps. This principle is entirely wrong for two reasons, (1) because private enclosure acts usually arranged for tithe commutation, so that parishes enclosed by such acts before 1830 are ordinarily among those without tithe maps - and equally among those without common fields, and (2) the existence of uninclosed common fields would be a reason for demanding a Commutation of tithe. The importance of this may be shown by taking Bedfordshire as a test case. For 68 Bedfordshire parishes there are no tithe maps, and the Commission estimates that these 68 parishes have 12,925 acres of common fields. But 66 out of these 68 parishes were enclosed by private acts, leaving two parishes only, of a combined area of 3,576 acres, in which a survival of common field might be deemed reasonably possible, though even in these

extremely improbable. Instead of 12,925 acres of common field for this part of the county, the only reasonable estimate would be 0.

Similar statements might be made with regard to any other county which was mainly enclosed by Act of Parliament, as Northampton, to which 13,446 acres of common field are attributed to the non tithe map parishes; Lincoln, to which 10,823 acres are similarly attributed; Berkshire, with 2,705 acres; Buckingham, with 2,365 acres; Cambridge, with 2,678 acres; Huntingdon, with 2,336 acres; Nottingham, with 6,617 acres; Oxford, with 4,839 acres; Rutland, with 5,726 acres; and the East Riding of Yorkshire with 7,359 acres. For this cause alone by far the greater part of the 97,354 acres added on to the total estimated from tithe maps must be rejected; and of course any error of over-statement that we find with regard to parishes which have tithe maps will still further reduce the remainder.

(c) Due allowance has not been made for enclosure between the date of the tithe apportionment and the date of the return. It is of course very difficult to say how this could have been done, without an elaborate, and expensive, local enquiry, so far as relates to enclosure without Parliamentary authority. As a matter of fact no allowance at all has been made for this sort of enclosure. This is justifiable, but at least a general statement should have been made to the effect that a very

59

large deduction had to be made on this account in order to obtain a correct idea of the position. Further, great carelessness was shown even in allowing for Parliamentary enclosures subsequent to the tithe apportionment. Thus, to take one glaring instance, 1,500 acres of common field are credited to Beddington and Wallington, near Croydon, in Surrey. These common fields were enclosed by an act dated 1850, and the award, dated 1853, was at the time of the Return deposited with the Copyhold, Enclosure and Tithe Commission.

(a) and (b). But it is in distinguishing the common fields and in estimating their area from the tithe maps that the worst mistakes have been made. The Commission says that " the common fields are generally distinguishable by the particular manner in which they are marked on the tithe maps." So they are, but they are distinguishable only by an expert, who is prepared to work very slowly and with great care, and continually to refer for further information to the Award. So far as one can judge by results, one must infer that instead the duty of distinguishing the common fields was entrusted to inexperienced persons, who were told that areas divided into subdivisions on the maps by means of dotted lines were common fields. These dotted lines indicate a division of ownership marked by some slight boundary and not by a hedge. They might indicate allotments, for example, or a

number of other local circumstances, besides common fields. The statements that 4,183 acres of common field were to be found in Kent, and 15,439 acres in Wales being specially in direct contradiction of all other evidence that I had collected, I tested these by two instances. In Kent 1,400 acres were assigned to the parish of Northbourne. By a close examination of the tithe map I could find nothing indicating any common field at all; the only excuse for the statement was a few dotted lines, which by a reference to the Award were proved to indicate only that some fields were inadequately hedged. For Wales, I got out the map and award for Llanerlyl, in Montgomery, credited with 1,375 acres of common field. Here there was something to be found on the map looking exactly like common field, but the award showed that these dotted strips of land were "turbaries."

Now this error of observation is far more likely to be the basis of the statement of the existence of common fields, when the supposed common fields are small, than when they are large - as in the two cases above. Out of the 905 alleged cases of common fields, in 370 cases the areas given are under 100 acres. It would probably be correct to say that in almost every one of these the allegation is unfounded. There remain 335 cases which are more hopeful.

Further, leaving out all these mistakes in the return, there is

another respect in which, even where it is quite accurate, it may be the cause of error.

We have seen that the open field parish in its perfection, as Caistor and Ailesworth before enclosure, possessed common arable fields, common meadows, common pasture, and frequently commonable waste, like Ailesworth Heath. Where the parish as a whole becomes enclosed, ^{without an act of Parliament} particularly if the enclosure is ~~voluntary~~ and gradual, the waste ^{frequently} remains common. Thus we have the numerous commons of Kent, Surrey and other counties. Less frequently, but still in a considerable number of cases, the common meadows remain open, commonable, and uninclosed. Port Meadow at Oxford is a familiar instance. These common meadows are included in the Return under consideration among the common fields. Thus, for instance, the surprise with which one receives the information that Tottenham in 1873 had 300 acres of common fields disappears when it is perceived that the marshes along the river Lea are meant.

In fine, this Return of Commons and Common Fields, which gives such a fair promise of numerous surviving Common Fields, in reality gives little assistance, because there is but the remotest probability in any particular case that those Common Fields exist. The probability is sufficient in some cases to encourage one to make local enquiries,

but these enquiries nearly always end in disappointment. The following cases in which common arable fields theoretically survive, are chiefly interesting as illustrating the phenomena of the decay of the common-field system in villages where it has not died a sudden death through Enclosure. I omit the case of Hitchin, made famous by Mr. F. Seebohm.

CLOTHALL (Herts.)
———

Clothall is a parish lying on the northern slope of the chalk hills of Hertfordshire, just off the great north Road which passes through the adjoining parish of Baldock. Approaching it from the south, one gradually ascends the long slope from Hertford, and suddenly at the summit has before one a far stretching view over the flat country of Bedfordshire and adjoining counties. The road descends steeply and passes through the Clothall Common Fields. At the time of my visit the harvest (of barley) was being gathered in; the arrangement of the field was clearly visible. The long narrow strips of stubble, never quite straight, and never quite of uniform width, were divided by "balks" of grass, grown tall and gone to seed. Each balk was reduced to as narrow dimensions as it could be, without its continued existence

for the sake of separating one strip from another ~~from~~ being endangered. A view of this field is shown in Mr. Seebohm's "English Village Community."

But there is in Clothall the husk only, and no surviving kernel of the English Village Community. The whole of the field, estimated at about 300 acres, is let to a single farmer, who cultivates it on modern principles, only bound to preserve the balks. There are but three owners of land in the field. Fifty six acres are glebe, the remainder belongs in alternate strips to the Lord of the Manor (the Marquis of Salisbury), and to a ^{1. Cotton Brame,} gentleman to whom possession passed by marriage, from a family which had been engaged in brewing. The land is famous for barley, and the owner of a local brewery in the early or middle part of the nineteenth century gradually bought up all the land in the common field that did not belong to the lord of the manor. Application was made in 1885 to the Board of Agriculture for Enclosure, the manorial authorities and the vicar both desiring it, but the other owner objects.

It is interesting to find that the villagers still hold to the tradition that they have rights of common upon the balks, a tradition which is probably well founded. But they dare not attempt to exercise those rights. An Enclosure here, accompanied by the provision of

ground for allotments and recreation, would be a boon for the villagers; and it would probably pay the landowners to get rid of those balks, which are as great a nuisance practically as they are interesting from an antiquarian point of view.

The counties of Hertford and Bedford have been in recent years particularly rich in survivals of common field, for the enclosure of Totte^{yn}hoe (q. v.) was only completed in 1891; Yelden had a common field of about 600 acres up till about the year 1881, when the chief proprietor, by buying out or compensating all the other proprietors or owners of common rights obtained exclusive ownership of the unenclosed land; and at Studham and Renhold similar voluntary enclosures were carried out under the pressure of the chief landowners within the memory of old inhabitants. Fragments of commonable pasture in three different parts of Renhold parish, and a common of about 60 acres in Studham remain as memorials.

BYGRAVE AND WALLINGTON.

Beneath the long sloping hillside of Clothall lies the little town of Baldock, the site of the first "Garden City" experiment; and on the other side of Baldock is the parish of Bygrave; which is, like Clothall, still unenclosed, and for the same reason; the Marquis of Salisbury being here again the lord of the manor, and Mr. Cotton Browne the next largest landowner. But in Bygrave the farms, as well as the properties, are very much intermixed. Here and there there are grassy balks between adjacent properties; and in places the growth of bushes as those has almost made them into hedges; but as a rule there is no boundary between strips belonging to different holdings, and different properties. A road through the open fields at one point cuts off the end of a strip of land belonging to Lord Salisbury from the rest of that strip; it forms a triangular plot too small to repay the trouble of bringing the plough across the road to plough it; and the men who hold the adjoining land revere the rights of property too much to touch it; it therefore remains a refuge for all manner of weeds.

As in Clothall, no common rights are exercised over the common fields of Bygrave by the poor of the parish, nor could I hear of any tradition of rights belonging to the poor or to cottagers. But the different occupiers of land in the common fields have, and exercise, the right of Shackage, i.e. of grazing cattle after harvest, over one another's holdings. And the lord of the manor has a special right of "sheep-walk" over the whole, for a month, from the first week in May and October. This right is let with one of the farms. It is not exercised, in fact, because the other occupiers of lands in the open field buy exemption.

The hamlet of Luffenhall, also near Clothall, has "shack lands" held under similar conditions.

The next parish to Clothall on the east, Wallington, is also unenclosed. It has a small common on which cottagers have the right to keep a cow and a calf, but so far as the rest of the parish is concerned, the only surviving feature of the externals of the common field system is the wide, breezy stretch of open land, under wheat, roots and grass; and of the spirit of the "village community" there is nothing. There are but two farms; the wages paid are only 10 s. to 12 s. per week. Such wages, so

near London, naturally fail to keep the labourers in the village; and the population is now (1903) less than 100, though the church has seats for 230. As the men go, more and more land is laid down in grass, and machinery is more and more used; the absence of hedges, of course, facilitates the use of certain kinds of agricultural machinery. The unenclosed parish of Wallington, in fact, represents in an extreme degree the triumph of all those tendencies against which the opponents of enclosure waged war - great farms, absolute dependence of the labourer, low wages, rural depopulation.

SUTTON (Northamptonshire).

The parish of Castor ~~or Caister~~, includes besides the hamlets of ~~Ca~~stor and Ailesworth, the enclosure of which has been described, the townships of Sutton and Upton. Sutton has never been legally enclosed, and the parish is described from the Tithe map as consisting of 450 acres of common field and 150 acres of common, out of a total of 888 acres. The vicar, who has bought nearly all the land in the parish, and also the manorial rights, was in 1899 applying for an Act of Enclosure.[†] There are in the township certain lands belonging to the township, intermixed with those in private ownership. The rents of these are paid with the poor-rates. Up till 1800 the two farmers who between them occupied nearly the whole of the cultivated land, used to confer every year and agree upon their course of tillage. They were then persuaded by the Vicar to disentangle their farms, and cultivate them in the ordinary way. Hence there is at present in Sutton no visible sign of any exceptional features in the system of landownership. The lands belonging to the township are recorded in the tithe map, and their measurement in the tithe award, but no balks to mark them are preserved.

[†] Since this was written the Act has been obtained, and the Township is now undergoing enclosure.

I am indebted to the Vicar of Sutton for the following illustration of the possible evils of the common field system. It occurred in a parish where he had formerly been resident, which he did not name.

In this parish two adjacent strips of land were occupied respectively by a farmer and a shoemaker. The farmer, who was a careful and diligent cultivator, having well manured and laboured his strip, sowed it with wheat, and as harvest approached saw the prospect of an exceptionally good crop. The shoemaker left his strip entirely untouched. But when the farmer was about to begin to reap, the shoemaker intervened, and claimed that the strip which was cultivated was his, and the untilled strip belonged to the farmer. The field jury was summoned, and the extreme positiveness and assurance of the shoemaker carried the day, and the shoemaker reaped the wheat. The farmer then begged his successful adversary for some compensation for his lost labour and expense, but was told that he might consider himself lucky not to be prosecuted for trespass. The farmer then proceeded to make the best of his bad bargain, and set to work to plough up the weeds and thistles that covered the strip of land awarded him. But as he ploughed he continually turned up pieces of leather, corners wasted in cutting out "uppers," and other refuse of a shoemaker's workshop. These he collected, and brought before the field jury. The previous decision was then reversed,

and the shoemaker was compelled to make restitution to the man he had wronged.

ELMSTONE HARDWICKE (Gloucester).

Elmstone Hardwicke is an extremely interesting example of the Common field system in a state of natural decay. The whole parish belongs to the Ecclesiastical Commissioners, but the holdings are intermixed and in small parcels, over a large part, perhaps 1000 acres, of the parish, the farms having been granted on leases of three lives. The farmers would be glad to consolidate their holdings and enclose, but the Ecclesiastical Commissioners effectually discourage this, as I was told, by exorbitant demands for increase of rent. On the other hand the Commissioners themselves desire to enclose, but do not care for the expense of proceeding by act of Parliament. They are endeavouring to obtain their object by refusing to "renew," in order that the leases may fall in, and be converted into leases for short terms that may be made to terminate simultaneously. Thus an old farmer who has a lease of 60 acres in 100 different parcels scattered over the common fields, informed me of the negotiations that had been entered into with

him. He was by no means disposed to readily part with his lease, as he had two good lives remaining, both being his nephews, one aged 40, the other 50. "They'll both mak' 'ighty" he said, that being his own age, though he looked a score of years younger.

This one farmer still (in 1899) followed what ^{had been} was the customary course of cultivation for the parish,— a four years course of wheat, beans, wheat, fallow; this being a modification of a still earlier course of wheat, beans, barley, fallow, the soil being more suitable to wheat than to barley. The other farmers followed no fixed rule, each one cultivating his farm as he chose, subject however to the right that was still recognised and exercised, that each occupier could turn horses, cattle and sheep on to the common fields after harvest until the first of November. In consequence of the abandonment of the traditional course of cultivation the common use of the fallow-field has been dropped by general consent, for the last forty or fifty years. The institution of the field jury has also disappeared, though the above mentioned old farmer still posts the notices declaring the fields open or closed, and so may be said to fill the post of "Foreman of the Fields," though he does so by right of inheritance rather than of election, in succession to his father.

Various controversies have arisen recently in Elmstone Hardwicke with regard to the rights of various persons interested. I have referred above to the case of the farmer who, in the spring of 1899, occupying a "headland" in the common fields on which various strips belonging to his neighbours abutted, instead of following the customary practice and waiting to plough till the last, ploughed his headland before the abutting lands were ploughed, and then sued for damages when his neighbours turned their ploughs on his land.

Another farmer who occupied a very small holding in Elmstone Hardwicke, and a much larger holding in an adjoining parish, made a practice of turning great numbers of sheep on the Elmstone Hardwicke common fields in the open time, which he was able to keep in the close time on his other land. The question arose whether this unfair procedure was lawful. The coming into force of the Parish Councils Act of 1894 also had the effect of suggesting enquiries into the claims of labourers to share in common-right privileges.

The Vicar, the Rev. George Bayfield Roberts, accordingly obtained the opinion of Sir Walter Phillimore on the subject. It was as follows:-

"As far as I can gather from the facts laid before me, I think that every freeholder and copyholder has a right to turn cattle upon every part of the common field, and that the right is not confined to

the particular field or part of the common field in which he holds land.

"This right passes to the tenant or occupier under each freeholder or copyholder. The tenant, or occupier, has it, not in his own right but merely as claiming under his landlord.

" I know of no rule of law which would give this right to farmers as such, and deny it to cottagers as such, if the latter have holdings on which they can keep their beasts during close time. But the right to turn on to Lammas lands (as this common field is) can only be exercised in respect of beasts used in the cultivation or manuring of the holding in respect of which the claim is made. # (Baylis v. Tyssen-Amhurst, Law Reports 6 Ch. D. p. 500)

"As the cottagers are said to be tenants of the farmers, the latter can make it clear in all future lettings that they do not let with the cottages the right to pasture in the common field.

"(2) The tenant of the Barn farm should keep his land unenclosed during open time, and anyone who has a right to turn on cattle can sue him if he obstructs (Stoneham v. London & Brighton Railway Co. Law Reports 7 Q.B. p.1), or can pull down the fencing (Arlett v. Ellis 7 B & C p. 546).

* *Surety crisis bad law.*

"(2)a. I do not think it would be wise to pull down a whole fence, or sue for the damage caused by the fence, if substantial and easy openings were made during open time. But there is some authority for saying that the whole fence must be removed (Arlett v. Ellis, cited above).

"(3) The only locus standi for the Parish Meeting is, if it has been given by the County Council all the powers of a Parish Council under Section 19 sub-section 10 of the Local Government Act, 1894 (56 and 57 Vict. c. 73), to apply to the Board of Agriculture under Section 9 of the Commons Act 1876 (39 & 40, Vict. c. 50).

"This power is given to Parish Councils by section 8, sub-section c of the Local Government Act 1894.

"Section 9 of the Commons Act 1876 enables the Inclosure Commissioners (whose place is now taken by the Board of Agriculture) to give information and direction "upon application" in order to bring about "the regulation of Commons;" and for this purpose Lammas Lands are included as Commons, as they also came under the Inclosure Acts.

"By section 3 a provisional order made by the Board for "regulation" may provide for the "adjustment of rights," and section 4 shows how much can be done upon such an adjustment."

This opinion was given in March 1897. The very significant

passage which pointed out that since the cottagers held their cottages from the farmers, they could not effectively claim any rights which the farmers did not choose to grant them, threw cold water on the agitation.

Elmstone Hardwicke is apparently another case in which something would be gained and nothing lost by an Act of Enclosure.

EWELME (Oxfordshire).

Rather more than half this parish, near Wallingford, is legally in the condition of open common fields; and there is besides a very extensive "Cow common" on which is a golf course. The neighbouring parishes of Bensington and Berwick Salome had until 1852 common fields which were in part intermixed with those of Ewelme, and there were commons commonable to all three parishes. In 1852 an act was passed which was carried into effect in 1863 for the enclosure of Bensington and Berwick Salome, and the parts of Ewelme which were intermixed with these. Ewelme is owned by a number of small proprietors, who chiefly farm their own land. These made a voluntary division,* but they still

*Exchanges of land in Common fields so as to enable proprietors to consolidate their properties ^{facilitates} are authorised by 4 & 5 William IV. c. 30. *see appendix of General Acts.*

enjoy certain rights of common and of shooting over one another's land. No labourers enjoy rights of common.

There are two significant facts about this parish.

In the first place one particular farm enjoys a special right of pasturing sheep on the Cow-common, not shared by other farms. This is significant when taken into consideration with the facts for Cambridgeshire and elsewhere related below.

Secondly this gives a typical instance of the effect of enclosure of commonable waste on the poor. One of the commons enclosed was known as the "Furze Common," and it supplied the poor of the neighbourhood with their fuel, for every inhabitant had the right of cutting furze on it. After enclosure the Furze Common was allotted to one man, who allowed no trespass on it, and the owners of cottages were awarded allotments of land in consideration of rights which the cottagers had exercised. The lands so allotted became part of ordinary farms, and the poor simply lost their supply of fuel without any compensation whatever. This was done under the sanction, not of an Enclosure Act rushed through Parliament before 1845, but ~~under the sanction~~ of the Enclosure Commissioners, appointed expressly to prevent any injury to the class least able to guard its own interests, as well as to facilitate enclosure.

THE ISLE OF AXHOLME.

To catch the spirit of the common field system; to see that system no mere historical survival, but developing in harmony with modern needs, one must go to the Isle of Axholme. Starting from Doncaster eastwards, through somewhat devious roads, one descends gradually to a wide belt of reclaimed fen. Between this fen on the west, and the river Trent with more fen on the east, is a ridge of low hills, comprising the four large parishes of Haxey, Epworth, Belton and Owston. These constitute the Isle of Axholme - an island indeed, up to the time of the great drainage operations of Vermuyden in the reign of James I. It was, no doubt, a very ancient home of fishermen and fowlers, who gradually brought the island itself into cultivation, using the plough as a subsidiary means of subsistence. The strenuous opposition offered by the people of Axholme to the work of the Dutch engineer is well known. Even after they were beaten, and the greatest drainage scheme of the seventeenth century was carried through, the four Axholme parishes retained extensive fens, used as common pastures.

When in the eighteenth century the great trade of driving Scotch

cattle to the London market, in which Sir Walter Scott's grandfather was a pioneer, sprang up, the route followed diverged from the great north road in Yorkshire, in order to avoid turnpikes, and the cattle, grazing as they slowly plodded southwards, and fattening on the roadsides, came through Selby, Snaith and the Isle of Axholme. To protect their fields the islanders hedged them along the roadsides, leaving only narrow thoroughfares; then to make these thoroughfares passable for themselves, they laid down for footpath a stone pavement which still extends for twenty miles. But the old hedges have in many places disappeared, so that the fields lie open to the road; and in particular, the gates which then guarded every entrance to the fields are now generally represented by gaps.

At the end of the eighteenth century by far the greater part of the Island proper was in the condition of open arable fields, with properties and holdings intermixed, as in the open fields of Laxton; though near each village there were enclosed gardens, and closes of pasture. It would appear, that the original system of cultivation was that a four year course of husbandry was followed, so that one fourth of the arable land was at any time fallow, and used as common pasture, and common rights were exercised on two of the other three fourths after harvest; one fourth probably being

under turnips. On the margin of the hill there were perhaps commonable meadows, though I cannot trace them. Beyond, the common fens and marshes, used mainly for grazing horned cattle, extended over an area of about 14000 acres.

Arthur Young visited the Island at this time, and thus describes it:-

"In respect of property, I know nothing more singular respecting it (the County of Lincoln), than its great division in the Isle of Axholm. In most of the towns there, for it is not quite general, there is much resemblance of some rich parts of France and Flanders. The inhabitants are collected in villages and hamlets; and almost every house you see, except very poor cottages on the borders of commons, is inhabited by a farmer, the proprietor of his farm, of from four or five, and even fewer, to twenty, forty, and more acres, scattered about the open fields, and cultivated with all that minutiae of care and anxiety, by the hands of the family, which are found abroad, in the countries mentioned. They are very poor respecting money, but very happy respecting their mode of existence. Contrivance, mutual assistance, by barter and hire, enable them to manage these little farms, though they break all rules of rural

proportion. A man will keep a pair of horses that has but three or four acres, by means of vast commons and working for hire.

"The enclosure of these commons will lessen their numbers, and vastly increase the quantity of products at market. Their cultivated land being of uncommon fertility, a farm of 20 acres supports a family very well, as they have, generally speaking, no fallows, but an endless succession of corn, potatoes, flax, beans &c. They do nearly all their work themselves, and are passionately fond of buying a bit of land. Though I have said they are happy, yet I should note that it was remarked to me, that the little proprietors work like Negroes, and do not live so well as the inhabitants of the poor-house; but all is made amends for by possessing land." (Agricultural Survey of Lincolnshire, p. 17)

In 1795 the chief landowners took steps to obtain an act for enclosing all four parishes. There were stronger reasons for enclosing than in the majority of the East Yorkshire and Lincolnshire parishes all around, in which Parliamentary enclosure was being pushed furiously on, for the fens were capable of enormous improvement. But in the Isle of Axholme it was not possible for the chief landowners to overbear the opposition of the villagers. One peculiar feature

of the locality was that every cottage had a common right, and there were no rights attached to land apart from cottages. This fact, and the peculiarly wide distribution of property, caused the decision to rest with the peasantry. They raised no objection to the division and drainage of the marshes, perceiving that their allotments would be far more valuable after drainage, than their common rights before; so this part of the scheme was generally agreed to. But on the question of the enclosure of the arable fields they were not complacent. They saw that the expense of hedging a small allotment would be heavy, and the injury done by the hedge to a small plot, of say one or two acres, by shading the land and sheltering it from the wind, would more than counterbalance the advantage of having that holding in one piece instead of in two or three, to say nothing of the loss of the space given up to hedges. They also probably feared that the arable land, if enclosed, would largely be laid down to grass, and so the benefit of an increased demand for labour and higher wages promised by the enclosure of the marshes, would be lost, at least in some degree, through the enclosure of the fields. Accordingly the necessary consent of a "three fourths majority in number and value" of the owners was not obtained, and the proposal to enclose was defeated.

It would appear that all the educated, intelligent, and influential people did their best to overcome this "ignorant prejudice." But on the other hand there were the votes of all those cottagers who did not as yet possess strips in the common fields, but who hoped to be able to purchase them. They saw that while thousands of acres of land lay immediately round the villages in acre, half acre, and rood strips, there was a chance of buying one, and so taking the first upward step from the rank of the landless labourer. On enclosure those strips would give place to enclosures of at least several acres each, and the closes would be quite out of their reach. Blind, obstinate, wilful and prejudiced as the villagers seemed to their betters, the event shows that they were entirely accurate in their view of the situation.

Arthur Young's account of these proceedings is as follows:-

"In the Isle of Axholm there is an immense inclosure on the point of beginning; the act and survey having been passed, of no less than 12,000 acres of commons, in the four parishes of Haxey, Hepworth, Belton and Owston. I passed these commons in various quarters, and rode purposely to view some parts; they are in a wretched and unprofitable state, but valued, if inclosed, in the ideas of the islanders,

at 10/. or 11/. an acre.

					A.
In Haxey	there are	305	claims	on account of	5,810
" Hepworth	"	236	"	"	2,285
" Belton	"	251	"	"	3,064
" Owston	"	220	"	"	1,440

Cottage rights are claims, but lands without a cottage have none. It was a barbarous omission, that, when the act was procured, they resisted a clause to divide the open arable fields subject to rights of common. But they have here, by a custom, a right of inclosure which is singular; every man that pleases may enclose his own open field land notwithstanding the rights of common upon it, while open; and accordingly many do it when, by purchase, they get five or six acres together, of which I saw many examples." (Agricultural Survey of Lincolnshire, P. 79)

Somewhat later a second attempt was made in the parish of Owston, to obtain an enclosure, with partial success. Three of the four fields were divided and enclosed; but the same motives which prevented the enclosure of the four parishes at the previous attempt, were strong enough to secure that one field should remain open. It was in 1811 that the Owston Enclosure took place. I can find no record of the act.

As we saw above, the old system (probably a four field course) of cultivation had dropped into disuse even before the beginning of the nineteenth century, but still, up to about the year 1850 the custom remained that on one of the four fields, that under wheat, after the crops had been carried, the "Pindar" gave notice that "the fields are to be broken," and over that field common rights of pasture were exercised for about a month, from some day in October to Martinmas (November 23rd). Then the Pindar kept watch over the grazing animals night and day, and by night built up enormous bonfires, with all the boys of the village clustering round, and roasting potatoes.

But about 1850 even this custom disappeared, and now every holder of land in the open fields cultivates them as he chooses - but they must be under some form of tillage, as long as they remain open. But the tendency, observed by Arthur Young, for the larger owners of lands in the common fields, to buy, sell, and exchange strips with other owners, with the object of getting some half dozen acres in one continuous piece, and then enclosing them, has continued up to the present day. Such enclosures are laid down in grass; and in this way the area of the open fields has gradually been reduced.

The strips of land in the open fields are known as "selions,"

the auctioneers' notices of a sale reading, "All that selion piece of land" &c. They are also known as "acres," "half acres," "roods" &c. but these terms must not be taken as exactly defining their area. A nominal acre varies in area from a minimum of about half an acre to a maximum of an acre and a half. As the half-acres and roods similarly vary, it follows that the largest "half-acres" are bigger than the smallest "acres."

The general aspect of the fields is well shown in the photograph taken for me by Mr. Newbit of Epworth. I asked ⁱⁿ a bar-parlour in Haxey, "Are these allotments both sides of the road?" A labourer answered, "Yes, but there are seven miles of these allotments." But the publican corrected him. "Well, it's not allotments exactly, it's a very old system, that's what it is." Further conversation with one man and another gave me a strong impression that the people of Axholme are proud of their "very old system." That they have some reason to be proud of it, Mr. Rider Haggard bears witness:-

"The Isle of Axholme is one of the few places I have visited in England, which may be called, at any rate in my opinion, truly prosperous in an agricultural sense, the low price of produce notwithstanding, chiefly because of its assiduous cultivation of the potato."
(Rural England, Vol.II., p. 180)

Axholme may be described as a district of allotments, cultivated, and in great part owned, by a working peasantry. The "assiduous cultivation of the potato" is rather an indication of the real strength of Axholme agriculture, than a true explanation of it. At the time of Arthur Young's visit the isle was noted for the cultivation of flax and hemp; and this continued to be a feature of the local agriculture till about thirty or forty years ago, when the "assiduous cultivation of the potato" succeeded it. Now, as Mr. Rider Haggard notices, experiments are carried on with celery. The small holders, I was assured on all sides, cultivate the land much more thoroughly than large farmers do their farms, and the very look of the crops confirmed this eloquently, even to my unskilled observation. Mr. Rider Haggard quotes a local expert, Mr. William Standring, as saying, "Wheat crops in the Isle averaged 7 quarters (56 bushels!) an acre, the oats nine or ten quarters, the clover hay, which grew luxuriantly, two or three tons an acre, and the roots were splendid." He continues, "That Mr. William Standring did not exaggerate the capacities of the Isle, I can testify, as the crops I saw there were wonderfully fine throughout, particularly the potatoes, which are perhaps its mainstay." (Rural England, Vol. II. p. 194)

The secret of the agricultural success of Axholme is clearly "la carrière ouverte aux talens," which is secured to agricultural labourers by the open fields. The spirited and successful cultivation of varying crops follows naturally.

How the upward ladder is used, was well explained by a Mr. John Standing, himself the holder of ten acres, before the Select Committee of the House of Commons on Small Holdings in 1889.

It is first to be noticed, however, that the general level of wage is exceptionally high, for a purely agricultural district at a considerable distance from any considerable town. The customary wage, I was informed in 1903, was 5 s. per day. Mr. Rider Haggard in 1901 found it "2/9 a day for day men, 18/. a week for horsemen, and 18/. a week, with cottage, for garth-men. Men living in the house with foremen and owners receive about £24 per annum and food, and horsemen £30 per annum and food."

But when the labourer who has been living in barracks and takes a cottage, he also takes up a holding in the fields. He begins with one "land," then takes a second, a third, and so on. The following table showing the way in which land is held in the parish of Epworth was submitted to the Select Committee by Mr. J. Standing:—

Of holdings

over 200 acres there are				2 occupiers,			
"	100	"	and under 300,	"	"	12	"
"	50	"	"	"	100	"	"
"	20	"	"	"	50	"	"
"	10	"	"	"	20	"	"
"	2	"	"	"	10	"	"
"	$\frac{1}{2}$	"	"	"	2	"	"

(p. 189)

The 80 holders occupying from half an acre to two acres would all be men in regular employment, as a rule, as agricultural labourers. A body of these sent their deposition to the Select Committee in the following form:-

"We, the undersigned, being agricultural labourers at Epworth, are in occupation of allotments or small holdings, varying from two roods to three acres, willingly testify to the great benefit we find from our holdings. Where we have sufficient quantity of land to grow two roods each of wheat, barley, and potatoes, we have bread, bacon, and potatoes for a great part of the year, enabling us to face a long winter without the dread of hunger or pauperism staring us in the face.

But the more enterprising of these labourers do not rest content with so small a holding, and these pass into the next class, those who hold up to ten acres. "Many such", says Mr. J. Standing, "keep a horse and a cow and a few pigs. And on some of the stronger land two or three of these will yoke their horses together and work their own land, and also land belonging to other men similarly situated who do not keep horses. As a rule they have done very well - I scarcely know a failure." The payment for horse-hire is usually made in labour.

The most successful of these again recruit the ranks of the larger farmers. "I do not believe there is one in ten in my parish, and in the adjoining parish, among those who are renting from 50 to 100 acres, but what, in my time, has been an agricultural labourer or an agricultural servant before he was married; and each of them, to my own knowledge, has commenced with two or three acres, and in some cases not more than one acre..... one man who is now occupying 200 acres was a labourer in his early days."

These bigger farmers sometimes move elsewhere, and take larger farms, or bring up their sons in other occupations than farming, so that the farm of 150 to 200 acres becomes again available to those desiring small holdings. Thus, in spite of the continual growth of

of the holding occupied by individual men at different stages in their career, the average size of holdings does not show any tendency to increase. This is well shown by the figures given for Epworth respectively by Arthur Young and Mr. J. Standring, at about an interval of a hundred years. There were only 236 claimants of allotments in the Epworth commons at the end of the eighteenth century; in 1889 there were 291 occupiers of the 5741 acres in the parish, occupying therefore, on an average, less than 20 acres each.

The same eagerness to own land which Arthur Young noticed has also continued to prevail. Land is bought on the building society principle, money for the purpose being borrowed, very probably through the lawyer who conducts the sale, at 5 per cent. In the days of agricultural prosperity land in the open fields of Haxey, Epworth and Belton was sold at £130 per acre; land in the one remaining open field of Owston as high as £140 per acre. Even now, in spite of the tremendous fall in price of agricultural produce, the ordinary price is about £70 to £75 per acre; which is about 25 years purchase of the rent.

It is obvious that a man who borrows money at 5 per cent to buy land which can only be let at 4 per cent on the purchase

price embarks on a speculation which from the purely commercial point of view, can only be profitable provided the value is appreciating. There were naturally cases of men who, at the time when prices were falling most rapidly, were unable to keep up their payments of interest and instalments of principal, and who had in consequence after a severe struggle to forfeit their partially won property. At this time the Isle of Axholme won the evil repute of being "the paradise of lawyers." But it would, I believe, be fair to say that the peasantry on the whole stood the strain of agricultural depression exceptionally well, and that their prosperity, with steadier prices, revived exceptionally quickly.

The Isle of Axholme has been singularly successful in preserving the spirit of the common field system - social equality, mutual helpfulness, and an industrial aim directed rather towards the maximum gross produce of food than towards the maximum net profit; while at the same time it has discarded those features of the system which would have been obstacles to agricultural progress. The "barbarous omission" to enclose the open arable fields has been abundantly justified.

SOHAM.

The parish of Soham in Cambridgeshire is another example of a great development of small holdings in connection with the persistence of open arable fields. This parish, unlike most Cambridgeshire parishes, has never been enclosed by Act of Parliament and the Tithe Map indicates the survival of about 1,100 acres of Common Field and 456 acres of Common in a total of 12,706 acres. Since the Tithe Commutation the area of common has shrunk to about 236 acres, and from the Ordnance Map I calculate the open field land remaining at about acres. Mr. Charles Bidwell gave the Special Committee on Small Holdings (1889) the following account of holdings in this parish.

Under 1 acre	195 holdings
Over 1 and under 5 acres,	77 holdings
5 " " 10 " "	54 "
10 " " 20 " "	43 "
20 " " 50 " "	57 "
50 " " 100 " "	32 "
100 " " 200 " "	6 "
200 " " 500 " "	8 "
500	5 " (Appendix, p. 501)

Thus the total area of the parish is held by 457 occupiers, who therefore hold, on an average, 28 acres each. In this case it is stated that the occupiers of the smallest holdings derive considerable benefit from the common. A German enquirer who visited Soham as an example of an uninclosed parish, found it less poverty stricken than the other parishes in the neighbourhood, on account, he was told, of the existence of the common pastures. (Wm. Hasbach, Die englischen Landarbeiter, 1894)

WESTON ZOYLAND.

The idea occurs to one, whether it would not have been possible to secure by an Act of Enclosure a similar change in a common field, - the abolition of Common rights which hindered each farmer of peasant from cultivating his holding to the best of his ability, and the laying together of the scattered strips which formed each holding, without ruining the small proprietors and small farmers, or encouraging the laying down of tilled land under pasture.

We find one example of such an attempt. The parish of Weston Zoyland in Somerset in 1757 enclosed 644 acres of commonable pasture; and at that time and in that neighbourhood the enclosure of Sedgemoor was being rapidly pushed on, as rapidly, in fact, as the local farmers could be induced to take up the land. Perhaps in consequence of this quenching of the land hunger of the farmers with capital, when in 1830 it was resolved to deal with the common fields, the act took the form on one for Dividing and Allotting, but not enclosing, Weston Field. The consequence is that this great field of 500 acres still remains open and uninclosed; the land is specially fertile, there are an exceptionally large number of small properties in it, and it is

all kept under tillage. I am informed that one of the first acts of the Weston Zoyland Parish Council, when, on coming into existence, it took over the custody of the parish maps and documents, was to re-define the roads that passed through the fields in accordance with the Commissioners' map and award.

CHAPTER VI I.

SOME RECENT ENCLOSURES.

SOME RECENT ENCLOSURES.



Upton St. Leonards, (near Gloucester) This enclosure took place at the same time as that of Caistor and Ailesworth, and was completed in 1899. The common fields consisted of 1120 strips of arable land, total area 520 A. and the "balks" or "meres" separating the strips were estimated at 14 A. There were more than 80 owners.

No recognised course of husbandry had been followed for about 60 years previously. It is believed that before that time a four year course obtained, but when mangel wurzels were introduced to the neighbourhood the recurring fallow was discontinued. The right of common after harvest was however still maintained. If any cultivator chose he might grow turnips, but he did so at his own risk, and had to keep a boy to guard them from the opening of the fields to the time they could be pulled.

Totternhoe (Bedfordshire). The Enclosure Act was passed in 1886, and the award is dated 1891. Before enclosure Totternhoe was a typical open-field parish, there were only 370 A. of old enclosure, to 1797 A.

of common field arable, and 193 A. of common. The situation of Totternhoe is like that of Clothall, on the steep northern slope of the Hertfordshire chalk hills, which here have an almost mountainous appearance. The greater part of the parish was in the ownership of the Lord of the Manor, but there were 40 owners of land altogether, the others being chiefly yeomen. The movement for enclosure came from these yeomen. They took this step in order to protect themselves against the tenants of the Lord of the Manor, who, whether from ignorance or otherwise, endeavoured to prevent the exercise of well known rights of common over land in their occupation. The hill top was saved as an open space, and is a favourite picnic resort for the people of Dunstable. Recreation grounds and land for allotments were also set out, as has been the rule since the passing of the Commons Act of 1873. I asked one of the yeomen who had taken a leading part in bringing about the enclosure, whether it had benefited the parish. He said undoubtedly it had done so, but "the parish has not recovered from it yet." Questioned as to how this could be, he gave me to understand that the actual increase to the cultivators in annual value was not equal to the interest on the capital expended on carrying out the enclosure; that the assessment had gone up, and the burden of rates and taxes was consequently increased. The land

allotted to the lord of the manor still, in the summer of 1900, was mainly unenclosed, and one could still get something of the impression of the "Champion" country, an impression of great open fields sweeping up to bare downs.

North and South Luffenham and Barrowden (Rutland).

The first steps towards the enclosure of these three parishes were made immediately after the passing of the 1876 act; the Enclosure Act was passed in 1878, and the awards were made in 1881 and 1882. Out of 5,460 acres in the three parishes, 4,800 were common-field arable, a heath claimed by both Barrowden and South Luffenham occupied 390 A. and much of the remainder was commonable meadow and pasture. Two systems of cultivation obtained. Part of the land being heavy clay was on a three years course of wheat, beans etc., and fallow, as at Laxton and Zakring; the lighter land was under a six years course. The report of the Enclosure Commissioners says of Barrowden that the 1240 A. of arable land "is divided in 2,790 strips, some not more than 12 feet wide, each divided from its neighbour by a green balk, which is a nursery of weeds." Old farmers however assured me that the balks were mostly gone before enclosure. Field reeves were elected, and they settled any dispute that arose in consequence of the absence of balks,

and individual farmers quickly detected, by pacing across their strips, if a furrow had been appropriated by a neighbour.

Here again I asked whether the enclosure had been a benefit, and I was told that the labourers had benefited by the allotments and recreation grounds; that the lord of the manor of South Luffenham had benefited, because he got the disputed moor, but that farmers, as farmers, had gained nothing, and as common right owners they had lost through the enclosure of the moor.

Enclosure in this case originated in what may be called the normal way, i.e. on the initiative of the lords of the manors. It was the doubtful ownership of the Barrowden and Luffenham moor which had until 1876 prevented enclosure; then the respective lords agreed to combine to obtain an enclosure of all three parishes and let the Commissioners determine to which parish the moor belonged. It was awarded to Luffenham, but the Luffenham freeholders lost it just as much as those of Barrowden; it is now the private property of the lord of the manor.

Ham Field.

A curious case of Enclosure by Act of Parliament unconnected with the General Enclosure Acts is that of Ham Field by the "Richmond, Petersham and Ham Open Spaces Act. 1902" (2. Edward VII, c. ccliii). It is entitled "An act to confirm agreements for vesting common and other land in the local authorities of the districts of Richmond, Ham, and the Surrey County Council as public open spaces and for other purposes." But while it does incidentally confirm these agreements, the "other purposes" comprise the main object of the bill, which is to allow the owners of Ham Common, of whom the Earl of Dysart is the principal, to enclose Ham Common field, and convert it into building land.

The preamble is similarly misleading. The first sentence runs "Whereas the prospect from Richmond Hill over the Valley of the Thames is of great natural beauty and agreements have been entered into with a view to prevent building on certain lands hereinafter mentioned"— a sentence admirably framed to disguise the fact that the effect of the act is to extinguish the common rights over Ham field which have hitherto prevented building, and ~~that~~ so to convert the middle distance of the famous view from Richmond Hill into an expanse of roofs, perhaps of villa-residences, and perhaps — !

The agreements recited in the act represent the consideration for which the public authorities mentioned bartered away the beauty of the view. Kingston Corporation gets 9 acres for a cricket field; Richmond Corporation is confirmed in the ownership of Petersham Meadows, which was formerly a subject of dispute, and obtains a strip of land along the river; and the Surrey County Council acquires 45 acres of riverside land. The meadows and riverside land in each case are to be maintained as open spaces by the authorities. Ham itself merely gets the freehold of Ham Common, which means, in effect, that what slight danger there might have been of the enclosure of this part of the open and commonable lands of the parish is removed.

The Earl of Dysart, at the cost of a sacrifice which is probably apparent rather than real, obtains by this act the right to convert some 200 acres of arable common field into a valuable building estate; the smaller owners acquire a similar right without any compensating sacrifice at all, and the only losers by this profitable transaction are the people of London, who are not consulted in the matter.

Merrow.

The parish of Merrow adjoining Guildford on the east is stated in the return of 1875 to have had 350 acres of common field. The land in question covers the lower slopes of the chalk hill, the higher portion of which is Merrow Down; beneath it is Clandow Park, the seat of Lord Onslow. Up to about the year 1873 this common field did exist; the properties of Lord Onslow, the chief proprietor, were very much intermixed with those of smaller proprietors; the farm holdings were similarly intermixed with one another, and with a number of strips of land occupied by labourers and cultivated as allotments. But no common rights were exercised over these lands, either by the occupiers over one another's lands, or by the villagers, within living memory; nor, except that the whole of the field was in tillage, was there any common rule for its cultivation. The existence of a great extent of common is in itself a sufficient explanation of the disappearance of common rights over the tilled land.

In 1870 the present Lord Onslow came into the property, and when a year or two later he attained his majority, he proceeded to consolidate his property in Merrow field, by buying out the

other proprietors, or giving them land elsewhere in exchange. The field is still bare of hedges, and under tillage; but enclosure, in the technical sense, has been completely carried out without an act of Parliament.

Since the enclosure the allotments, which had been numerous, have generally been given up; but the labourers do not attribute this to the enclosure, but to the industrial evolution. "There are no farmers now-a-days, only land spoilers. They've turned market gardeners, and they sell milk" (with intense scorn). "The land ought to grow beef, and barley to make good beer, that's what Englishmen want, - yes, and wheat to make bread. But now they all grow garden stuff, what's the good of an allotment to a man? If you have anything to sell, you can't sell it. It's no good growing any more than you can eat."

It may be added that along the river Wey, from Guildford down to Byfleet, there are some very extensive lammas meadows, known by such names as Broad Mead and Hook Mead. The holdings in these are intermixed, individual pieces sometimes not exceeding an acre.

Steventon and the Berkshire Downs.

That part of Berkshire which lies between the valley of the Kennet and the Thames would appear from the return of 1873 to be specially rich in surviving open fields. The Blue-book assigns to

Brightwell	1000 A. of common field,		
West Hagbourne	550	,,	,,
East Hendred	2794	,,	,,
West Hendred	1900	,,	,,
East Ilsley	1400	,,	,,
Wallingford St. Leonard	570	,,	,,
Yattendon	252	,,	,,

As Brightwell was enclosed in 1811 and East Hendred in 1801 the statement with regard to these two parishes plainly is incredible; but in view of the undeniable fact that Steventon, which lies almost in the centre of this district, was not enclosed till 1883, there seemed so much possibility of survivals in the other parishes that in July 1904 I traversed the whole district in search of such survivals. But the search was entirely unsuccessful; it was plain that Steventon was at the time of its enclosure the last remaining example of the old system in this part.

Here, as in the Hertfordshire district described above, and in the Wiltshire district dealt with in Chapter X. (Enclosure and Depopulation), enclosure is one aspect of a change of which the most vital aspects are the engrossing of farms and the consolidation of properties. In each parish this movement proceeds along the line of least resistance; in one parish all impediments in the way of the most profitable management of estates are swept away by the drastic remedy of an Enclosure Act; in others they are removed gradually.

The latter method I was enabled by the help of Mr. Bridges to trace in detail in the case of Yattenden. The Board of Agriculture return, as we have seen, assigns 252 acres of common field to Yattenden. The Tithe Map dated 1845 on which this is based, shows in one corner of "Yattenden Great Field" about 20 acres of intermixed ownership and occupation, forming part of one "furlong," remaining in the characteristic common field arrangement; the rest of the so-called "Yattenden Great Field" and "Everington Field" were in part divided into hedged fields, and in part into compact stretches of about 20 acres each, still unhedged, with here and there single acres detached in the midst of them, many of these single acres being glebe.

An older manorial map, dated 1773, showed that at that date nearly half the parish was open; the eastern part was already divided into closes, except for a small stretch of lammas meadow, divided into small intermixed holdings, by the river Pang; but the western part, Yattenden and Everington Fields, were almost entirely open, and divided in furlongs, and the furlongs in acre and half acre strips. These strips on the map are all marked with the letters of the alphabet, to indicate whether they are held by the lord of the manor, by his tenants, or by other owners.

In other words the process of gradual enclosure, which began before 1773, was continued afterwards, and was nearly complete in 1845. The end came about the year 1858, when Frilsham common, in an adjoining parish, was enclosed. About half of the intermixed strips in Yattenden Great Field belonged to a yeoman, who was, his brother told me, "a great man for defining his boundaries." The enclosure of Frilsham common gave the slight stimulus to the mind of Yattenden necessary to overcome its mental inertis, and make change possible, so the yeoman in question was able to effect the exchanges he desired, and others following his example, the lay properties were all separated. But still the glebe consists in part of an acre here and an acre there in the midst of lands

belonging to laymen. These are let with the lands in which they lie, they have no mark to distinguish them, nor boundaries to limit them; the tithe map and award preserve the record of them, and the vicar receives their rent.

This circumstance of the glebe lying in part in separate unfenced strips scattered over the parish, let with the lands in which they lie, and so not influencing the agriculture of the parish though testifying to the past system, is by no means uncommon in the Berkshire parishes not enclosed by act of Parliament.

In general the results of the two different methods of enclosure in this district are practically identical. Superficially the characteristic features of the "champaign" or "champion" country remain. The population is concentrated in the villages; the sites of which appear to have been originally selected for convenience of water supply; outside the villages are the long sweeps of open fields of barley, wheat or beans, lying generally open to the roads and to one another, and to the open down, though one notices a tendency to an increased use of wire fencing. The monotony is broken by the beautiful curves of the hill slopes, and by clumps of trees; here and there on steeper inclines lynchets are clearly visible, and here and there what looks like an

inconsequent hedge, beginning and ending in the middle of the field - an old "mere" or "balk" on which bushes happened to grow.

On the other hand the farms run generally from 200 to over a thousand acres each; machinery is extensively used; the supply of labour, though not so superabundant as a generation or two ago, is still sufficient, the customary wage being 2s. per day. The men themselves struck me as being of finer physique than the agricultural labourers I have seen in any other part of the South or Midlands of England; but they appear to be as completely shut out from any rights over the land, from any enterprise of their own upon the land, or from any opportunities for rising into the farmers' class as can well be conceived. Only one man whom I met could remember a different condition. He, a labourer of 73, said that in North Moreton before the enclosure (completed in 1849) every villager who could get a cow could keep it in the open fields, and all the villagers also had rights of cutting fuel. Under the enclosure act some moneys were set aside to provide the poor with fuel in compensation for these rights, but latterly the amount provided had much diminished.

Steventon, which lies in the centre of this district, is to some extent exceptional. The manor has always been in

ecclesiastical hands, from the first time when the village was founded as a settlement from the Abbey of Bec in Normandy, to the present day, when it is held by the Ecclesiastical Commissioners. In the intervening period it belonged to Westminster Abbey.

No doubt it was in consequence of this that through the greater part of the nineteenth century, while all the other parishes passed into their present condition of large farms, the farms and properties in Steventon remained small. Up to about 1874 there were some eighteen yeomen farmers in the parish, which comprises 2382 acres, fully three-quarters at that time being arable. In addition the lands belonging to the Ecclesiastical Commissioners were divided into small holdings; and all these were intermixed. The system of cultivation was very simple. The arable land was divided into two fields, one known as the "white corn field," growing wheat or barley, the other as the "black corn field," growing pulse or some other crop.

In the severe agricultural depression that followed 1874, culminating in 1879, the yeomen were obliged to borrow in order to continue farming, and they mortgaged their lands to certain gentlemen in the neighbourhood who had money to invest. As one bad season followed another, loan had to be added to loan, till

the security was exhausted, and the land passed into the possession of the mortgagees. In this way the number of landowners was reduced to five. Then enclosure, which had been proposed and rejected in the forties, was resolved upon. The act was obtained in 1880, and the award was made in 1883.

There was considerable disappointment among those who carried out the enclosure at the results. They were surprised and disgusted at the amount of land reserved for allotments and recreation ground; they were also surprised at the expense, which amounted, I was told, to nearly £10,000. Some were unable to meet the calls upon them, and went bankrupt. But a large portion of the cost was for road making, and when this had been paid for, the great advantage which had been gained by the whole proceeding, economy in horse labour, was realised. Where previously it had taken three horses to get a load of manure to a given spot in the open fields, along the tracks assigned for that purpose, one horse could draw the same load to the nearest point on the metalled roadway, and a second horse hitched in front would enable it to reach its destination.

CHAPTER VIII.

AGRICULTURE IN OPEN FIELD PARISHES.

AGRICULTURE IN OPEN FIELD PARISHES.

A glance at the accompanying Enclosure Maps of England and of separate ^{Counties} ~~parishes~~ will indicate the importance of common fields in the social life of rural England at certain dates. In the County maps each parish which had an Enclosure Act by which common field arable was enclosed is coloured. If the act was passed between 1700 and 1801 it is coloured yellow. If passed after the General Enclosure Act of 1801 and before that of 1845 it is coloured green; if after 1845, purple. The map of England summarises the results of the County maps. Hence at least all purple patches on it show parishes which possessed open field arable in 1845; at least all the green and purple area combined is that of parishes which had open field arable in 1802; at least all the coloured area had open field arable in 1700. Of the area which is not coloured one can simply say that the Enclosure Acts throw no light upon its agricultural history, so far as the land under tillage is concerned. To a very great extent it was undoubtedly being enclosed otherwise than by Act of Parliament, simultaneously with the progress of Parliamentary enclosure; but to a

still greater extent it either never passed through the common field system, or was enclosed before 1700. This statement raises questions which are dealt with below. For the present I have to deal with the general history of those parishes which did pass through the Common Field System.

The original Board of Agriculture, which was an association on similar lines to those of the Royal Agricultural Society, but enjoying a grant from the Treasury, was founded in 1793 with Arthur Young as Secretary and Sir John Sinclair as President. It immediately took in hand the work of making an agricultural Survey of Great Britain, county by county. Some counties were surveyed several times, but the original Survey of England was completed in the years 1793 and 1794. William Marshall, the ablest agricultural writer of the time, single handed accomplished an agricultural survey of England, ignoring county divisions and dividing the country according to natural divisions marked by similarity of soil, crops and agricultural methods. The two surveys together give us ample information on the different methods of cultivating open or common fields at the end of the eighteenth century.

On the whole the most general system, particularly in the part of the country where common fields remained most numerous, was the

following form of the three field system:-

"One part" (or one of the three fields) "is annually fallowed, a moiety of which is folded with sheep and sown with wheat, another moiety is dunged and sown with barley in the succeeding spring. The part which produces wheat is broken up and sown with oats; and the part which produces barley is at the same time generally sown with peas or beans' and then it comes in rotine to be again fallowed the third year." (Maxwell, Hunts. p.9) This gives us the following rotation of crops:- 1. wheat, 2. oats, 3. fallow, 4. barley, 5 peas or beans, 6 fallow. This was the system prevailing in Huntingdon.

The same system prevailed in the heavy clay lands of Bedfordshire, but in the lighter lands sometimes a four field course was adopted, sometimes the half of the nominally fallow field that had the previous years given crops of wheat and oats was sown with turnips, and clover was sown with barley the succeeding year. (Board of Agriculture, Bedfordshire, p. 8)

The commonest four field course is that described for Isleham, Cambridgeshire; 1. wheat, 2. barley, 3. pulse or oats, 4. fallow; the fallowfield being dunged or folded with sheep. At Castle Camps,

also in Cambridge, a two field course of alternate crop and fallow obtained (Vancouver and Cambridgeshire, p. 33).

Coming further south for Hertfordshire we are told that the "common fields are mostly by agreement among the owners and occupiers cultivated nearly in the same way as in the enclosed state" (D. Walker, Hertfordshire, p. 40). In Buckinghamshire the regular three fields course was followed in some parts, but in Upton, Eton, Dorney, Datchett, Maysbury and Horton, "the occupiers have exploded entirely the old usage of two crops and a fallow, and now have a crop every year."

Two Buckinghamshire parishes underwent experiences which have been wrongly cited as typical of the inconveniences of common-fields, whereas they are rather instances of the lawless conduct of village bullies. Steeple Claydon had 2,500 A. of common field, on which the customary course was one crop and a fallow. "About 14 years ago" (i.e. about 1770) "the proprietors came to an agreement to have two crops and a fallow, but before the expiration of ten years one of the farmers broke through the agreement, and turned in his cattle upon the crops of beans, oats and barley, in which plan he was soon followed by the rest." * The agreement, if that of a three-fourths majority (see below) was legally binding on all owners and occupiers, and the first

*William James and Jacob Malcolm, Buckingham, p.

farmer was liable to the same pains and penalties as if he had turned his cattle into crops standing on enclosed fields belonging to another farm. Possibly however the crops were a failure, and feeding them off with cattle was as good a way of dealing with them as another.

A still more difficult case to understand is that of Wendon (3000 A. common field). It is reported as follows:- "About 14 years ago the parishioners came to an agreement and obtained an act to lay the small pieces of land together..... When the division took place, the balks were of necessity ploughed up, by which a great portion of the sheep pasture was destroyed.* It then became expedient, and it was agreed upon, at public vestry to sow clover and turnips as a succedaneum for the balks. Two years since, one of the farmers, occupying 16 A. of these common fields, procured in the month of May a large flock of lean sheep, which he turned on the clover crops; being then nearly in bloom, the greater part of which they devoured."

Of Oxfordshire we are told "the present course of husbandry is so various, particularly in the open fields, that to treat of all the different ways of management would render this report too voluminous. It may suffice generally to remark that some fields are in the course

*James and Malcolm, Buckingham, p. 29. I have been unable to find any trace of this act, ~~and doubt whether it existed.~~

of one crop and fallow, others of two, and a few of three crops and a fallow. In divers uninclosed parishes the same rotation prevails over the whole of the open fields; but in others, the more homeward or bettermost land is oftener cropped, or sometimes cropped every year." * Where one crop and a fallow was the custom the crop might be wheat, barley or oats; and sometimes tares were sown on the fallow field and cut green. The three and four field systems prevalent were those described above.

In Berkshire a six year course, evidently evolved from an older three years course was found, 1. wheat, 2. barley, 3. oats with seeds, 4. clover, mowed, and then grazed upon in common, 5. oats or barley, 6. fallow.

An agreement to withhold turning out stock during the time in which a field was commonable by ancient custom, in order that turnips, vetches etc. might be grown, was practised, and termed "hitching the fields". x We get the same expression for Wiltshire, where a part of a field set aside for vetches, peas, beans, turnips or potatoes was called a "hookland" or "hitchland" field.+ In Wiltshire the older

*Richard Davis, Oxfordshire, p. 11.

xWilliam Pearce, Berkshire, p. 29.

+Thomas Davies, Wiltshire, p. 43. See also above "Two Dorset Manors"

three and four year courses had been modified largely on the introduction of artificial grasses, with the result that clover partly mowed and partly fed upon in common was substituted for the fallow; and the following systems grew up.

- A. 1. wheat, 2. barley with clover, 3. clover part mowed, part fed.
- B. 1. wheat, 2. barley, 3. oats with clover, 4. clover part mowed, part fed.
- C. 1. wheat, 2. barley with clover, 3. clover mowed, 4. clover fed; 1/3 or 1/4 of this field being "hitchland".*

Turning northwards again from the centre of England, in Rutland the old three year course of two crops and a fallow was universal in the uninclosed parishes; * in Lincoln two, three and four field systems were practised; + the two field course was also prevalent in Yorkshire #

* Thomas Davies, p. 43.

× John Crutchley, Rutland, p. 8

+ Thomas Stone, Lincoln, p. 26.

Isaac Leatham, East Riding, p. 40.

A singular practice was followed in the East Riding Wolds.

"The greater part of the Wold townships which lie open have a great quantity of out-field in leyland, i.e. land from which they take a crop every third, fourth, fifth or sixth year, according to the custom of the township." *

In contrast we may mention the Battersea common fields, ~~to~~ ^{recently} the surviving portions of which ^{were known as the Latchmere Allotment} ~~the Vestry has recently drawn~~ ~~attention,~~ ~~which~~ were "sown with one uniform round of grain without intermission and consequently without fallowing." (James and Malcolm, Surrey, p. 48).

* *ibid*, p. 42.

CHAPTER IX.

NORFOLK AGRICULTURE.

NORFOLK AGRICULTURE.

When however we come to Norfolk we find hints at so many special features that Norfolk agriculture demands separate treatment. The preamble of a Norfolk Enclosure Act is remarkably different from those for the rest of the country. A typical one is 1795, c. 67.

"Whereas there are in the Parish of Sedgeford in the County of Norfolk divers lands and grounds, called Whole-Year lands, Brecks, Common Fields, Half-Year or Shack lands, Commons, and Waste Grounds..
And whereas there are certain rights of Sheep Walk, Shackage, and Common, over the said Brecks, Half Year or Shack lands, Commons and Waste Grounds, And great part of the said Whole Year lands, as well as the Brecks, Common Fields, and Half Year of Shack lands, are inconveniently situated " etc.

Or again 1804, c. 24.

"Whereas there are in the Parish of Waborne in the County of Norfolk divers lands and grounds called Whole Year lands, Common fields, Doles, Half Year or Shack lands, commons and waste grounds....

"Whereas the said Common Fields, Doles, Half Year lands, Shack

Lands, Commons and Waste Grounds, are subject to certain rights of Sheep-Walk, Shackage and Common, and great part of the said Whole year lands, Common Fields, and Half Year or Shack lands are inconveniently situated for the various owners and Proprietors thereof...."

Other Norfolk acts mention Doles, Ings, Carrs, and Buscallys. Buscallys we may take to mean woods in which rights of common for fuel were practised. (Dr. Murray's Dictionary gives us Bushaile or Buscayle, from Old French Boschaille, Low Latin Boscalia, shrubberies, thickets etc.) "Dole" is connected etymologically both with "deal" and with the word "run-dale", concerning which see below. The word is frequently found elsewhere, as in the "Dolemeads" at Bristol and Bath, and usually means meadows the ownership of which is intermixed in small parcels, which are commonable after hay harvest, but sometimes the word is used of arable land (see below). The Act for Earsham, Ditchingham and Hedenham (Norfolk, 1812, c.17) has the sentence, "The said Dole Meadow lands lie intermixed and dispersed." The "Ings" and "Carrs" are best understood by the help of the old Ordnance Survey map for Norfolk. The Carrs are the lowest, swampiest part of the common pastures which reach down to the rivers; the Ings, while also low-lying, are separated from the rivers by the Carrs,

and intervene between the Carrs and the tilled lands.

There remain the expressions Whole Year lands, Half Year or Shack lands, and Brecks, to interpret.

Half year lands obviously means lands commonable for half the year, i.e. after the crop has been carried. They are also "Shack" lands, or lands on which right of "Shackage" exists. "Shack" is connected with "shake," and right of Shackage appears to be the right to carry off the gleanings after the crop has been carried and the fields are thrown open. It is however to be noticed that Half Year or Shack lands are mentioned as something distinct from Common fields. The distinction is said to be that common rights on Shack lands can be exercised only by the owners or occupiers of those lands. Shack lands may be termed common fields, but the term common field may be reserved for those fields over which cottagers or toft holders or others ^{not occupiers of lands in the fields} also possess rights of common.

"Brecks" are asserted by William Marshall (Rural Economy of Norfolk, Vol.I. p. 376) to be "large new made enclosures," but, as is seen from the wording of the acts quoted, they are enclosures still subject to "certain rights of Shackage, Sheepwalk and

Common."* Lastly, what are "Whole Year lands?"

Since Half Year lands are lands which for half the year are common, and for half the year are in individual ownership and use, one would argue that Whole Year lands must be lands which are in individual ownership and use the whole year; for if they were common the whole year they would be termed simply "Commons." We get further light by comparing the preambles of other Norfolk acts. Some instead of Whole Year lands mention Every Year lands, others speak of "Whole-Year or Every year lands," while finally Icklingham in Suffolk (1813 c.29) gives us "Every Year lands or Infields."

Now Infields is a familiar expression in Scotch agriculture. Even in the Lothians, up to the middle of the eighteenth century the cultivated land was divided into Infield and Outfield. The Outfield, like the Outfield on the Yorkshire Wolds, only bore occasional crops, and was never manured, all the manure being preserved for the Infield, which was made to bear a crop every year. In Haddington the customary course was 1. pease, 2. wheat, 3. barley, 4. oats; and then the land was dunged and planted with pease again, and leases stipulated for "the preservation and regular dunging of

* 1820, c.29 (Blakeney, Wiverton and Glandford) mentions "whole-year lands, whole year brecks, whole year marshes." In this case apparently Brecks are not commonable.

the mucked land shotts."* Such lands might obviously be described as Every Year lands, and since this method of cultivation implies that immediately one crop is carried preparation must be made for the next, and therefore is not easily consistent with common rights, so these lands are also "Whole year lands." It may be noted that the Sedgeford preamble, while it states that the "Whole Year lands" as well as the Brecks, Common Fields and Half Year lands are inconveniently situated, i.e. are intermixed, by implication gives us to understand that they are not subject to rights of Chackage, Sheep-walk and Common.

It is the more curious to find that Norfolk and the adjoining part of Suffolk followed a traditional method of cultivation similar to that of the east of Scotland, because there are so few traces of anything similar in the intervening counties. I find Infields mentioned twice in Northumberland, once in Lincoln, whole Year lands once in Huntingdon. [There is also mention of Half Year lands in Yorkshire and Cambridgeshire]. The Oxfordshire practise of cropping the homeward or bettermost part of the common fields every year is in effect the same thing, but in Oxfordshire it was a matter of

* George Buchan Hepburn, Agriculture of East Lothian, 1794, p.49

supposed agricultural advantage, and apparently a more or less recent invention, whereas in Norfolk and Suffolk it appears indigenous and ancient.

William Marshall also refers to the Every Year lands of Gloucestershire, and the Battersea common fields were worked as Every Year lands.

One is also tempted to ask whether it is a coincidence that Norfolk farmers in the latter half of the eighteenth century, and Lothian farmers in the nineteenth enjoyed and deserved an extremely high reputation for scientific, enterprising and skilful agriculture. The

ancient custom of raising crops every year from the same land must have necessitated the gradual accumulation of knowledge on the best ways of preventing exhaustion of the soil, by marling, manuring, deep ploughing, various rotations of crops. When turnip culture was introduced into England, it was to Norfolk that the new idea was brought. There was no obstacle to growing turnips on the Norfolk Whole Year lands, in the form of a right of every villager to turn horses, cattle and sheep on to the lands at Lammas; and the intervention of a new crop which gave an opportunity for getting the land clean of weeds, and increased its fertility for grain crops, was a far more obvious boon there than on lands subject to a periodic fallow.

But to return to the typical Norfolk Enclosure Act preamble. We have only half explained the problem suggested by the four different names, each evidently with a distinct meaning, but all meaning arable land in which ownership is intermixed as in an ordinary common field, viz. Whole Year lands, Half Year lands or Shack lands, Brecks and Common Fields. The rest of the explanation is, I think, to be looked for in the direction suggested by the prominence given to the statement "They are subject to rights of Sheep-walk." Elsewhere one finds a close connection between sheep and common fields. Thus we have seen

that at Eakring certain common right owners make a speciality of pasturing sheep on the common fields. The Swedish traveller Kalm, whose account of his visit to England has recently been translated into English, observed the same thing on the open field parishes of Hertfordshire and Bedfordshire in the year 1748 (p. 302). But in 1793 where there were open chalky downs in open field parishes the right of pasturing sheep on the downs and of having the combined flock of the village folded over the arable in the common field was valued too highly by every occupier to be ceded to an individual speculator (Davies, Wiltshire, pp. 8, 15, 31, 80). In these cases right of common for sheep has been democratically shared.

But this is not universal. The Enclosure Commissioners in their 38th report (1883) record the application for an enclosure act for Hildersham, Cambridgeshire. In this parish the two Manor farms had the right of turning their sheep every 6th year on to the stubbles of the other farms. Similarly I am told by Major Barnard of Cheltenham that in the Cambridgeshire parish of Bartlow, where he was born, which was enclosed with Shudy Camps and Castle Camps in 1803, that the right of feeding sheep on the common-fields belonged to the lord of the manor only. These Cambridgeshire parishes are close to the borders

of Norfolk and Suffolk, and the following passage from Tusser's "Champion and Several" (date 1573) suggests the same rule as applying to Norfolk and the "champion" (i.e. open field) part of Suffolk:-

In Norfolk behold the despair

Of tillage, too much to be born,
 By drovers, from fair to fair,
 And others, destroying the corn.
 By custom, and covetous pates
 by gaps and by opening of gates.

What speak I of commoners by

With drawing all after a line;
 So noying the corn as it lie,
 With cattle, with conies and swine,
 When thou hast bestowed thy cost
 Look half of the same to be lost.

The flocks of the lords of the soil

Do yearly the winter corn wrong,
 The same in a maner they spoil
 With feeding so low and so long,
 And therefore that champion field
 Doth seldom good winter corn yield.

If it be urged that the two italicised lines are not necessarily to be read together, in view of the other topics touched on in the intermediate lines, the argument is not much affected, for Tusser shows no knowledge of any "champion" counties other than Leicestershire, Cambridgeshire and Norfolk, and elsewhere in the poem he deals with the special evils afflicting the two former counties.

I may also refer to the act 25 Henry VIII. c. 13 to limit the number of sheep which may be possessed by a single owner, in which occurs the passage:-

X. Be it also further enacted by the Authority aforesaid, That no manner of Person or Persons, of what Degree soever he or they be, being Lord or Lords, Owner or Owners, Farmer~~s~~ or Farmers, of or in any Liberty of Fold Courses within any Town, Tything, Village or Hamlet within any of the Counties of Norfolk or Suffolk, from and after the Feast of the Nativity of our Lord God next coming, shall take in farm, for term of years, or otherwise, any quilllets of Lands or Pastures, that is to say, any number of Acres of Land or Pasture appertaining to any other Person or Persons, lying and being within the limit, Extent or Precinct of the said Liberty of the said Fold Course~~s~~; but that they shall permit and

suffer the said Persons, having or being, for the time, Owner or Owners, Lessee or Lessees of the said quilllets, to manure and pasture the said Quilllets; and also to suffer sheep of the said Owner or Owners, Farmer or Farmers of the said quilllets, after the Rate of the said quilllets, to go with the Flock of the Owner, Farmer or Occupier of the said Liberty or Liberties of the said Fold Courses, paying the customary charge for the same, after the Rate and Use of the Country, there commonly used, without any interruption therein to be made by the said Owner or Owners, Farmer or Farmers, or Occupiers of the said Liberties, upon pain of forfeiture for $\frac{3}{4}$ for each offence.

XI. Provided.... it shall not be available^{to} to any Tenant Owner or Occupier of any such Quillet or Quilllets to claim, have or use hereafter any such pasture, or Feeding of his sheep, in or with any such Fold Courses, but only where the Tenants, Owners and Occupiers of any such quilllets have had, or might have had heretofore of Right and Duty, or used to have Pasture and Feeding in the said Fold Courses, by reason of their tenures, and Occupations of the same Quillet and Quilllets, and none otherwise; and where they have not used, he ought to have any Sheep fed or kept within such Fold Courses, by reason of the said tenures, that the Owners or Occupiers of such Fold Courses may take such Quilllets, lying within their Fold Courses, in Farm, agreeing with the Owners or Occupiers of the said Quilllets for the

There is yet another respect in which Norfolk agriculture shows a difference, but of degree, not kind, from other common-field agriculture. Complete enclosure of common-field arable involves three processes,

(1) the laying together of scattered properties, and consequent abolition of intermixture of properties and holdings,

(2) the abolition of common rights,

(3) the hedging and ditching of the separate properties.

This third process is the actual "enclosing" which gives its name to a series of processes which it completes.

But sometimes the hedging and ditching takes place independently of the other two processes, and strips of an acre, two or more acres, and even half an acre are enclosed in the middle of the common fields, and, what is more remarkable, the little enclosed strips are sometimes the property of several individuals. In the collection of maps of open field parishes belonging to certain Oxford Colleges published by Mr. J.L.G. Mowat several such instances may be noticed.

Such enclosures were at first commonable; but common rights were of course exercised over them with greater difficulty than over the open parts of the enclosed fields, a fact on which the above quoted opinion on the Barn farm at Elmstone Hardwicke incidentally throws

some light. The maintenance of these common rights is a sort of test of the democratic vigour of the village, and it may be noticed that old enclosures subject to common rights were particularly numerous in Yorkshire.

Norfolk was remarkable for the extent to which actual hedging and ditching preceded legal enclosure. The Board of Agriculture Reporter says "for notwithstanding common rights for great cattle exist in all of them,* and even sheepwalk privileges in many, yet the natural industry of the people is such, that wherever a person can get four or five acres together, he plants a white thorn hedge round it, and sets an oak at every rod distance, which is consented to by a kind of general courtesy from one neighbour to another." *

Two acts incidentally show to what an extent such hedges enclosed lands belonging to two or more proprietors. ~~That for Irthington,~~

One Norfolk act has the provision, "All enclosures where two or more proprietors are connected and where the property is not separated by a hedge or ditch shall be deemed to be Common Field." The same clause differently expressed occurs in the act for Ormesby and Scratby (1842,c.9) - "all old enclosures within the said parishes in which there are lands belonging to different proprietors, shall be deemed to be open Fields."

* i.e. of the enclosures he is going to describe

* Nathaniel Kent,
Norfolk p. 22

CHAPTER X.

13 GEORGE III. c. 31.

13 GEORGE III. c. 81.

What was to me the most striking and interesting feature of the open fieldvillage life when I first discovered it was the existence of what may be termed a self governing constitution for the settlement of disputes and the most profitable use of the village lands - the annual meetings of farmers and common right owners, the institution of field reeves and field juries, the division among commoners of the profits of the common property. I was naturally tempted to look upon this as the survival of an ancient village communal life, which must have been much stronger and more vigorous in earlier days, when each village was more of a self contained and isolated economic unit; and particularly while the cooperative ploughing persisted, from which the intermixture of lands in common field arable is admitted to have originated. Even in its degenerate state when cooperative ploughing has been extinct for generations, the open field parish involves a certain partnership among the cultivators, necessitating some recognised rules, mutual consultation, and organised combination: how much more binding

the necessity must have been in the Middle Ages? Hence from the very necessity of the case, there must have been a bond between the village workers, such as is conveyed by the words "village community," which probably preceded, and underlay as a foundation, the better known manorial and parochial institutions, the manorial organisation arising from the contact between the village community and the Central Government, or outside enemies, the parochial from its contact with the Church.

This view still commends itself to my judgment, although I have to confess that the probabilities are against any such ancient origin in any particular village for such institutions and customs as I discovered at Laxton, ~~Ca~~lster and Ailesworth, Luffenham and Barrowden. It is at least equally likely that they were the creation of the legislature since the latter part of the eighteenth century. For in the year 1773 a very important act was passed for the better regulation of the culture of common arable fields. It enacts that "where there are open or common field lands, all the Tillage or Arable lands lying in the said open or Common Fields, shall be ordered, fenced, cultivated or improved, in such manner as three-fourths in number and value of the occupiers shall agree, with consent of the owners and tithe owner."

Such agreements were to be binding for six years, or two Rounds "according to the ancient and established course of each Parish or Place;" i.e. presumably, in a parish where the ancient customary course had been one crop and a fallow, the agreement was binding for four years; where it had been three crops and a fallow, for eight years. Further, every year between the 21st and 24th of May a Field Reeve or Field Reeves were to be elected. These Field Reeves, acting under the instructions of a three-fourths majority in number and value, might delay the opening of the Common fields, might give permission for any Balks, Slades or Meers (these words are synonyms) to be ploughed up, an equivalent piece of land being laid down in common, and boundary stones being put down instead. Since this act was designed in the interests of better cultivation, and for the advantage of the proprietors and larger occupiers, special provision is made that if the cottagers owning common rights feel themselves prejudiced, they may claim to have a separate piece of land set out as a common for them.

The foregoing review of parishes in which common field culture recently existed, and the descriptions taken from the Board of Agriculture Survey, both show that his act was no dead letter. In Laxton

we find the management of the village at the present day conducted as was contemplated in the Act; in Luffenham and Barrowden it was so up to the enclosure. On the other hand we can in Caistor and Ailesworth, and Elmstone Hardwicke trace the decay of the institution of Field Reeves. First a tendency shows itself to continually re-elect the same farmer. By degrees the election is dispensed with as unnecessary; then the office becomes hereditary; then the recollection of its being an office at all disappears. Similarly the periodic meeting of common right owners to agree upon a course of husbandry tends, in the absence of any necessity for making frequent changes, to become more and more informal, till it reduces itself to a common understanding arrived at between the principal farmers, by means of casual conversations, at casual encounters. All this is I think instructive to students of democratic institutions.

The effect of the act was to enable the common field system to be adjusted to the new agriculture of the eighteenth century, which was marked by the introduction of turnips, artificial grasses, and the abandonment of frequent fallowing. A precise account of the adoption of a scheme under the act is given us by the prime mover.

In the township of Hunmanby, in the East Riding of Yorkshire, the

cultivators had fallen into one of the besetting temptations to which "champion" farmers were liable. They had gradually extended the arable fields at the expense of the common pasture, till the manure produced by the latter was insufficient for the needs of the former, and the land was losing its fertility. Isaac Leatham got his brother farmers to agree to abandon the old (three year) course of husbandry, and to substitute the following six year course.

1. Turnips, hoed, and fed off with sheep.
2. Barley with grass seed.
3. Grass.
4. Grass.
5. Wheat.
6. Oats or Pease.

The grass seed sown with the barley was bought in common, and paid for proportionally. From the time the barley was carried until it was time to plough for the wheat crop, one gathers that the grass which had been sown with the barley was being fed with sheep; therefore at any particular time after the course was established half the common field area was feeding sheep, or growing turnips for sheep, and half was growing grain or pulse. The sheep flock was managed in common; each occupier was allowed to contribute sheep to it in proportion to his

holding, the whole was under the care of two shepherds, who folded the sheep nightly upon different strips of land in succession, so that all occupiers received equal benefit. Field reeves were appointed.

"Thus," says Isaac Leatham, an open field is enjoyed in as beneficial a manner as if it were enclosed two persons are fully sufficient to attend the sheep-stock, instead of many the precarious rearing of fences is avoided, and the immense expense of continually repairing them saved." *

I take it that Isaac Leatham, who, by the way, was a strong advocate of Enclosure in general, meant that the open field was, on the whole, enjoyed in as beneficial a manner as if it were enclosed, because there still remained the great disadvantage that each occupier had his lands in widely scattered strips, and had to waste much time and labour in cultivating them; cross-ploughing, which might, or might not have been desirable, was any way impossible; the village lands had to be treated as one whole, so no enterprising and original man was able to experiment with new ideas, nor could any further improvement be adopted without the consent of a three-fourths majority; and, perhaps, the keeping of sheep in a common flock put obstacles in the way of improving the breed.

* Isaac Leatham, East Riding, p. 46.

I may add that an act for the enclosure of Hunmanby was passed in the year 1800, so that Isaac Leatham's course was abandoned just seven years after he wrote about it so triumphantly.

The act of 1773 therefore was perhaps not a brilliant success in Hunmanby; perhaps on the other hand improved agriculture excited an appetite for further improvement, and one novelty having been accepted the stiff conservatism which might have postponed enclosure was broken down. But, as a glance at the map for the East Riding will show, the whole countryside was subject to a rage for enclosure, and the famine prices for grain of 1796, doomed to recur again in 1800 - 1, in 1812, and 1817, were acting as a powerful solvent to all old agricultural customs.

It would seem on the face of it extremely improbable that the act of 1773 was essentially, and in principle, an innovation. The very use of the ancient word "reeve" for the official whose manner of election is prescribed would seem to preclude this idea; and probably if the act had been in essence and principle an innovation, it would not have worked anywhere. It was probably an endeavour to select out of the customs and traditions prevailing in different villages those which were most in harmony with advanced agriculture, to further amend these,

and to make them universal; thus proceeding on the same legislative principle which was afterwards followed in the Poor Law Act of 1834; a principle which has been held to be characteristically British. For this reason I adhere to the view that the village customs of Laxton throw some light on the question of the primitive English Village Community, light which I offer for what it is worth to those whose investigations are concerned with an earlier period of English history than mine.

CHAPTER XI.

ENCLOSURE AND DEPOPULATION.

ENCLOSURE AND DEPOPULATION.

The very word "Enclosure" to a historical student suggests "Depopulation." The two words are almost treated as synonyms in acts of Parliament, tracts, and official documents of the sixteenth century. In the seventeenth century we find the proverbs, "Horn and Thorn shall make England forlorn," "Inclosures make fat beasts and lean poor people," while the superstition grew up that inclosed land was cursed, and must within three generations pass away from the families of "these madded and irreligious depopulators," these "dispeoplers of townes, ruiners of commonwealths, occasioners of beggary cruell inclosers."

¹⁷⁶
~~From~~ the Restoration the literary attack on Enclosure becomes more feeble, the defence more powerful. W. Wales in 1781, the Rev. J. Howlett in 1786, published statistics to show that Enclosure had the effect of increasing the population, the latter tract being widely quoted; there ceased to be any opposition from the Central Government to Enclosure, and private acts were passed in continually increasing

numbers; finally the one practical measure carried through by the Board of Agriculture was the General Enclosure Act of 1801, to simplify and cheapen parliamentary proceedings. Dr. Cunningham sums up the case as follows:- "He (Joseph Massie) was aware that enclosing had meant rural depopulation in the sixteenth century, and he too hastily assumed that the enclosing which had been proceeding in the eighteenth century was attended with similar results; but the conditions of the time were entirely changed. Despite the reiterated allegation, * it is impossible to believe that enclosing in the eighteenth century implied either more pasture farming or less employment for labour. The prohibition of export kept down the price of wool, the bounty on exportation gave direct encouragement to corn-growing, the improved agriculture gave more employment to labour than the old." x

Taken in one sense, I must admit the substantial accuracy of this opinion. On the other hand I am disposed to maintain the general accuracy of the statements with regard to depopulation made by the opponents of enclosure, (a) provided these statements are understood in the sense in which they are meant, and (b) statements only with

* By the opponents of enclosure.

x Growth of English Industry and Commerce, Vol. 2, p 384 (1892)

regard to the part of the country the writer is familiar with are regarded, and his inferences with regard to other parts are neglected.

For it must be remembered that side by side with the movement for the enclosure of arable fields, there was going on a movement for the enclosure of wastes. From Table it will be seen that 550 acts for enclosing wastes and common pastures were passed between 1702 and 1802, and over 800,000 acres were so added to the cultivated area of England and Wales. There were besides enclosures occasionally on a large scale by landed proprietors of wastes on which either common rights were not exercised, or on which they were too feebly maintained to necessitate an act. The Board of Agriculture report for Notts records that 10,666 acres had recently been so enclosed from Sherwood Forest alone.* Lastly there was the continual pushing forward of cultivation by farmers, labourers, squatters etc. It is impossible to do more than form a vague guess as to the quantity of land so enclosed, but reasons will be given later for the belief that it was far greater than the area of commons and waste enclosed by act of Parliament.

Now the opponents of enclosure of the sixteenth, seventeenth and eighteenth centuries almost without exception opposed simply the enclosure of arable common

* Robert Lowe, Nottingham, Appendix.

fields; they usually expressly approve the enclosure of waste, as increasing the means of subsistence of the people. The advocates of enclosure on the other hand are equally concerned in advocating both kinds of enclosure. Hence we have statements to the effect that the enclosure of arable fields in the "champion" districts of England (i.e. the part much coloured on the map) cause rural depopulation, met by statistics and arguments to prove that all sorts of enclosure proceeding over all parts of England and Wales, on the whole, tended to increase population, urban and rural. Through looseness of wording on both sides, the controversialists seem to be contradicting one another; whereas, in reality, both might equally be right.

At the present day this particular issue is dead, though a similar question, the question whether by means of the modern representative of the open-field, viz. the allotment field, and modern representative of the ancient cooperative ploughing, viz. cooperative purchase of machines, manures and seeds, borrowing of capital, sale of produce, and perhaps cooperative stockbreeding, the decay of the agricultural population can be arrested, is a living issue. Nor is there any period of the nineteenth century in which any serious rural depopulation as a result of enclosure, and consequent laying down in pasture,

of common fields, could be asserted. Since Free Trade began to seriously affect the prices of British grain - and that was not for a good many years after 1840 - the common fields have been too few, and the other forces tending towards rural depopulation too great, for this particular force to be felt. And if it were felt, no one would seriously urge that the hardly pressed farmer should be compelled to cultivate the land in a manner wasteful of labour, in order that more labourers might be employed. In the earlier part of the nineteenth century War, Protection and a rapidly growing wealth and population so effectively encouraged tillage that prohibitive methods would have been completely out of place.

Yet much, I think, can be learnt on the historical question from the present aspect of the country, even by any one who merely travels by express train through the midlands. Having spent a day in traversing the length and breadth of the great fields of Castor and Ailesworth, yellow with wheat, and barley, or recently cut stubble, I went straight through the county of Northamptonshire seeing on either side scarcely anything but permanent pasture. From Northampton to Leicester was the same thing, again from Leicester to Uppingham. Just beyond Uppingham the cornfields become far more extensive; what

were the Rutlandshire common fields till 1881 are still mainly under tillage. All this country of permanent pasture was mainly enclosed during the eighteenth century. Very frequently one can see on heavy land the old ridges piled up in the middle, ending in the middle of one field, crossing hedges, and showing plainly that very little if any ploughing has been done since the enclosure was effected.* The impression made on my mind by this apparent confirmation of all that the denouncers of "cruell Inclosers" alleged, was a very powerful one; but such a personal impression is not much argument to any one else.

Before examining the evidence for and against rural depopulation in particular parts of England as the result of the extinction of common fields, it is well to consider the a priori arguments put forward by Dr. Cunningham.

It is urged in the first place that owing to the relatively high price of corn and low price of wool, there was no motive for laying down arable as pasture. Dr. Cunningham seems to ignore the fact that sheep and cattle produce mutton, beef, milk, butter, cheese, and hides as well as wool, and it is by the profit to be derived from all of these products together, and not from any one of them, that the question of laying down in pasture will be determined. That laying down arable in

* Arthur Young (Eastern Tour Vol I p 54) noticed this in 1771 in the great pasture closes of Northamptonshire, "All this fine grass on so excellent a soil lies all in the broad ridge and furrow."

pasture was profitable is indicated by the surprise Arthur Young expressed in 1768 that landlords did not enclose, and put the land to grass, on passing through Bedfordshire (Northern Tour, page 56, 2nd. edition), and by Adam Smith's reference in the Wealth of Nations to the exceptional rent commanded by enclosed pasture (McCulloch's ed. 1843, p. 69). . . We have further the clear statement of the Board of Agriculture, "Whereas the price of corn from 1760 to 1794 was almost stationary, the products of grass land have risen greatly throughout nearly the whole of that period" (General Report on Enclosures, p. 41). William Pitt again, in a pamphlet published by the Board in 1812 on the "Food produced from Arable and Grass Land," says that through the "Increased luxury of the times more beef and mutton and butter are used than formerly, even by equal numbers, and consequently more inducement to throw all the best corn to grass" (p. 35). William Culley adds in a footnote that "In the Northern Counties more rent per acre is given for ploughing than for grazing farms more rent is given for grazing than for arable farms in the Southern Counties."

It is said in the second place that "the new agriculture gave more employment to labour than the old." No doubt such an improvement as the substitution of well hoed turnips for a fallow, the sowing of grass

seeds with barley so as to produce a second crop, or feed for cattle, after the barley was carried, both gave increased employment to labour, and tended to increased prosperity for the labouring as well as other classes. But these changes, as we have seen, and as Dr. Cunningham himself points out, might take place independently of enclosure, and might not follow if enclosure did take place. Whether they usually did follow upon enclosure is a question that has to be settled by an appeal to contemporary evidence. In taking this evidence reference must always be carefully made to the time and the place.

The Board of Agriculture's General Report on Enclosures (1808) quotes with approval an anonymous pamphlet published in 1772, "The advantages and disadvantages of enclosing waste lands and common fields" by "a Country Gentleman." This tract appears to be a very able and impartial attempt to estimate the effects of enclosure on all the classes interested. The way in which acts then originated, and the manner in which proposals were received is described thus:-

"The landowner, seeing the great increase of rent made by his neighbour, conceives a desire of following his example; the village is alarmed; the great farmer dreads an increase of rent, and being

constrained to a system of agriculture which neither his experience nor his inclination tempt him into; the small farmer, that his farm will be taken from him and consolidated with the larger; the cottager not only expects to lose his commons, but the innescrutable consequence of the diminution of labour, the being obliged to quit his native place in search of work; the inhabitants of the larger towns, a scarcity of provisions; and the Kingdom in general, the loss of inhabitants." (page 1).

The general conclusion seems to be that all these anticipations and fears, with the exception of the last two, a scarcity of provisions for large towns, and a general loss of inhabitants for the kingdom, are well founded: With regard to the landowner and titheowner:-

"There can be no dispute that it is the landowners' interest to promote inclosures; but I verily believe, the impropietor of tithes reaps the greatest proportionate benefit, whilst the small freeholder, from his expences increasing inversely to the smallness of his allotment, undoubtedly receives the least." (page 25) *

* This is badly expressed. He no doubt refers to the fact that a small allotment is more expensive to fence, proportionally to its size, than a large one.

Of the small farmer:-

"Indeed I doubt it is too true, he must of necessity give over farming, and betake himself to labour for the support of his family" (page 31).

With regard to the increase or diminution of employment for labourers, he gives the following statistical table, an estimate based on his observation:

1000 Acres of	Before Enclosure gives employment to	After Enclosure gives employment to
A. Rich arable land	20 families	5 families
B. Inferior arable	20 ..	16 $\frac{1}{2}$..
C. Stinted Common pastures	$\frac{1}{2}$..	5 ..
D. Heaths, wastes etc.	$\frac{1}{2}$..	16 $\frac{1}{2}$..

It will be seen that his observation is that enclosed arable employs 16 $\frac{1}{2}$ families per 1000 acres, open field arable 20 families per 1000 acres; that common pastures, heaths, wastes etc. employ only 1 family per 2000 acres; but enclosed pasture employs 5 families per 1000 acres. It will also be seen that his observation is that after enclosure rich land becomes pasture, inferior land arable.*

* This is in harmony with all other eighteenth century information with

With regard to the effect of this on population he names in one passage^G Northamptonshire, Leicestershire and Lincolnshire perhaps, as containing "an infinitely greater proportion of common-fields, while Northumberland, Westmoreland and Yorkshire exceed in moors, heaths and commons," and in another he mentions Oxfordshire, Buckingham, Northamptonshire and part of Leicester as counties in which rich arable land would be the main subject of an enclosure act. A typical parish in this district might include 1000 acres of rich arable land, 500 acres of inferior arable, 500 acres of stinted common, with no heath or waste. Before enclosure it would provide employment for $30\frac{1}{2}$ labouring families according to the table; after enclosure to $15\frac{5}{8}$. If eight such parishes were enclosed 117 families would be sent adrift - families of poor and ignorant labourers,

regard to the Midland Counties. As one example we may cite the Vale of Belvoir, the north eastern corner of Leicestershire. Here, in consequence of enclosure, "all the richest land in the vale, formerly under tillage, was laid down in grass, but the skirtings of the vale, formerly sheepwalk, were brought into tillage." The landlord, the Duke of Rutland, forbade any land worth more than a guinea per acre, to be tilled. The enclosure of the twelve parishes in the Vale took place between 1766 and 1792. (William Pitt, Agriculture of Leicestershire, 1809)

looking for new homes under all the disabilities and difficulties springing from Acts of Settlement, and a Poor Law administration based on the assumption that those who wander from their native place are all that is implied in the words "vagrants" and "vagabonds." Not eight, but a hundred and twenty six acts for enclosing common fields were passed for the four counties he names in the years 1733 - 1772, immediately preceding the publication of this pamphlet, and the progress continued without intermission for many years afterwards.

A specially interesting tract, published in 1786, entitled "Thoughts on Inclosures, by a Country Farmer," gives a detailed account of the results of one case of enclosure. The locality is not named, but it is clear that it was within, or near, the boundaries of Leicestershire.

On the general question he says:-

"To obtain an act of parliament to inclose a common field, two witnesses are produced, to swear that the lands thereof, in their present state, are not worth occupying, though at the same time they are lands of the best soil in the kingdom, and produce corn in the greatest abundance, and of the best quality. And by inclosing such lands, they are generally prevented from producing any corn at all, as the landowner converts twenty small farms into about four large

ones, and at the same time the tenants of those large farms are tied down in their leases not to plough any of the premises, so lett to farm,* by which means several hundred villages, that forty years ago contained between four and five hundred inhabitants, very few will now be found to exceed eighty, and some not half that number; nay some contain only one poor descripid man or woman, housed by the occupiers of lands who live in another parish, to prevent them being obliged to pay towards the support of the poor who live in the next parish"(page 2).

The profit of enclosing, he maintains, was dependent upon simultaneous conversion into pasture, for

"In some places the lands inclosed do not answer the ends of pasturage, and in that case tillage is still to be pursued; because the rents cannot be raised so high as in respect of pasturage, therefore the landowner has not the advantage as in case the land turns out fit for pasturage, and is oftener the loser by that proceeding than the gainer." *

*x Arthur Young (Eastern Tour, 1771, p. 96) remarks that in Leicestershire "Landlords in general will not allow an inch to be ploughed on grazing farms."

The particular enclosure he cites is that of a parish enclosed about 40 years previously. Before enclosure it contained 82 houses, of which 20 were small farms and 42 cottages with common rights. It had 1800 acres of common field arable, 200 acres of rich common cow pasture, and 200 acres of meadow, commonable after hay harvest. The common pasture fed 200 milch cows and 60 dry ones till hay harvest, at which time they were turned into the meadows, and their place taken by about 100 horses. 1200 sheep were fed on the stubbles.

The gross produce of the parish before enclosure he values as follows:-

	£	s	d
1100 quarters of wheat at 28s per quarter	1540	0	0
1200 barley , 16s	960	0	0
900 beans .. 15s	675	0	0
250 todds of wool .. 16s .. todd	200	0	0
600 lambs .. 10s each	300	0	0
5000 lbs. of cheese .. 1½d per lb.	31	5	0
6000 butter .. 5d	125	0	0
100 calves .. 20s each	100	0	0
150 pigs .. 12s ..	90	0	0
Poultry and eggs	80	0	0
	<hr/>		
	4101	5	0

The quantities estimated are eminently reasonable, and in harmony with other statements available with regard to the produce of the common fields of the Midlands; the prices also are clearly not overstated.

As the result of enclosure the twenty farms were consolidated into four, the whole area was devoted to grazing, 60 cottages were pulled down, or otherwise disappeared, and the necessary work was done by 4 shepherds (one for each farm) at £25 a year each, board included, and 6 maidservants at £18 a year each, board included.

The gross produce of the parish after enclosure was

Fat Beasts	£260	0	0
Sheep and lambs	760	0	0
Calves	165	0	0
Wool	235	0	0
Butter	100	0	0
Cheese	100	0	0
Horses	250	0	0
	<hr/>		
	2660	0	0

But while the gross produce was thus reduced by about one third

the gross rent was raised from £1137.17.0 to £1801.12.2.*

Though unfortunately the parish is not identified, and the witness is anonymous, the whole statement appears to have been carefully and exactly made. In this case we have no less than 30 families of small farmers or agricultural labourers expelled from their homes in a single parish of about 2300 acres.

What became of these farmers and labourers? The "Country Farmer" says, "Many of the small farmers who have been deprived of their livelihood have sold their stock in trade and have raised from fifty to a hundred pounds, with which they have procured themselves, their families, and money, a passage to America."

John Wedge, the Board of Agriculture reporter for Warwick says, seven years later, "About forty years ago the southern and eastern parts of this county

* According to the "Country Gentleman's" calculations the gross produce of the 1800 acres of common field and 200 acres of common pasture would be before enclosure £4,419 . 8, and after £3000, which agrees very closely with the "Country Farmer's" statement, the absolute amounts being greater, the ratio between them practically identical.

consisted mostly of open fields. There are still about 50,000 A. of open field land, which in a few years will probably all be inclosed. . . . These lands being now grazed want much fewer hands to manage them than they did in the former open state. Upon all enclosures of open fields the farms have generally been made much larger; from these causes the hardy yeomanry of country villages have been driven for employment to Birmingham, Coventry, and other manufacturing towns.* Such information, given by the representative of an Enclosure-advocating corporation, circulated among the members for correction before final adoption, is unimpeachable evidence for the particular time and place.

The rising industries of Birmingham and other Midland towns found employment, no doubt, for the exiles from the villages. On the whole the ruling opinion seems to have found all this very satisfactory. The gross produce of food by these Midland parishes might be diminished on enclosure, but the net produce, as was shown by the increase of rent, certainly increased, and an abundant supply of labour was furnished for those metal working industries which were of the greatest importance in times of war.^x When we think of the

* Jöhn Wedge, Warwickshire, p. 40 (1793).

^x 1756 - 1763, 1775 - 1784, 1792 - 1815 were times of war.

horrible sanitary conditions of English towns during the eighteenth century. Of Fielding's description of the London lodging houses, of Colquhoun's attempts at a statistical account of London thieves, of Hogarth's pictures, which interpret for us the meaning of the terrible fact that right through the eighteenth century the deaths "within the bills of mortality" regularly far exceeded the births, we feel that there was another side of the shield. Perhaps we should be mistaken in judging provincial towns by London, or in supposing that forced emigration to Birmingham was as great a misfortune to the peasant as forced emigration to London. Birmingham in the early part of the nineteenth century was rather a huge village of little houses than a congested town; it was full of "guinea gardens," "half guinea gardens," "two guinea gardens," (fated afterwards to become slums); industry was in the domestic stage, but prosperous until 1816, the year of peace abroad and of depressed trade, and famine at home.

The connexion between enclosure of common fields and rising Poor Rates in the eighteenth century is illustrated repeatedly in Eden's "Condition of the Poor."

In Buckinghamshire we find the two neighbouring parishes of Maids Morton and Winslow. The former contained 30 acres of old

enclosure, 60 to 70 acres of commons, and the rest of the parish, about 800 acres, was common field. The poor-rates in the years 1792 to 1795 were 3/6, 3/-, 3/-, 3/6. There were "several roundsmen." Wages were nominally 1/- to 1/2 per day, but piece work was general and 1/3 to 1/6 was generally earned. The rent of farms varied from £17 to £90, per farm, and from 18/- to 20/- per acre.

Winslow contained 1400 acres, and was entirely enclosed in 1744 and 1766. Only 200 acres remained arable. The farms varied from £60 to £400 per annum each, the wages were 6/- to 7/- per week, "most of the labourers are on rounds," and the poor rates from 1792 to 1795 were 5/8, 4/-, 5/-, and 6/-. "The rise of the Rates is chiefly ascribed to the Enclosure of common fields; which it is said has lessened the number of farms, and from the conversion of arable into pasture, has much reduced the demand for labourers. An old man of the parish says, before the enclosures took place, land did not let for 10s per acre." Vol. II., pp. 27 - 53.

In judging the rise of poor rate, it must not be forgotten that where the rent rises at the same time as the nominal rate, the sum of money actually raised for poor law purposes is increased in a greater ratio than the nominal poor rate. If, for example, by enclosure, the

rental of a parish is increased fifty per cent, but the poor rate doubled, the yield of the poor rate is increased threefold. And, if a considerable number of labourers are driven elsewhere, the amount of destitution produced by the change is even greater than that indicated by a threefold increase in the amount of relief given.

The latter side of the process is illustrated in the case of Deddington in Oxfordshire. Here

"The high rates in this parish are ascribed to the common field of which the land principally consists; whereas the neighbouring parishes have been enclosed many years, and many small farms in them have been consolidated; so that many small farmers with little capitals have been obliged, either to turn labourers or to procure small farms in Deddington, or other parishes that possess common fields. Besides this, the neighbouring parishes are, many of them, possessed by a few individuals, who are cautious in permitting new comers to obtain a settlement." (Vol. II. p. 291)

In Leicestershire the complaint is naturally more loud and general. In the account of Kibworth Beauchamp we read as follows:-

"No account of the Rates in any of the divisions, previous to the enclosure of the common fields, can be obtained; but it is said that they were not one third of what they are at present; and

the people attribute the rise to the enclosures; for they say 'That before the fields were enclosed, they were solely applied to the production of corn; that the poor had then plenty of employment in weeding, reaping, threshing &c. and could also collect a great quantity of corn by gleaning; but that the fields being now in pasture, the farmers have little occasion for labourers, and the poor being thereby thrown out of employment, must of course, be employed by the parish.' There is some truth in these observations: one third, or perhaps one fourth of the number of hands which were required 20 years ago, would now be sufficient, according to the present system of agriculture, to perform all the farming work of the parish."

He adds that if it were not for the fact that many labourers were getting employment in canal cutting, the rates would be much higher still, and "the tradesmen, small farmers, and labourers are very loud in their complaints against those whom they call monopolising farmers and graziers, an evil which, they say, increases every year." (Vol. II. p. 385)

In Northamptonshire we find the case of Brixworth, enclosed in 1780, a parish of 3300 acres. Before enclosure it consisted almost

entirely of common fields. At the time of Eden's writing, sixteen years later, only one third remained arable. The expenditure on the poor in 1776, before the enclosure, was £121.6s; in the six years 1787 to 1792 it averaged £325 (Vol. II. p.529). Again with regard to local urban opinion he notes that "the lands round Kettering are chiefly open field: they produce rich crops of corn. The people of the town seem averse to enclosures, which they think will raise the price of provisions, from these lands being all turned to pasture, when inclosed, as was the case in Leicestershire, which was a great corn country, and is now, almost entirely, converted into pasture."

Arthur Young, a little more than 20 years previously, (in Political Arithmetic, published in 1774), while arguing in favour of Enclosure on the Depopulation count, makes an admission against it with regard to pauperism. "Very many of the labouring poor have become chargeable to their parishes; but this has nothing to do with depopulation; on the contrary, the constantly seeing such vast sums distributed in this way, must be an inducement to marriage among all the idle poor - and certainly has proved so." (pp.75, 76)

A very striking example of local depopulation caused by enclosure is supplied by the Rev. John Howlett, one of the strongest advocates of enclosure. He quoted from a private correspondent.

"As to Enclosure, I can mention two villages in this County (Leicestershire) within two miles of each other, Wistow and Foston,* which formerly contained 34 or 35 dwellings, but by enclosure Foston is reduced to three habitations; the parsonage house accomodates one family, and the two other buildings are occupied by shepherds, who manage the stock for their different renters, as the whole of the parish belongs to one person. And as to Wistow the 34 mansions have vanished in a very few years, and no dwelling remains but the late Sir Charles Halford's hall house, who ownes the lordship; and these are called improvements, for double or treble rents ensue." (Enclosures and Depopulation, p. 12)

As a general rule it may be said that where after enclosure pasture was increased at the expense of tillage, rural depopulation resulted; where the amount of land under tillage was increased, the rural population increased. Further, that enclosure in the northern and western parts of England in the seventeenth and eighteenth centuries increased the area under tillage; that the balance between the production of bread and meat for the whole country, so disturbed, was maintained by the conversion into pasture, on enclosure, of

* Each of these was enclosed without an act of parliament.

much of the "champion" corn growing land, particularly in those midland counties nearest to the northern and western ones in which the complementary change was taking place. By means of the enclosure acts, interpreted by the light of the above statements, we can trace these two compensating movements through the eighteenth century

The following passage in Arthur Young's "Political Arithmetic" published in 1774, at the time, that is, when he was an eager advocate not only of Enclosure of all sorts, but also of the Engrossing of farms and the raising of rents, sums up the two movements -

"The fact is this; in the central counties of the kingdom, particularly Northamptonshire, Leicestershire, and parts of Warwick, Huntingdonshire, and Buckinghamshire, there have been within thirty years large tracts of the open field arable under that vile course, 1. fallow, 2. wheat, 3. spring corn, inclosed and laid down to grass, being much more suited to the wetness of the soil than corn." Here he admits local depopulation takes place, though he claims that a greater net produce is, as the result of enclosure, supplied by such districts to the rest of the kingdom. But then, he asks with regard to the opponents of such enclosure, "What will they say to the inclosures in Norfolk, Suffolk, Nottinghamshire, Derbyshire,

Lincolnshire, Yorkshire and all the northern counties? What say they to the sands of Norfolk, Suffolk and Nottinghamshire, which yield corn and mutton from the force of Inclosure alone? What say they to the Wolds of York and Lincoln, which from barren heaths, at 1s per acre, are by Inclosure alone rendered profitable farms? Ask Sir Cecil Wray if without Inclosure he could advance his heaths by sainfoine from 1s to 20s an acre! - What say they to the vast tracts in the peak of Derby which by Inclosure alone are changed from black regions of ling to fertile fields covered with cattle? What say they to the improvements of moors in the northern counties, where by Inclosures alone have made these countries smile with culture which before were black as night?"

He then proceeds to ridicule the view of his opponents, that the enclosure of waste, though desirable in itself, should as far as possible be so conducted as to create small farms and small properties; a view with which in later years, and after his tour in France, he very much sympathised. Into the merits of this controversy we need not go; what we have to note here is Arthur Young's evidence to the fact that from about 1744 to 1774 there was simultaneously proceeding a rapid enclosure of waste in Norfolk, Suffolk, Nottinghamshire,

Derbyshire, Yorkshire, and Lincolnshire and the northern counties, by which the acreage under tillage was vastly increased, and a compensating enclosure of arable common fields in Northamptonshire, Leicestershire, Warwickshire, Huntingdonshire and Buckinghamshire, involving the conversion of arable to pasture, of small farms into much larger ones, and of the peasantry into urban labourers.

It only remains to be added that the former movement if it was on at all as great a scale as Arthur Young gives us to understand (and I don't see why one should doubt this) must have proceeded largely, if not mainly, without the intervention of Parliament. This is in the first place antecedently probable. Secondly, whereas between 1727 and 1774 there were 273 common field parishes enclosed by Acts of Parliament in the five counties of Northamptonshire, Leicestershire, Warwick, Huntingdonshire and Buckinghamshire, the commons, fens, moors etc. attached to only 109 parishes in Norfolk, Suffolk, Nottinghamshire, Derbyshire, Lincolnshire, Yorkshire, Durham Northumberland were so enclosed. Unless the area of about 100,000 a. thus enclosed in these 109 parishes was merely a fraction of the total area of waste enclosed by all sorts of methods in this latter group of counties, Arthur Young was misleading his readers, for he

certainly intends to give the impression that the enclosure of arable fields in the Midlands was on a much smaller scale than the reclamation of heaths, moors and fens in the northern and eastern counties. Thirdly, with regard to Norfolk, Arthur Young specifies Enclosure without acts of Parliament as one of the causes of the great agricultural improvement in parts of Norfolk (Eastern Tour, 1771, Vol. II. p. 150) - "From forty to sixty years ago, all the Northern and Western and a great part of the Eastern tracts of the country were sheepwalks, let so low as from 6d to 1s.3d and 2s an acres. Much of it was in this condition only thirty years ago. The great improvements have been made by reason of the following circumstances -

(1) By inclosing without assistance of Parliament."

Six other reasons follow, then the remark

"Parliamentary enclosures are scarcely ever so complete and general as in Norfolk," i.e. as the enclosure without the assistance of Parliament in Norfolk. I have only been able to find eleven acts of Enclosure for Norfolk before 1771, seven of these were for the enclosure of common field parishes, and four for the enclosure of waste. In other words the Parliamentary enclosure of these sheepwalks at the time when Arthur Young wrote had proceeded to merely a trifling extent.

We have then by Arthur Young's confession in the five counties of Northampton, Leicester, Warwick, Huntingdon and Buckingham enclosure admittedly accompanied by decay of tillage and rural depopulation. From 'A Country gentleman's' list we can add Oxfordshire and parts of Lincolnshire to the list. That the same prevailing economic motive prevailed in Bedfordshire can be shown from Arthur Young's "Tour through the North of England." The country in June 1788 from St. Neots to Kimbolton was in general open - "the open fields let at 7s. and 7s.6d per acre, and the inclosed pastures about 17s. Hence we find a profit of 10s an acre by inclosing and laying to grass." He might here ask, as he does with regard to the district in Buckinghamshire between Aylesbury and Buckingham, which he found in 1771 in the condition of open field arable, under a course of fallow, wheat, beans, fallow, barley, beans, "As to the landlords, what in the name of wonder can be the reason of their not inclosing! All this vale would make as fine meadows as any in the world."

As for Gloucestershire, William Marshall (Rural Economy of Gloucestershire, 1788, p. 21), estimated the rents in the Vale of Evesham at 10s to 15s per acre for common field arable, 10s to 20s

per acre for enclosed arable, and 20s to 50s per acre for enclosed pasture. Here again there can be no doubt that enclosure implied laying down, at least all the good land, in grass.

A Select Committee of the House of Commons appointed to consider the high prices of food in December 1800, (1800 and 1801 being famine years) made enquiry by the help of the parish clergy into the increase or decrease of land under different crops, and of cattle, sheep and pigs in the districts which had been enclosed in the previous 45 years by private acts (i.e. since 1755). The total result showed a net gain in area under wheat in 1,767,651 acres enclosed of 10,825 acres; the area under wheat being before enclosure 155,572 acres, after, 165,337 acres. But these figures included all sorts of enclosure. The Board of Agriculture (Gen. Report pp 39 and 232) by leaving out cases where waste only was enclosed, obtained the following result for cases of enclosure of all commonable lands, under Acts passed between 1761 and 1799, in parishes where commonable arable was included. Taking the counties in groups we have

	Wheat acreage			
	increased in		decreased in	
	cases	by acres	cases	by acres
<u>Midlands</u>				
Rutland	0		10	500
Warwick	2	93	30	2,871
Leicester	11	453	63	4,340
Northampton	11	450	75	7,016
Nottingham	14	923	28	1,823
Oxford	3	285	11	508
Buckingham	6	161	32	3,085
Bedford	7	668	23	1,801
Total	<u>59</u>	<u>3,033</u>	<u>262</u>	<u>22,050</u>
	parishes	by acres	parishes	by acres
<u>Eastern Counties</u>				
Norfolk	8	627	1	10
Suffolk	3	150	0	
Huntingdon	7	460	9	530
Cambridge	7	805	2	184
Essex	1	40	0	
Hertford	3	174	1	7
Total	<u>29</u>	<u>2,355</u>	<u>13</u>	<u>731</u>

WHEAT ACREAGE				
	increased in		decreased in	
	parishes	by acres	parishes	by acres
<u>Northern Counties</u>				
Northumberland	2	80	1	93
Durham	1	20	2	172
Yorkshire	40	3411	22	1991
Lincoln	48	2422	41	2643
Derby	3	30	10	345
Total	<u>94</u>	<u>5993</u>	<u>76</u>	<u>5444</u>
<u>Southern Counties</u> (S. of Thames)				
Berkshire	5	312	3	349
Wiltshire	12	384	11	528
Hampshire	6	256	2	90
Dorset	4	195	5	177
Somerset	1	50	1	33
Sussex	1	180	0	
Total	<u>29</u>	<u>1,767</u>	<u>22</u>	<u>1,077</u>

Western Counties

Gloucester	17	948	20	988
Hereford	1	40		
Shropshire	2	115		
Staffordshire			1	300
Worcester	9	345	3	155
	<u> </u>	<u> </u>	<u> </u>	<u> </u>
Total	29	1448	24	1343
	<u> </u>	<u> </u>	<u> </u>	<u> </u>
Grand Total	239	14,507	407	30,894

In estimating the significance of these figures it must be borne in mind that the figures for acreage in wheat after enclosure were collected at a time of famine prices for wheat. Probably many thousands of acres of old arable common field, which had been enclosed and laid down in grass, in each of these counties, were again ploughed under the stimulus of wheat prices exceeding 100s per quarter.

So much with regard to the connexion between depopulation and enclosure in the second half of the eighteenth century. With regard to the first half, the following account is supplied by a certain John Cowper, "Inclosing Commons and Common field lands is contrary to the interest of the Nation."

"When these commons come to be inclosed and converted into pasture, the Ruin of the Poor is a natural consequence; they being bought out by the lord of the Manor, or some other person of substance.

"In most open field Parishes there are at a medium 40 farmers and 80 cottagers who hold their lands in common, and have right of commonage one with another. Suppose each person employs 6 labourers, we have in all 660 persons, men, women and children, who besides their Employment in Husbandry, carry on large branches of the Woollen and Linnen Manufactures."

With regard to the plea that hedging and ditching will employ many hands, he says

"This is so contrary to constant experience, that it hardly deserves to be taken notice of. I myself, within these 30 years past, have seen above 20 Lordships or Parishes inclosed, and everyone of them has been in a manner depopulated. If we take all the inclosed Parishes one with another, we shall hardly find ten inhabitants remaining, where there were an hundred before Inclosures were made. And in some parishes 120 families of Farmers and Cottagers, have in a few years been reduced to four, to two, aye, and sometimes to but

one family. And if this practice of Inclosing continues much longer, we may expect to see all the great estates ingrossed by a few Hands, and the industrious Farmers and Cottagers almost infirely rooted out of the kingdom. Raising Hedges and sinking ditches may indeed employ several hands for a year, or hardly so long, but when that is once over, the work is at an end Owners of inclosed Lands, if they have but a little coen to get in, are already forced to send several miles to open field parishes for Harvest men."

Six open field farms, averaging 150 acres each, and the little holdings of 12 cottagers, would be let together, after enclosure, as one grazing farm, and the total rent thus be raised from £300 to £600. But whereas one acre of arable land would previously have produced 20 bushells at 3s per bushel, a gross return of £3; after enclosure it would contribute to the fattening of a bullock to the extent of 25s. The gross produce is decreased; but the nett produce is increased. Of the £3 produced by the

acre of common field under wheat, 50s would go in expenses, leaving 6s.8d to the landlord and 3s.4d to the tenant. Of the 25s. produced by the same acre enclosed under grass, 13s.4d would go to the landlord, 11s.8d to the grazier.

It is interesting in passing to note the association of common field agriculture with manufacture in the domestic stage indicated by this passage.

We have also direct evidence of the same movements in the sixteenth century. On the one hand Walter Blyth (The English Improver, 1649, p.40) has the passage:- "Consider but the Woodlands, who before Enclosure, were wont to be relieved by the Fieldon, with corne of all sorts. And now growne as gallant Corne Countries as be in England, as the Western parts of Warwickshire, and the northern parts of Worcestershire, Staffordshire, Shropshire, Derbyshire, Yorkshire, and all the countries thereabouts." On the other hand from the

controversy between the two John Moore's on the one hand, and Joseph Lee, and an anonymous controversialist on the other, we can pick out certain statements of matters of fact that passed uncontradicted.

This controversy arose out of the enclosure of Catthorp, a parish in the extreme south west corner of Leicestershire, bordering on Northamptonshire and Warwickshire. Lee was the parish priest of Catthorp, and a party to the enclosure. In his "Vindication of Regulated Inclosure," he gives a list of 15 parishes within 3 miles of Catthorp which had been enclosed. He also gives a list of 19 parishes, enclosed from 20 to 50 years, in which depopulation had not yet taken place. This second list, as John Moore remarks, "they were forced to fish up out of the counties of Leicester, Warwick, Northampton etc.;" and it is significant that two only of the 15 parishes enclosed near Catthorp are asserted by Lee not to have been attended by depopulation. If we go a little earlier we find in 1307 an insurrection against Inclosures, followed by a searching enquiry by James I.'s government, and no doubt by renewed vigilance, for a while, in the enforcement of the Depopulation Acts. It may be regarded as axiomatic, that in a corn-growing country,* enclosure which does not diminish tillage, does not provoke riot and insurrection.

* Riots may occur on the enclosure of waste, where the enclosed waste gave a livelihood to a considerable specialised population, as in Hatfield Chase and the Fens. See Dr. Cunningham's Growth of Eng. Industry & Commerce

While, however, enclosure which does not diminish the land under tillage does not, as a rule, cause rural depopulation, it is a rule not altogether without exception. One of the most striking passages in Cobbett's "Rural Rides" is that written in August 1826, in which he describes the valley of the Wiltshire Avon:-

"It is manifest enough, that the population of this valley was, at one time, many times over what it is now; for, in the first place, what were the 29 churches built for? The population of the 29 parishes is now but little more than one half of the single parish of Kensington*, and there are several of the churches bigger than the church at Kensington..... In three instances, Fifield, Milston, and Roach-Fen, the church porches would hold all the inhabitants, even down to the bed-ridden and the babies. What then, will any man believe that these churches were built for such little knots of people. But, in fact, you plainly see all the traces of a great ancient population. The churches were almost all large, and built in the best manner. Many of

* Just above he states it at 9,116

them are very fine edifices; very costly in the building; and, in the cases where the body of the church has been altered in the repairing of it, so as to make it smaller, the tower, which everywhere defies the hostility of time, shows you what the church must formerly have been...
.... There are now no less than nine out of the parishes out of the twenty-nine, that have either no parsonage houses or have such as are in such a state that a parson will not, or cannot, live in them.....
The land remains; and the crops and the sheep come as abundantly as ever; but they are now sent almost wholly away in the distance of about thirty miles, there stood fifty mansion houses. Where are they now? I believe there are but eight, that are at all worthy of the name of mansion houses..... In taking my leave of this beautiful vale I have to express my deep shame, as an Englishman, at beholding the general extreme poverty of those who cause this vale to produce such quantities of food and raiment. This is, I verily believe it, the worst-used labouring population upon the face of the earth." *

When Cobbett wrote, the process of Enclosure for this corner of Wiltshire was practically complete. Thomas Davis, whose account of the

* Rural Rides, 1830 ed. pp. 375 - 390.

agriculture of Wiltshire is the most interesting of the whole series of county surveys, wrote when the process was in its early stage, and wrote predicting depopulation. He says, "the greater part of this country was formerly, and at no very remote period, in the hands of great proprietors, Almost every manor had its resident lord, who held part of the lands in demesne, and granted out the rest by copy or lease to under tenants, usually for three lives renewable. A state of commonage, and particularly of open common fields, was particularly favourable to this tenure.....The Northwest of Wiltshire being much better adapted to inclosures and to sub-division of property, than the rest, was inclosed first; while the South East, or Down district has undergone few inclosures and still fewer subdivisions." *

The common field system was called "tenantry." x The tenants ordinarily were occupiers of single "yardlands," rented at about £20 a year each. A typical yardland consisted, besides the homestead, of

* Thos. Davis, Wiltshire, p. 8. x ibid p. 14

+ Contrast with such farms those described by Cobbett 30 years later - at one farm 27 ricks, at another 400 acres of wheat stubble in one piece, at a third a sheepfold containing about 4,000 sheep and lambs, at a fourth 300 hogs in one stubble, a fifth farm at Milton had 600 ars. of wheat, 1200 ars of barley of the year's crop, and kept on an average 1400 sheep. (pp. 363, 4, 5.) "The farms are all large," p. 361.

2 acres of meadow, 18 acres in the arable fields, usually in 18 - 20 pieces, a right on the common meadows, common fields, and downs for 40 sheep, and as many cattle as the tenant could winter with the fodder he grew. * His 40 sheep were kept with those of his neighbours, in the common flock of the manor, in charge of the common shepherd. They were taken every day to the downs, and brought back every night to be folded on the arable fields; the usual rule being to fold 1000 sheep on a "tenantry" acre (but $\frac{1}{2}$ of a statute acre) per night. In breeding sheep regard was had to what may be termed folding quality (i.e. the propensity to drop manure only after being folded at night) as much as to quality or quantity of wool or meat. *

On the enclosure of such a manor the common flock was broken up, and the position of the small farmer became untenable. It is true, says our author, that he has the convenience of having his arable land in fewer pieces; but if he has his 18 acres all in one piece instead of in 20, he cannot plough them with fewer than the three horses he previously ploughed with. Then he has no inclosure to put his horses in; he no longer has the common to turn them on. His right on the down would entitle him to an allotment of sheepdown of about 20

* *ibid* p. 15

* *ibid* p. 61.

acres, perhaps 2 miles from home. This is too small for him to be able to take it up, so he accepts instead an increase of arable land. But now he has no down on which to feed his sheep, no common shepherd to take charge of his sheep, which are too few to enable him individually to employ a shepherd. He therefore must part with his flock and then has no sheep to manure his land; further, having no cow common, and very little pasture land, he cannot keep cows to make dung with his straw. Lastly, the arable land being in general entirely unsuited to turn to grass, he is prevented from enclosing his allotment, and laying it down in pasture.* Obviously under such circumstances the small farmer after for a few years raising diminishing crops from his impoverished arable land, must succumb, and in some cases help as a labourer to till his fields for another man, in other cases drift to the towns, or enlist.

The contemporaneous decay of rural manufacturing industry, of course

* *ibid* p. 80

x "The villages down this Valley of Avon, and indeed, it was the same in almost every part of this county, and in the North and West of Hampshire also, used to have great employment for the women and children in the carding and spinning of wool for the making of broadcloth. This was a very general employment for the women and girls; but it is now wholly gone." Cobbett, *Rural Rides*, p. 385, 1830 ed. (written Aug. 1826)

greatly aggravated the depopulating effects of enclosure. It may even have precipitated enclosure by weakening the position of the small farmer during the period of the French wars, during a time, that is, in which a combination of causes, apart from enclosure, was favouring the extension of large farms at the expense of small farms.*

In the South East of Wiltshire, then, enclosure was followed by no increase of pasture farming, but it was followed by local depopulation. Whether the depopulation were merely local, or national as well, would depend upon whether after enclosure, the total production of food of the parish were increased or diminished. Thomas Davis tells us that in many cases it was diminished; the reason no doubt being that there were no farmers with sufficient enterprise and control of capital to absorb the small farms, as their occupiers began to drift towards bankruptcy. That such a result as this was felt to be an impending danger, is shown by his statement:- "In some late inclosures allotments of arable land to small farmers have been set out adjoining to

*These causes were (a) the great fluctuations in prices of agricultural produce, (b) the custom of using Poor-relief as a supplement to agricultural wages. The way in which these operated is ably dealt with by Dr. Cunningham.

each other, directing the same to remain in an uninclosed state with a common right of sheep-feed over the whole, and a common allotment of down land and another of water-meadows, and some inclosed pasture to each if necessary. "

In this country, consisting of open downs, stretching for miles along the summits and higher slopes of the chalk hills; intersected by winding rivers bordered by flat alluvial land of naturally rich pasture, but converted by irrigation into the famous Wiltshire water meadows; the long lower slopes of the hills as it were decreed by nature to be noble corn fields, cultivation had to be on a large scale; the unit of cultivation had to be a piece of land of reasonable width, stretching from the river to the summit of the downs. Hence small farms could not exist without some degree of organised mutual help. Hence when that organisation, which in this country was furnished by the common field system, was terminated by enclosure acts, consolidation of farms became necessary.

Nowhere else are these conditions present in quite so fully developed a degree as in Wiltshire; which contains the central hub from which radiate the three great belts of chalk down, the South Downs, the North Downs, and the range containing the Chilterns, the chalk hills of Hertfordshire, the Gog-magogs of Cambridgeshire, and their continuation

into Norfolk. But the most essential feature of Wiltshire agriculture, viz. the combination of sheep down and arable field, may be said to be characteristic of all this country. This is the country from which in the sixteenth century came the great indignant outcry against enclosure, which in More's Utopia enters into the classic literature of our country. When it is remembered that the economic motive of enclosure then was the high price of wool, that private individuals are stated to have owned flocks of 10,000, 20,000, and even of 24,000 sheep,* it is easy to conceive of whole parishes being converted into great sheep runs.

* Preamble to 25 Henry VIII c. 13

CHAPTER XI I.

ENCLOSURE AND THE POOR.

ENCLOSURE AND THE POOR.

"The Poor at Enclosure do Grutch
Because of abuses that fall"
Tusser, "Champion and Several."

During the nineteenth century the controversy with regard to enclosure has not turned upon the question whether it does, or does not injure the mass of the rural poor of the locality, in their capacity of agricultural labourers, by depriving them of employment; but whether it has injured them, by depriving them without compensation for rights which they had enjoyed before enclosure, but which could not be legally established; and whether poor owners of common rights have received adequate compensation: the question, in fact, whether the poor are justified in "Grutching at Enclosure," because of real abuses in the method of carrying it out. On this question no distinction need be drawn between the two classes of Enclosure Acts.

I do not think that much complaint can be made with regard to the administration of the Enclosure Acts since 1876 by the Board of

Agriculture. By the provision of adequate allotment grounds and recreation grounds compensation is made to those villagers who can claim no specific rights of common; and though no doubt many of the owners of single common rights are dissatisfied with the plots of land assigned to them, there seems to be no reason for doubting that the Commissioners appointed have endeavoured to deal with rich and poor with equal fairness. Further, a great deal of the work of the Board in its capacity of Enclosure Commissioners has been the regulation of commons; and to a certain degree they have become a body for preserving instead of destroying commons. They may even be described as the most potent force for the preservation of existing common-fields, simply by insisting on a certain method in the division and allotment, which may be too expensive.

But this verdict of "not guilty" only applies to the Enclosure authority since it was chastened and corrected by the movement for the preservation of commons so ably recorded by the Hon. G. Shaw Lefevre (English Commons and Forests.). All the early reports of the Enclosure Commissioners, or the Enclosure, Tithe and Copyhold Commissioners give abundant evidence of the hard, legal spirit in which the claims of cottagers were considered, and the slight reasons which were considered

good enough for refusing recreation grounds and allotments. The 27th annual report - the apologia of the Commissioners - pleads, as we have seen above, that 8,000,000 acres of commons, and 1,000,000 acres of commonable arable fields or meadows still existed, which was absurdly inaccurate, and that "of all modes of tenure in a fully peopled country there is none more prejudicial to improved culture than that of holding in common," which was perfectly true. Again the 32nd report makes a great deal of the fact that the 590,000 A. of common and commonable land dealt with since the act of 1845 had been distributed among 26,000 separate owners; which however only proved that the number of people who enjoyed rights of ownership over uninclosed land had been greater than the number of owners of a corresponding area of enclosed land - but whether that was because commons and common fields favoured the creation or preservation of small properties (as it certainly does in many cases), or whether because a multiplicity of owners favours the preservation of commons and common fields (which is always the case), no credit was due to the General Enclosure Act, or to the body administering it.

We find that between 1845 and 1875, out of a total area of 590,000 acres divided and allotted, just 1,758 acres were set aside

for recreation grounds, and 2,195 acres for field gardens and allotments. The administration of the act since 1877 is therefore a very severe condemnation of its administration in the earlier period.

We have seen in the case of Ewelme and the neighbouring parishes, how the cottagers were injured on enclosure, by losing their source of fuel, without getting any compensation. I am indebted to Mr. John Swain for the following description of the effects of enclosure of a Welsh mountain.

"The parish of ---- in the county of Montgomeryshire is about five miles long by two miles broad. It consists for the most part of a hill lying between a river and one of its tributaries. The hill rises to about 900 feet above sea level, and contains no unenclosed land. We have therefore in this parish two strips of low-lying meadow land, land of a moderate quality on the hill slopes, and rough pasture land near the summit. On this hill most of the cottage holdings are to be found, usually in some sheltered hollow near a spring or a running stream

"Previous to the Enclosure Act, passed early in the nineteenth century, the greater part of the hill was open. The farms occupied the

bottom lands, and the foot of the hill up which they crept, their boundary fences forming an irregular line on the hillside, being higher or lower as the nature and quality of the land tempted enclosure. The unenclosed portion of the hill was used as a common pasture by all the farmers whose land adjoined it, and the amount of stock each one was allowed to feed on it was roughly regulated by the size of his holding.

"About 130 years ago a number of the poorer peasantry began settling on this common land. There was a general understanding that if a house was raised during the night so that the builders were able to cause smoke to issue from the chimney by sunrise, they thereby established a right of possession which no one could gainsay. Timber in the neighbouring woods was abundant and cheap, so an intending squatter had little difficulty in procuring the material for building his cottage. With the help of his friends he procured sufficient wood for the framework, and then selected a convenient site in a sheltered spot with a southern aspect, and marked down the foundations of his future dwelling. When all preparations were made he gathered together all the help he could, and in the dusk of the evening had all his materials conveyed to the selected spot. Rough stonework was laid to form the foundations and chimney end of the

cottage, and then the framework was quickly set up. The panels were interwoven with stout laths, and covered with clay, over which was smeared a coating of lime-plaster, while a roof of thatch completed the edifice. Windows were not for a time considered necessary, but the entrance was carefully secured by a stout door. Then just as the dawn was breaking, a fire was kindled on the hearth, and the curl of smoke above the rude chimney told the workers that they could now relax their efforts

"A dwellinghouse having been erected, the next step was to appropriate a few acres of land surrounding it. The difficulty of obtaining sufficient land for the keep of a cow was no more than the labour of enclosing and reclaiming it.

"In this way some thirty or forty families were settled in cottages built by themselves, around which were three or four fields, where for many years they lived in undisturbed possession. By patient labour the gorse and fern were got rid of, trees were planted round the cottage, or allowed to grow where they sprang up in suitable places in the hedgerows; by cultivation and manuring the herbage was improved.

With the Enclosure Act there came a disturbance of this state of affairs. The partition of the unappropriated land seems to have been

carried out fairly, by adding to each farm a quantity of land in proportion to the amount of pasturage the occupier enjoyed on the common... When, however, we come to consider the case of the cottager, his treatment was by no means fair. Enclosures of over twenty one years standing were not interfered with, and their owners were left in undisturbed possession, but such as had been enclosed for a shorter period were claimed by the Lord of the Manor, who lived some twelve miles away, and possessed little or no land in the parish. He advanced his claim cautiously asking only a nominal rent, and as unlettered peasants felt the inequality of a contest in the matter, this rent was paid. Consequently more than half the cottage holdings fell into his hands, and the poor occupiers were deprived of the ownership of the dwellings they had erected, and of all the improvements they had put into the land they had enclosed. None of them had to leave their holdings, and the rent at first charged was trifling; but except in cases where life-leases were granted, the cottagers had lost all their rights, and they and their holdings were left entirely in the hands of a large landowner."

The Enclosure Act of course prevented the creation of any more cottage holdings. The fertility of the soil in these small holdings, Mr. Swain says, is enormously greater than that of the land, naturally similar, on the other side of the hedge. Usually the cottager gets a

neighbouring farmer to plough half an acre of his holding for him, paying for this service in labour at harvest time; and keeps the rest, except the garden plot, under grass. The average size of the holding is about six acres; which is found sufficient for two cows, a heifer, a calf, several pigs, thirty fowls and a dozen ducks. The produce supplies all the vegetables, fruit, milk, butter, eggs and bacon consumed by the family; and brings in the following money returns, on Mr. Swain's calculations.

One cow and one calf sold per annum (the other calf being reared to replace the cow sold)	£	s	d
	14	0	0
Six pounds of butter per week at 1/- per lb.	15	12	0
1 pig, sold at a net profit of	2	10	0
20 fowls	2	5	0
400 eggs (allowing 600 for home consumption)	1	8	0
	<hr/>		
	35	15	0
	<hr/>		

As Mr. Swain writes from an intimate personal knowledge, I have no hesitation in accepting his statement as approximately accurate.

The injury to the cottagers does not end with the prevention of the creation of fresh holdings, and the transfer of the ownership of most of those already existing to the Lord of the Manor. For the landlord, managing his estate in the ordinary way, through the intermediaries of steward and agent, is almost invariably led into merging such small holdings into larger farms, in spite of the high rents which would often be gladly paid.

It will be seen that these two cases are in the nature of things typical. Similar hardships may be regarded as the almost inevitable effect of any enclosure which included any considerable quantity of waste land; and if the enclosure is necessary or highly desirable, some compensating advantages ought to be provided for the inhabitants as such. The smallness of such provision between 1845 and 1875 is very significant. And it makes one seriously doubt whether in their zeal for furthering improved culture the Commissioners were as considerate as was desirable, to the cottager who had a legal common-right. But on that point we can apply no statistical test.

If we turn from enclosures since 1845 to enclosures before, we have a verdict from the old Board of Agriculture in its General Report on Enclosures published in 1808, which, so far as it is biassed, is biassed entirely in favour of enclosure. It says, "The benefit (of enclosure) in this case (to the poor) is by no means unmixed."

The loss of fuel is declared to be the chief injury; and besides -

"In some cases many cows had been kept without a legal right, and nothing had been given for the practice."

"In other cases, where allotments were assigned, the cottagers could not pay the expense of the measure, and were forced to sell their allotments."

"In others they kept cows by right of hiring their cottages, or common rights, and the land going, of course to their proprietor, was added to the farms, and the poor sold their cows; this is a very common case." *

The results are given of an investigation into the results of 68 enclosure acts, chiefly in the Eastern Counties; testimony having been obtained from the clergy and others considered to be impartial witnesses. In 15 cases it is asserted the poor were not injured by the enclosure, in 53 cases that they were. The general tenour of the statement in these cases is to the effect that the condition of the poor has become very much worse, that they have lost all their cows, * and they no longer are able to buy milk for their children. Here are a few of the more striking descriptions:-

Ackworth, Yorkshire. The Parish belonged to near 200 owners, nearly the whole of whom have come to the parish since the enclosure, or changed the quantity of their lands.

Todenham, Gloucester. Nothing increased but the poor. Eight farmhouses filled with them.

* General Report on Enclosures, pp. 12, 13.

x This is specifically asserted in 17 cases.

Tingewick, Bucks. Milk to be had at 1d a quart before,
not to be had now at any rate.

Passenham, Northamptonshire. (The Poor) deprived of their
cows, and great sufferers by the loss of their hogs.

Tulvy, Bedfordshire. Cows lessened from 110 to 40.

Letcomb, Berkshire. The Poor can no longer keep a cow,
and they are therefore now maintained by the parish.*

Alconbury, Huntingdon (1791 c. 70). Several who kept cows
before, were, upon enclosure, forced to part with
them, and have kept none since. The Cottage allot-
ments going to the landlords, were thrown together,
and the inhabitants left without cows or land.
Those who had allotments given in lieu of their rights
not being able to enclose them,† were forced to sell,
and became as the rest in this respect. Before en-
closure milk could readily be bought, poor people
could lay out a halfpenny or a penny every day, but
nothing of the sort could be got since.‡

*General Report on Enclosures, pp. 150 - 152.

†Because of the expense. ‡General Report p. 154.

With regard to Buckingham in general, we have the following statement from a later survey for the Board of the County.

"The poor and persons with little capital (such as butchers, common shepherds, etc.) derive benefit from open fields and commons, by being enabled to keep horses, cows and sheepit will be difficult to prove that in any case the poor have been benefited (by enclosure). No instances of benefit on this score have been stated to me. On the contrary an increase of poor has been the general complaint."

Similar evidence is given by two professional Enclosure Commissioners. Mr. Forster, of Norwich, "lamented that he had been accessory to injuring 2,000 poor people, at the rate of 20 families per parish. Numbers in the practice of feeding the commons cannot prove their right; and many, indeed most who have allotments, have not more than one acre, which being insufficient for the man's cow, both the cow and land are usually sold to opulent farmers. The right sold before the allotment produced much less than the allotment after it, but the money is dissipated, doing them no good when they cannot vest it in stock." *

* ibid p. 157.

Mr. Ewen, another Commissioner, "observed that in most of the enclosures he has known the poor man's allotment and cow are sold, five times in six before the award is signed." A third Commissioner, Mr. Algar, declared that he made it a practice to give an allotment whenever a cottager could merely prove that he had been in the practice of cutting turf. But one wonders whether Mr. Algar did not find this custom of his prejudicial to the demand for his professional services.

In estimating the weight of this evidence, both as to depopulation and as to injury to the poor, it must be borne in mind that it is taken entirely from the mouths of advocates, and mostly very enthusiastic advocates, of enclosure. They are admissions of men who feel that their general case is so strong that they may well candidly admit the existence of some drawbacks. Of course some advocates of Enclosure are not disposed to make any admissions at all. Many urge the moral evils engendered by waste lands, as

"Where wastes and commons are most extensive, there I have perceived the Cottagers are the most wretched and worthless; accustomed to rely on a precarious and vagabond subsistence from land in a state of nature, when that fails they recur to pilfering, and thereby become a nuisance to their honest and industrious neighbours; and if the father

of a family of this sort is withdrawn from society for his crimes, his children become burthensome to the parish. It may truly be said that for cottagers of this description the game is preserved, and by them destroyed; they are mostly beneath the law and out of reach of detection; and while they can earn four or five shillings, and sometimes more, in a night, by poaching, they will not be satisfied with 10d or 1/- a day for honest labour."* A not unusual style of argument is the following:-

"To deprive the poor of that benefit, which, in their present state, they derive from the waste lands, must no doubt, at first view, sound harsh. But it ought to be remembered that in this wealthy county, where there is so much work to be done, and so few hands comparatively to do it, there are few poor that do not deserve to be so. Those persons who are disqualified to provide for the calls of human nature by the feebleness of infancy, the crushing hand of disease, or the infirmities of old age, cannot be said to be poor, because all the landed property, situate within their respective parishes, is always liable to be charged with their maintenance." *

After reading of the good fortune of these Herefordshire labourers, so much in demand in a wealthy county that the benefits derived from

*D. Walker, Hertfordshire (1794) p.53 *John Clark, Hereford (1794)p.27

wastes and commons are of little concern to them, one naturally enquires what were their wages? Day Labourers earned in summer "6/- a week and a gallon of drink to each man," * in winter 5/- a week and three quarts, in harvest 14d a day, and meat and drink: the hours of labour being in harvest time and in winter as early and as late as they could see, in summer, not harvest, from 6 to 3. Leaving out the cider, this works out at a penny an hour, and a penny in 1794 would not buy very much more of the necessaries of life in Herefordshire than it will today.

There seems, underlying John Clark's words, a notion that if any injury is done to the poor by enclosure, proper and sufficient compensation will be made in the ordinary course to the persons injured out of the poor-rates. The logical deduction is that the profits of enclosure should contribute to the poor-rates, and I have noted 15 enclosures of wastes and commons in which this was done. Another logical deduction was that poor law relief in parishes in which waste was enclosed was, in part at least, a species of common property belonging to the poor; and to endeavour to deprive them of this property was robbery, unless the commons were restored. This view was

* *ibid* p. 29. "Drink" of course means cider.

vigorously expressed by Cobbett in his Political Register, at the time of the introduction of the Poor Law of 1834, and from him has become part of the traditional stock of political ideas handed down through the Chartists to the labour movement of recent times.

Arthur Young in a pamphlet published in 1801* not only insists upon the injury to the poor from enclosure acts as ordinarily drawn and put into execution, but pleads for enclosure on methods which would tend to the social elevation of the labourer.* His proposals, which strike one as, for the time, wise and statesmanlike, though they ignore some considerations which would be of great importance today, were

(1) that in the case of small commons in the midst of an enclosed country, labourers should be allowed to absorb the whole by gradual encroachments, thus building up small properties for themselves.

(2) In the case of extensive wastes, procedure must be by act of

* Enquiry into the propriety of applying wastes to the better support and nourishment of the poor.

x He says, "By nineteen enclosure bills in twenty, the poor are injured, in some grossly injured(p. 42);" and again, "The poor in these parishes may say, and with truth, Parliament may be tender of property, all I know is; I had a cow, and an act of Parliament has taken it from me."

Parliament, but all acts should secure enough land for every cottager to keep a cow both summer and winter, such land to be inalienable from the cottage and the ownership to be vested in the parish.

I have found one act which realises Arthur Young's ideal of an Enclosure Act. It was passed in 1824 for Pottene in Wiltshire, and though it was an act for the enclosure of a common only, no commonable meadow or common field being included, I give its provisions here on account of its intrinsic interest.

The ownership of the whole common was vested in the Bishop of Salisbury, who was Lord of the Manor, the vicar and churchwardens, in trust for the parish. The trustees were required to lease it in small holdings, with or without rent, to poor, honest and industrious persons, who had not, except in cases of accident or illness, availed themselves of poor law relief.

The following acts, all (except that for Earsham) for "extinguishing village communities," i.e. for enclosing all the commonable lands of the parishes or townships, which in each case include commonable arable fields, have special provisions to safeguard the interests of the poor.

1757, c. 53. Wimeswold, Leicestershire. Cottagers who have no land are to have a share together within one fence, which they may afterwards separately enclose if they like. This is specially interesting as anticipating the modern practice of providing allotments for such cottagers.

1767, c. 49. Carlton in Lindrick, Nottingham. Three acres (out of a total of 2,492 A.), are to be set aside for building cottages for the benefit of the poor.

1779, c. 89. Evenley or Bury Manor, Northampton. Lands to the value of £10 per annum (out of 1200 A.) are to be set aside for the most deserving poor not receiving poor relief.

1785, c. 56. Eight parishes in Wiltshire enclosed by one act. Not more than 10 acres in each parish is to be set aside, free of taxes, for fuel for the poor.

1805, c. 19. Palling, Norfolk. One twentieth of the whole area is to be vested in the Lord of the Manor, Vicar and Overseers, in trust for the poor, for common of pasture and fuel.

1807, c. 18. Herringswell, Suffolk. An allotment is to be made for fuel for the poor.

1809, c. 7. Barton Turf, Norfolk. Thirty acres is to be reserved for common for the poor.

1810, c. 55. Great Sheepy, Leicestershire. Every cottage is to have not less than 3 acres allotted to it.

1812, c. 3. Little Brandon, Norfolk. 10 acres is to be set aside for the benefit of the poor, partly to be used as common for fuel, or to be leased to pay for fuel; another part to provide a common pasture for the poor inhabitants; while the remainder (how much, one wonders) was to be leased in aid of the poor-rates.

1812, c. 17. Earsham, Norfolk. 5 acres to be set aside to be leased to buy fuel for the poor.

Also in the acts for Northwold, Norfolk (1793, c. 14), Lower Wilbraham, Cambridge (1797, c. 89), and Barnaby, Suffolk allotments were made inalienable from the cottages for which they were assigned. At Northwold land capable of supplying annually 12,000 turves per annum was reserved as a common turbarry for the poorer owners of common rights.*

* I must here refer to the extraordinary act by which Pickering Moor (Yorkshire, West Riding) was enclosed in 1785 and divided equally among all owners of common rights, the poorest cottager owning an ancient cottage getting as much as the largest landowner. Before enclosure the yeomen of Pickering had pastured such animals on the moor as they could provide with winter keep. The great tithes were rented by an enterprising

This list of acts containing special provisions for the benefit of the poor, is not a complete one, but if it were it would not, I believe, include more than one per cent of the enclosure acts passed prior to 1845. Arthur Young did not over-state the case when he wrote, "By nineteen enclosure Acts out of twenty, the poor are injured, in some grossly injured.....The poor in these parishes may say, and with truth, Parliament may be tender of property, all I know is, I had a cow, and an act of Parliament has taken it from me." x

lessee, who conceived the idea of parcelling the moor into small farms which would grow corn and yield tithes. In spite of the disinclination of the yeomen to any change, he procured the passing of an Enclosure Act, in which it was declared that the moor was equally the property of all ancient cottages and messuages, and was required to be divided equally among the owners of all of these. A peculiar clause in the Act enacted that no part of the moor should be "deemed barren in respect of tithes." The larger yeomen felt themselves to be cheated, and were very indignant, but through inertness and lack of cooperation they failed to take steps to prevent the act being executed. This they presumably might have done by an appeal to Quarter Sessions.

x Enquiry into the propriety of applying wastes to the better support and maintenance of the poor, 1801, p. 42.

CHAPTER XIII.

THREE ACRES AND A COW.

"THREE --ACRES AND A COW."

That the poor were not always the only sufferers from an enclosure act, is shown by the account given by the General Report on Enclosures of the way in which farmers were affected. After referring to the idea that opposition from farmers is usually to be ascribed to ignorant prejudice, the report proceeds:-

"In many instances they have suffered considerably for four, five or six years. From the first starting the project of an enclosure act to the final award, has, in numerous cases, taken two, three, four and even five or six years; their management is deranged; not knowing where their future lands will be allotted they save all their dung till much of it is good for little; they perform all the operations of tillage with inferior attention; perhaps the fields are cross cropped and exhausted; and not well recovered under a course of years. Rents are greatly raised and too soon; so that if they do not absolutely lose five years they at least suffer a great check. In point of profit, comparing the old with the new system, attention

must be paid to their capitals: open field land is managed (notwithstanding the inconveniences of its pieces) usually with a less capital than enclosures; and though the general profit of the latter exceeds that of the former, yet this will entirely depend on the capital being adequate. In cases where the new enclosures are laid down to grass, all this becomes of tenfold force: to stock rich grass lands demands a far greater sum than open field arable; the farmer may not possess it; this has often happened, and drove them to seek other investments, giving way to new comers more able to undertake the new system introduced; and if profit be measured by a percentage on the capital employed, the old system might, at the old rents, exceed the profits of the new; and this is certainly the farmers' view of the comparison. He also who had given the attention of a life to the regular routine of open field arable, without ten acres of grass ever having been in his occupation, may find himself much at a loss in the regular purchase and sale of live stock, the profit of which depends so much on habitual skill. Add to all this the previous circumstance of laying down to grass; the business of all others of which farmers know the least, of which I have many times seen in new enclosures striking instances; and if all these points be duly considered, we

shall not find much reason to be surprised at the repugnance shown by many farmers to the idea of enclosing." (pp. 31, 32)

While the whole of this description of the ordeal that the farmers had to pass through is interesting, the point I desire here to emphasize is the need of a larger capital after enclosure. Those who had the requisite skill, knowledge, energy and capital survived the storm; they were able to take up the farms which their weaker neighbours were compelled to relinquish; to send, in almost every case, a larger surplus of food from the lands of the parish to maintain the state and power of England, and to pay higher rents. In perhaps the majority of cases they raised a larger gross produce, and provided maintenance and employment for a larger population than before. In some cases even (though these appear to have been the exception) the labouring population gained in material prosperity as well as in numbers. But in any case the relationship between employer and employed was notably altered.

In the open field village the entirely landless labourer was scarcely to be found. The division of holdings into numerous scattered pieces many of which were of minute size, made it easy for a labourer to obtain what were in effect allotments in the common fields. If he

had no holding, he still might have a common right; if no acknowledged common right, he might enjoy the advantage of one in greater or less degree. From the poorest labourer to the richest farmer, there was, in the typical open field village, a gradation of rank. There was no perceptible social gap between the cottager who worked the greater part of his time for others, and for the smaller part of his time on his own holding, who is therefore properly termed a labourer, and his neighbour who reversed that distribution of time, and is therefore to be deemed a farmer. It was easy for the efficient or fortunate man to rise on such a social ladder; equally easy for the inefficient and unlucky to slip downwards.

After enclosure the comparatively few surviving farmers, enriched, elevated intellectually as well as socially by the successful struggle with a new environment, faced, across a deep social gulf, the labourers who had now only their labour to depend upon. In the early part of the nineteenth century at any rate, it was almost impossible for a labourer to cross that gulf; on his side the farmer henceforward, instead of easily becoming a farm labourer if bankrupt, would rather try his fortune in the growing industrial towns.

Our "CountryFarmer" gives us a vivid picture of one side of the

social change (Thoughts on Enclosure, p. 21). Of the farmer after enclosure, he says,

"Their entertainments are as expensive as they are elegant, for it is no uncommon thing for one of these new created farmers to spend ten or twelve pounds at one entertainment; and to wash down delicate food, must have the most expensive wines, and these the best of their kind; and to set off the entertainment in the greatest splendour, an elegant sideboard of plate is provided in the newest fashion. As to dress no one that was not personally acquainted with the opulent farmer's daughter can distinguish her from the daughter of a Duke by her dress, both equally wishing to imitate something, but they know not what.

View the farmer before the land was inclosed, and you will find him entertaining his friends with a part of a hog of his own feeding, and a draught of ale brewed from his own malt presented in a brown jug, or a glass, if it would bear it, which was the utmost of his extravagance: in those happy days you might view the farmer in a coat of the growth of his flock; and spun by his industrious wife and daughters, and his stockings produced from the same quarter of his industry, and his wife and daughters clad from their own hands of industry and their own flock."

As for the other side of this social change, the labourer's side, it seemed so serious an evil to many even of the progressive landlords and agriculturists who strongly advocated enclosure, that they busied themselves to find a remedy.

In 1797 the Board of Agriculture drew the attention of its members to a typical case. Mr. Thomas Bernard communicated an "account of a Cottage and Garden near Tadcaster." The cottager had held two acres of land and a common right at Poppleton for nine years, and there had lived comfortably and brought up six children. The enclosure of the parish turned him adrift, but he prevailed upon a landlord to let him have a piece of roadside waste for a garden, saying, "I will show you the fashions on it." The landlord was so delighted afterwards with the way in which this garden was cultivated, that he offered the man to let him have it rent free. Particular attention was directed to the man's reply:- "Now, sir, you have a pleasure in seeing my cottage and garden neat: and why should not other squires have the same pleasure in seeing the cottages and gardens as nice about them? The poor would then be happy and would love them and the place where they lived; but now every nook of land is let to the great farmers; and nothing left for the poor but to go to the parish." (Communications to the Board, Vol. I. p. 404)

It was by "going to the parish" that the labourer could bring home to the landlord the idea that the spirit of ambition and self reliance fostered by the possession of two acres and a common right was of value to the nation. The national emergency due to the famine prices of food during the French War, which produced the complete change in the spirit of the administration of the Poor Law associated with the "Speenhamland Act of Parliament," also forced into public attention the desirability of both providing agricultural labourers with some other supplement to their wages, and of encouraging them to avoid pauperism. We accordingly find the Board of Agriculture offering for 1800 three gold medals:-

"To the person who shall build on his estate the most cottages for labouring families, and assign to each a proper portion of land, for the support of not less than a cow, a hog, and a sufficient garden the Gold Medal."

"To the person who shall produce the most satisfactory account of the best means of supporting cows on poor land in a method applicable to cottagers - the Gold Medal" (doubts having been raised with regard to the practicability of cottagers keeping cows except on rich soil).

"The Board having received information that the labouring poor of

Rutland and Lincolnshire, having land for one or two cows, and a sufficiency of potatoes, have not applied, in the present scarcity, for any poor law relief; and it appearing to be a great national object to spread so beneficial a system, the Board will give to the person who shall explain, in the most satisfactory manner, the best means for rendering this practice as general through the kingdom as circumstances will admit - the Gold Medal." (Communications, Vol. II.)

Each of these medals was again offered in subsequent years.

The question appears to have been first brought before the Board of Agriculture by the Earl of Winchelsea, in a conversation at the Farmers' Club with Sir John Sinclair, President of the Board, in 1795. At Sir John Sinclair's request, the Earl of Winchelsea put his views in writing, and they were submitted to the Board, in the form of a letter, dated Jan. 4th, 1796. This letter is a convincing statement in favour of the case for "three Acres and a Cow," and deserves the attention of politicians of today.

Beginning by stating that he has made further enquiries, since the conversation with Sir John Sinclair, into the practice of agricultural labourers keeping cows, he continues

"I am more and more confirmed in the opinion I have long had, that

nothing is so beneficial, both to them and to the landowners, as their having land to be occupied either for the keeping of cows, or as gardens, according to circumstances. By means of these advantages, the labourers and their families live better, and are consequently more fit to endure labour; and it makes them more contented, and gives them a sort of independence, which makes them set a higher value on their character.When a labourer has obtained a cow, and land sufficient to maintain her, the first thing he has thought of has been how he could save money enough to buy another;there are from 70 to 80 labourers upon my estate in Rutland, who keep from 1 to 4 cows eachI am informed that those who manage well clear about 20d per week, or £4.6.8 per ann. by each cow." *

If the cow died, it was, he says, a great misfortune for the labourer, but he contrived to beg or borrow the money necessary to obtain another cow - "I scarcely ever knew a cow-gait given up for want of ability to obtain a cow, except in the case of old and infirm women."

* Milk being valued at 1d per quart; it seems clear also that what is consumed at home is not included in this calculation.

He classifies the situation of labourers, in order of felicity as follows:-

1. Those who have a sufficient quantity of grass inclosed land to enable them to keep one or more cows winter and summer, and a garden near their house; a grass field allotted to a certain number being as advantageous, or nearly so, as separate small inclosures.

2. Those who have a summer pasture for their cow, and some arable land, on which they grow the winter provision. This is slightly less advantageous than (1), because tilling the arable land takes up more time.

3. Those who have a right of common for the summer keep of the cow, and a meadow, or arable ground, or the share of a meadow in common, for the winter provision. If it were not that commons are usually over-stocked, this would be equivalent to no.(1)or(2).

4. Those who have a right of common, but no cow, and a garden. In this case geese and pigs can be kept.

5. Those who have a right of common and no garden. In this case the value of the right of common depends upon whether fuel is obtained from the common or not.

6. Those who have several acres of arable land, and no summer

pasture for a cow. This, he maintains, is of little value, because of the large expenditure of labour necessary for cultivating the land, but he admits that many would differ from him on this point.

7. Those who have a garden near the house.

8. Those who have no land whatever. "This is a very bad situation for a labourer to be placed in, both for his comfort and the education of his children."

Then he continues, in words which seem in general as true and weighty now as when written or at any time within the last hundred years:-

"In countries where it has never been the custom for labourers to keep cows, it would be very difficult to introduce it; but where no gardens have been annexed to the cottages it is sufficient to give the ground, and the labourer is sure to know what to do with it, and will reap an immediate benefit from it.....there should be as much as will produce all the garden stuff the family consumes, and enough, with the addition of a little meal, for a pig. I think they ought to pay the same rent that a farmer would pay for the land, and no more. I am persuaded that it frequently happens that a labourer lives in a house at 20/- a year rent, which he is unable to pay, to which, if a garden of a rood was added, for which he would have to pay five or ten shillings

anyear more, that he would be enabled by the profit he would derive from the garden, to pay the rent of the house, etc., with great advantage to himself.

"As I before mentioned, some difficulties may occur in establishing the custom of labourers keeping cows in those parts of the country where no such custom has existed; wherever it has or does exist it ought by all means to be encouraged, and not suffered to fall into disuse, as has been, the case to a great degree in the midland counties, one of the causes of which I apprehend to be, the dislike the generality of farmers have to seeing the labourers rent any land. Perhaps one of their reasons for disliking this is, that the land, if not occupied by the labourers, would fall to their share; and another, I am afraid, is, that they rather wish to have the labourers more dependent upon them, for which reasons they are always desirous of hiring the house and land occupied by a labourer, under pretence, that by that means the landlord will be secure of his rent, and that they will keep the house in repair. This the agents of estates are too apt to give in to, as they find it much less trouble to meet six than sixty tenants at a rent day, and by this means avoid the being sometimes obliged to hear

the wants and complaints of the poor."...The landlord naturally yields to this pressure...."and it is in this manner that the labourers have been dispossessed of their cow-pastures in various parts of the midland counties. The moment the farmer obtains his wish, he takes every particle of the land to himself, and relets the house to the labourer, ~~who~~ by this means is rendered miserable, the poor's rate increased, the value of the estate to the landlord diminished, and the house suffered to go to decay.....Whoever travels through the midland counties, and will take the trouble of enquiring, will generally receive the answer, that formerly there were a great many cottagers who kept cows, but that the land is now thrown to the farmers; and if he enquires still further, he will find that in those parishes the poor's rates have increased in an amazing degree, more than according to the average rise throughout England."

Sir John Sinclair,* President of the Board of Agriculture, did not agree that a plot of a few acres of arable land was, by itself, of little value to the agricultural labourer. He estimates that two cows can be kept on $3\frac{1}{2}$ acres of arable land, and that the net produce, valuing milk at 1d per quart, would amount to £21 per annum, about as much as the man's wages. He advocated spade labour, and recommended

* Communications to the Board of Agriculture, Vol. IV. p. 358

that the cottager should rather hire men to dig for him, than get the land ploughed. In confirmation of this opinion Sir Henry Vavasour cited an example of a cottager holding 3 acres, who kept two cows and two pigs. The butter alone paid the rent, and the gross produce was estimated at £54 per annum, exclusive of milk and vegetables consumed at home.

It is of course practically impossible to calculate how much effect this landowners' agitation for the policy of "Three acres and a cow" had on the number of such cottage holdings. Lord Brownlow writes, "In all open field lordships there have always been pastures in which the cottagers have had their share of benefit; but the practice of enabling cottagers to keep cows in inclosed parishes, is in my neighbourhood rare, and of recent date." Accounts are sent of cottage holdings provided by the Earl of Carrington, and of large allotments provided by Mr. Thomas Estcourt; but I cannot say how extensively their example was followed.

Mr. W.E. Bear's report to the Labour Commission, on the agricultural labourers of the Southwell Union, contains the following passage,

in which we probably see some fruits of the Earl of Winchilsea's movement. "Small holdings, of three to ten acres commonly, are let with cottages in a few parishes, and called "cottagers!" This custom appears to be a very old one, dating back far beyond the time when the term "three acres and a cow" was invented. In Ossington, Mr. Richardson told me, it was 50 years old or more; but he said it was falling into disuse. I found some "cottagers'" in Averham, Ossington and Hookerton, and heard of them in another parish or two. They usually consist of grass land, and are best so, as the labourer can leave his wife to manage the cow or two kept on them, and work for wages regularly. In Averham some of these small holdings have been given up, apparently because they were partly arable, and occupiers found that they could not keep regular places, and also attend to their land. But where the land is all pasture, they are excellent institutions, providing families with milk, and adding to the incomes by means of milk or butter, poultry eggs and pork sold. These little holdings are let from £2. 10. 0 to £3 an acre, including the cottage." (par. 51 A

The same Commissioner found in Leicestershire a system of common cow-runs for cottagers which also probably dates from the eighteenth century, being in some way a survival from the common field system.

He describes it as follows:-

"There are cow plots let with cottages in several parishes. Some have already been referred to as existing on the Earl of Dysart's estate. One example is to be found at Saxby, where cow runs of 6 acres 3 roods 12 perches, each in common, are let with a cottage and garden at £10 per annum. At Grimston I visited some which are let by Mr. Wright or Mr. Reskitts, who appear to be somehow connected on the same estate.....Some of these cow-plots are 3½ acres in extent, and their holders are allowed to keep only one cow, as three or more of them occupy a pasture in common, having a portion of their 3½ acres each year to mow and another portion to feed. The rent, including cottage and garden, is £10. There are some other cow plots of 3 acres on which two or three cows are kept, the rent being £15. In these cases, too, the pasture is common to several holders, each one having a piece to mow, while they run their cows together on the portion devoted to grazing. As an example of the advantage which a cow plot may sometimes be to a labourer and his family, I may mention the case of a widow who has 3½ acres and a very good cottage for £10 per annum. Last year she had an exceptionally good cow, and she sold milk at the rate of 6d a gallon, amounting to £15.10, fattening a calf

which sold at £4.10; altogether the return was £20, besides what milk was consumed in the cottage.

Another survival of the Earl of Winchilsea's movement is thus described by Mr. Rider Haggard:-

"The system of cottage holdings was introduced about a hundred years ago on the Burley Estate" (Rutlandshire) "and was copied by the late Lord Tollemache, who was brother-in-law of the late Mr. Finch. It is in force in the parishes of Burley, Eggleton, Hambleton and Greetham. In 1901 there lived in those parishes 43 small occupiers, whose acreage varied from 5 acres to 40 acres, the holdings being all grass. Originally there were many more, the Hambleton cow pasture, which is 102 acres in extent, being divided into 80 cow commons. Some of the holders occupy two or more small fields, but the general custom has been for tenants to graze large fields in common, and to have separate small fields reserved for mowing hay in the winter. In the fields which are grazed in common five roods have been taken as sufficient to keep a cow." (Rural England, Vol. II. p. 260)

CHAPTER XXIV..

STATISTICAL SUMMARY OF ENCLOSURE BY ACT
OF PARLIAMENT.

STATISTICAL SUMMARY OF ENCLOSURE BY
ACT OF PARLIAMENT.

In this table the crossheading A includes acts up to and including the year 1801, in which year a general act facilitating enclosure was passed; crossheading B includes acts from 1802 - 1845; crossheading C enclosures under the General Enclosure Act of 1845 and subsequent amending acts. No act or enclosure is included unless the enclosure was partly of arable common field, but in some few cases, as will be seen from the Appendix giving the chief particulars of each act, the arable land formed only a trifling part of the area dealt with.

Where the area enclosed is not stated, and cannot even be approximately inferred from the wording of the act, it is estimated on the assumption that the average area per act where the area is not stated, is the same as for acts relating to the same county where the area affected is stated, enclosures under the act of 1845 being left out of account. This method, I believe, gives more satisfactory results than any other would; but it must be confessed

that in the case of Norfolk the acts in which the area is not stated are so many, and those in which it is stated are so few, that the average obtained is not trustworthy. In this case I believe the figure arrived at is too large. The counties are arranged in order of prevalence of Parliamentary enclosures.

	Area stated		Area not stated		Total		Percentage of area of County
	Acts	Acres	Acts	Acres	Acts	Acres	
Northampton							
Period A	137	237,211	6	10,308	143	247,517	
Period B	40	66,807	7	12,023	47	78,830	
Period C	5	4,704			5	4,704	
Total	180	308,722	13	22,331	193	331,053	51.5
Huntingdon							
Period A	50	50,147	7	11,593	57	61,740	
,, B	25	39,364	2	5,255	27	44,619	
,, C	5	5,855			5	5,855	
Total	80	95,366	9	16,848	89	112,214	46.5
Rutland							
Period A	20	35,857	2	5,325	22	41,182	
,, B	2	2,700			2	2,700	
,, C	6	7,344			6	7,344	
Total	28	45,901	2	5,325	30	51,226	46.5

Bedford

Period A	30	55,470	13	21,229	43	76,699	
,, B	21	27,810	15	24,495	36	52,305	
,, C	5	8,309			5	8,309	
<hr/>							
Total	56	91,589	28	45,724	84	137,313	46.0

Oxford

Period A	54	96,596	22	35,277	76	131,873	
,, B	20	22,064	22	35,277	42	57,341	
,, C	18	23,578			18	23,578	
<hr/>							
Total	92	142,238	44	70,554	136	212,792	45.6

Yorks, East Riding

Period A	108	227,009	6	12,148	114	239,157	
,, B	25	42,277	7	14,173	32	56,450	
,, C	4	5,193			4	5,193	
<hr/>							
Total	137	274,479	13	26,321	150	300,800	40.1

Leicester

Period A	124	175,280	9	12,457	133	187,717	
,, B	10	9,806	2	2,764	12	12,660	
,, C							
<hr/>							
Total	134	185,176	11	15,221	145	200,377	38.2

Cambridge

Period A	20	45,239	3	5,739	23	51,028	
,, B	21	32,885	55	106,128	76	139,013	
,, C	9	8,298			9	8,298	
<hr/>							
Total	50	86,422	58	111,917	108	198,339	36.3

Buckingham

Period A	47	71,323	23	35,834	70	107,157	
,, B	20	33,090	10	15,580	30	48,670	
,, C	6	7,014			6	7,014	
<hr/>							
Total	73	111,427	33	51,414	106	162,841	34.2
<hr/>							

Nottingham

Period A	64	112,880	18	29,217	82	142,097	
,, B	17	18,596	7	11,362	24	29,958	
,, C	3	3,269			3	3,269	
<hr/>							
Total	84	134,745	25	40,579	109	175,334	32.5
<hr/>							

Norfolk

Period A	28	71,904	36	76,066	64	147,970	
,, B	16	21,966	114	240,877	130	262,843	
,, C	6	12,173			6	12,173	
<hr/>							
Total	50	106,043	150	316,943	200	422,986	32.3
<hr/>							

Lincoln

Period A	175	354,048	15	29,240	190	383,288	
,, B	53	90,398	11	21,443	64	111,841	
,, C	3	1,331			2	1,331	
<hr/>							
Total	230	445,777	26	50,683	256	496,450	29.3
<hr/>							

Berkshire

Period A	12,	13,651	23	28,980	35	42,631	
,, B	53	43,052	20	35,200	53	68,252	
,, C	10	9,119			10	9,119	
<hr/>							
Total	55	65,822	43	54,180	98	120,002	26.0
<hr/>							

Warwick

Period A	35	116,919	6	7,909	91	124,828	
,, B	12	10,950	8	10,546	20	21,496	
,, C	3	3,235			5	3,235	
Total	100	131,104	14	18,455	114	149,559	25.0

Wiltshire

Period A	18	45,849	47	80,211	65	126,060	
,, B	27	30,949	30	51,199	57	82,148	
,, C	6	3,925			6	3,925	
Total	51	80,723	77	131,410	128	212,133	24.1

Gloucester

Period A	53	78,645	30	37,724	33	116,369	
,, B	18	30,616	30	37,724	48	68,340	
,, C	11	4,419			11	4,419	
Total	82	113,680	60	75,448	92	189,128	22.5

Middlesex

Period A	5	11,851	3	4,114	8	15,965	
,, B	12	12,251	5	6,913	17	19,164	
,, C	1	625			1	625	
Total	18	24,727	8	11,027	26	35,754	19.7

Worcester

Period A	22	36,942	10	11,517	39	48,459	
,, B	9	6,066	24	37,161	33	43,227	
,, C	7	4,009			7	4,009	
Total	45	47,017	34	48,678	79	95,695	16.5

Derby

Period A	37	45,028	9	13,312	46	58,340	
,, B	25	46,675			25	46,675	
,, C							
Total	62	91,703	9	13,312	71	105,015	15.9

Hertford

Period A	11	20,524	4	6,103	15	26,627	
,, B	8	8,464	5	7,638	13	16,092	
,, C	17	10,775			17	10,775	
Total	36	39,763	9	13,731	45	53,494	13.1

Yorks, West Riding

Period A	67	81,339	17	23,736	84	106,025	
,, B	55	38,453	7	9,774	62	98,227	
,, C	4	1,626			4	1,626	
Total	126	171,468	24	33,510	150	205,478	11.6

Dorset

Period A	9	13,704	3	8,533	17	22,237	
,, B	23	20,426	8	8,533	31	28,956	
,, C	6	3,786			6	3,786	
Total	38	37,916	16	17,065	54	54,981	8.7

Suffolk

Period A	4	6,400	6	9,876	10	16,276	
,, B	14	13,356	24	39,505	38	52,861	
,, C	5	2,450			5	2,450	
Total	23	22,206	30	49,381	53	71,587	7.5

Surrey

Period A	4	5,140	3	3,562	6	7,702	
,, B	11	14,078	5	6,406	16	20,484	
,, C	5	2,796			5	2,796	
Total	20	22,014	7	8,968	27	30,982	6.4

Yorks, North Riding

Period A	24	33,257	9	15,279	33	48,536	
,, E	14	31,251	3	5,093	17	36,344	
,, C	2	1,034			2	1,034	
Total	40	65,542	12	20,372	52	85,914	6.3

Hereford

Period A	5	3,920	1	708	6	4,628	
,, B	6	3,870	14	9,915	20	13,785	
,, C	3	373			3	373	
Total	14	8,163	15	10,623	29	18,791	5.6

Somerset

Period A	12	16,225	3	2,644	15	18,869	
,, B	23	14,623	4	3,535	27	18,148	
,, C							
Total	35	30,848	7	6,179	42	37,017	5.5

Stafford

Period A	10	10,934	1	996	11	11,930	
,, B	7	6,001	3	2,987	10	8,988	
,, C							
Total	17	16,935	4	3,983	21	20,918	2.8

<u>Essex</u>							
Period A	4	6,551	.....	4	6,551		
,, B	4	6,190	3	4,777	7	10,967	
,, C	10	4,652			10	4,652	
Total	18	17,393	3	4,777	21	22,170	2.2

<u>Sussex</u>							
Period A	1	1,400			1	1,400	
,, B	18	13,537	4	3,145	22	16,682	
,, C	2	348			2	348	
Total	21	15,285	4	3,145	25	18,330	1.9

<u>Northumberland</u>							
Period A	4	9,657			4	9,657	
,, B	4	12,001			4	12,001	
,, C							
Total	8	22,658			8	22,658	1.7

<u>Cumberland</u>							
Period A	1	4,000	1	2,175	2	6,175	
,, B	3	4,700			3	4,700	
,, C							
Total	4	8,700	1	2,175	5	10,875	1.1

<u>Durham</u>							
Period A	5	4,437			5	4,437	
,, B	1	200			1	200	
,, C							
Total	6	4,637			6	4,637	0.7

Westmoreland

Period A

,, B	4	3,237	4	3,237
,, C				

Total	4	3,237	4	3,237	0.6
-------	---	-------	---	-------	-----

Cheshire

Period A

,, B	2	3,326	2	3,326
,, C				

Total	2	3,326	2	3,326	0.5
-------	---	-------	---	-------	-----

Monmouth

Period A

,, B	1	780	1	780
,, C	3	513	3	513

Total	4	1,293	4	1,293	0.4
-------	---	-------	---	-------	-----

Shropshire

Period A

,, B	5	1,670	5	1,670
,, C	2	1,140	2	1,140

Total	5	2,810	5	2,810	0.3
-------	---	-------	---	-------	-----

PART II.

CHAPTER I.

ENCLOSURE OF COMMON FIELDS WITHOUT
PARLIAMENTARY SANCTION.

ENCLOSURE OF COMMON FIELDS WITHOUT
PARLIAMENTARY SANCTION.

On the accompanying map of England, enclosures of common field parishes by Act of Parliament before the General Enclosure Act of 1801 are coloured yellow, such enclosures from 1802 to 1845 are coloured green, and subsequent enclosures under the General Enclosure Act of 1845 are coloured purple. In other words all the coloured area represents the area of parishes which had arable common fields up to the year 1700, all the green and purple area represents the area of parishes which had arable common fields up to 1801, and all the purple area represents the area of parishes which had arable common fields up to 1845.

What about the area which is not coloured at all?

An inspection of the map yields certain striking results.

In the first place we see that the coloured districts lie in a broad band across England from North East to South West, from the East Riding of Yorkshire to Dorset and the east part of Somerset.

Secondly we see that there is a perfectly sharp line of demarcation between the coloured and the non-coloured area, running

through Suffolk, Essex, passing through London, and along the border between Surrey and Kent. This line becomes indefinite as it passes through the Weald of Surrey and Sussex, but its termination can be traced in the part of Sussex which lies on the southern slope of the South Downs. In the white area to the South East of this line there are but two patches of colour visible - the parishes of Iken and Orford, in Suffolk, situated close together, in the peninsula formed by the estuaries of the rivers Alde and Deben.

Thirdly we can trace an equally sharp line of demarcation between the coloured and the non-coloured area in the South West, running from the Bristol to the English Channel, across Somerset and Dorset. South West of this line there is no coloured patch - i.e. there is no case of common field enclosed by Act of Parliament.

Fourthly on the North West side of the coloured belt, towards Wales and Scotland, there is no sharp line of demarcation between the coloured and the non-coloured area, but as one travels further and further from the central axis of the coloured area to the North West, the coloured patches become sparser and sparser; but still some coloured patches are to be found in every English county on this side of the coloured belt, except Lancashire.

Fifthly it is to be noticed that along the central axis of the coloured belt the colour yellow - indicating enclosure by Act of Parliament in the eighteenth century - greatly predominates, and most of all the colour is overwhelmingly yellow in the very centre of the coloured area. Green and purple, indicating Parliamentary enclosure in the nineteenth century, and particularly purple, indicating the latest group of Parliamentary enclosures, show more prominently in the edges or fringes of the coloured area. In other words, when the great movement of Parliamentary Enclosure began in the eighteenth century, its chief field was the very centre of the district over which it ultimately spread.

It is obvious that there must be certain broad historical reasons for these striking facts. The map, in fact, presents to us a series of definite puzzles for solution.

1. How and when was the South Eastern corner of England enclosed?
2. How and when was the South Western corner enclosed?
3. How and when was the great district in the North West, in which Parliamentary enclosure is the exception, enclosed?
4. How and when were the numerous parishes within what we may call the Parliamentary Enclosure belt, which escaped Parliamentary enclosure, enclosed?

And lastly, there is the question which sums these up, and presents the problem on the other side -

5. Why were special acts of Parliament necessary for the enclosure of some three thousand of the English parishes, in the geographical position indicated by the map?

And it is important that it should be clearly understood that this is the more natural way of putting the question, because the surprising fact is not that the common field system should gradually and quietly disappear in parish A, but that it should persist in parish B, until ended by the very expensive and troublesome measure of a special act of Parliament.

In order to proceed as far as possible from the known to the unknown, we will first consider the various methods of Common field Enclosure operating within the belt of Parliamentary enclosure of Common fields. But before beginning this enquiry attention may be drawn to a ray of light which the map throws upon the social history of England in the Tudor period. The reader of the history of that period is tempted to suppose that the districts from which the greatest complaints, and still more riots and insurrections, arose against enclosures, were those in which enclosure was proceeding most rapidly. Now the most formidable of these popular agitations began, in the reign of Edward VI., in

Somersetshire, and spread northwards and eastwards, growing in intensity, till it reached its climax in Ket's rebellion in Norfolk.[†] The earlier complaints also come from counties within the Parliamentary Enclosure belt - Oxford, Buckingham, Wiltshire and others. The map suggests that a possible interpretation of these popular movements is, that an industrial and economic change involving normally the enclosure of common fields was in the fifteenth and sixteenth centuries gradually spreading over the southern and midland counties; that in some parts it met with little or no resistance; but that in other parts popular resistance was roused to some features of this change, including the enclosure of arable fields, and that popular resistance was in a very great degree successful in causing the postponement of such enclosure. Briefly, a special outcry against enclosure in a particular locality shown, not necessarily that enclosure was proceeding with special rapidity there, but possibly that there it was specially obnoxious, and being there specially obnoxious, proceeded more slowly than elsewhere.

† "Can it be denied that the fyrst rysinge this yeare was in Somersetshire, ffrom Somersetshire it entred into Gloucettshire, Wylshire, hampshire, Sussex, Surrey, worcestershire, Essex, Hertfordshire, and dyuers other places?" (John Hales' defence, The Commonweal of this realm of England, Miss Lamond's edn. p.lviii) This is to prove that the rising was not caused by the Enclosure Commission of 1549. The Commissioners were sent to Oxford, Berkshire Warwick, Leicester, Buckingham and Northampton.

ENCLOSURE BY PRINCIPAL LANDLORD.

But to return to our own subject. We have shown that enclosure by Act of Parliament was greatly to the landlord's interest; but it is perfectly obvious that the landlord's interest was much more served by an enclosure without all the expense, loss of time, labour and anxiety involved in Parliamentary proceedings. Obviously therefore if one landlord could acquire all the open and commonable land in the parish, he would enclose without an act of Parliament. The only difficulty in his way would be in arranging leases so that they should all fall in simultaneously, or, failing this, in overcoming the resistance of any tenant whose lease gave him the power of resisting, if he were unwilling to agree. We have noticed that even in recent years the common fields of Yelden in Bedfordshire have disappeared in this way; that the Duchy of Cornwall in 1876 bought out all the copyholders holding lands in Fordington Field; that Earl Manvers is similarly acquiring by degrees all the common-rights in the common fields of Laxton, and the Ecclesiastical Commissioners are endeavouring in this way to procure the enclosure of Elmstone Hardwicke; that Stratton and Grimstone were thus enclosed since 1900, and that the common fields of several Berkshire parishes have thus disappeared within the last half century. The same

process can be watched on a much larger scale with regard to common rights over commons proper. The buying up of the rights of Commoners over Dartmoor by the Duchy of Cornwall is one striking example; similar purchases of common rights over the Wiltshire downs on a very large scale have come into notice through the approach to Stonehenge being affected.

The enclosure of common fields in this way is proceeding slowly merely because the remains of common fields are now so small.

And it is obvious that through the last two hundred years the restraints of law and public opinion upon the freedom of the country squire or great landowner, in doing as he likes with the villages under his control, have been gradually and continuously strengthened. In looking back over the nineteenth and eighteenth centuries, we are looking back at a greater and greater proportion of local autocratic power accompanying any given degree of local preeminence in wealth and landed property.

If we look back to the beginning of the eighteenth century, we find the principles generally accepted by the landowning class with regard to the general management of their estates, and particularly with regard to common fields, very clearly laid down by Edward Lawrence in "The duty of a Steward to his Lord."

Article XIV. "A Steward should not forget to make the best Enquiry into the Disposition of any of the Freeholders within or near any of his Lord's Manors to sell their Lands, that he may use his best Endeavours to purchase them at as reasonable a price as may be for his lord's Advantage and Convenience.....especially in such Manors where Improvements are to be made by inclosing Commons and Common fields.....If the Freeholders cannot all be persuaded to sell yet at least an Agreement for Inclosing should be pushed forward by the Steward" (p.9).

"The Steward should not suffer any of the Lord's lands to be let to Freehold Tenants within or near his Lord's Manor" (p.34).

"The Steward should endeavour to lay all the small Farms, let to poor indigent People, to the great ones".....but "It is unwise to unite farms all at once, because of the odium and increase of Poor-rates. It is much more reasonable and popular to stay till such farms fall into Hand by Death" (p.35).

And to facilitate this process

"Noblemen and Gentlemen should endeavour to convert copyhold for lives to Leasehold for lives" (p.60).

The significance of this last recommendation may be illustrated by the passage in William Marshall's account in Agriculture of Gloucestershire, published about 60 years afterwards, of the

Cotswold Hills.

"Thirty years ago this district lay almost entirely in an open state; namely in arable common field, sheepwalk, and cow down. At present it may be said to be in a state of inclosure, though some few townships yet remain open.

"The difficulties of Inclosure were not, in this case, numerous or great. The sheepwalks and cowdowns were all of them stinted by 'yardlands' in the arable fields: there was not, perhaps, one unstinted common on these hills. They were, formerly, many of them, or all of them, occupied by leasehold tenants for three lives renewable. A species of tenancy I have not met before. Many of these leaseholds had fallen in. The removal of those which remained, was" (sic, he means, of course, removed) "the main obstacle of inclosure."

Because the number of acts for enclosure gradually increases through the eighteenth century, and reaches its maximum at the opening of the nineteenth century, it has been hastily assumed by some that the process of enclosure was similarly accelerated. But it is on a priori grounds at least as probable that there was no acceleration of the rate of extinction of common fields, only a gradual change in the prevailing method of procedure.

Thus very few acts of Enclosure are extant previous to 1727, the year in which Edward Lawrence recommends to Stewards and Landlords a vigorous enclosure campaign. That that campaign was being carried on at the time can be shown by two contemporary extracts from writers on opposite sides. The Rev. John Laurence of Yelvertoft, in the "New System of Agriculture, 1726, writes:-

"The great quantities of ground that have been of late and are daily inclosing, and the increase of Rent that is everywhere made by those who do inclose, sufficiently demonstrate the benefit and use of Inclosures. In the Bishopric of Durham nine parts in ten are already inclosed"†(p.45).

John Cowper in "Inclosing Commons and Common fields is contrary to the interest of the Nation" says:-

(i.e. 1702-1732)

"I myself within these 30 years past, have seen above 20 Lordships or Parishes inclosed.....I have been informed by an eminent Surveyor that one third of all the land of England has been inclosed within these 80 years."

Perhaps what the eminent Surveyor said to John Cowper is not very convincing evidence. But in considering the estimate of the amount of enclosure in the "last 80 years," i.e. from 1652, the first year of peace after the Civil War, to 1732, the time when

† This statement is confirmed by the Board of Agriculture reporter. "In this only the lands, or common fields of townships, were for the most part inclosed or after the Restoration." (Joseph Granger, Agriculture of Durham, 1794)

John Cosper wrote, we have to bear in mind first that there was an important enclosure movement going on in the Commonwealth period; and secondly that in 1660, with the Restoration, the country gentry came by their own again. The King's Ministers during the reigns of Charles II, James II, and William III and Anne would scarcely have dared, even if they had desired, to check any proceedings on the part of land-owners, with the object of raising rents. The whole policy of Parliament was, in fact, in sympathy with this policy, as may be seen from all the legislature affecting agriculture.

For the first part of this period there is further evidence of the progress of enclosure in John Houghton's "Collection for the Improvement of Husbandry and Trade." In repeated issues he strongly advocates enclosure; in that for Sept. 8, 1681, he says, "Oh that I had sufficient influence to put it (i.e. a General Enclosure Act) to the trial, if it did not succeed I'd be content not to be drunk this seven years" "witness the many enclosures that have of late been made, and that people are daily on going on making" (pp.15,16). It will be remembered that a General Enclosure Act for Scotland was passed in 1695.

To sum up, it is clear that the parliamentary enclosure of a given parish indicates that the lord of the manor, or principal landlord, had not secured such a complete or preponderating influence over the parish as to enable him to effect an enclosure without an act of Parliament.

ENCLOSURE BY YEOMEN.

And yet, on the other hand, it does not appear that the absence of any lord of the manor, or of any single landowner superior in wealth to the others in the parish was favourable, through the seventeenth, eighteenth and nineteenth centuries, to the continuance of common fields, except where, as in the Isle of Axholme, many of the properties were extremely small.

We have seen that the Ecclesiastical Commissioners, in Elmstone Hardwicke, while desiring themselves to enclose the parish, discourage enclosure by the tenants on their own account, by raising the rents to a prohibitive extent. Similarly Edward Lawrence in 1727, while urging, as we have seen, the steward to procure a general enclosure of his lord's manor, declares that it is the duty of the steward, particularly if his lord is the owner of the Great Tithe, to prevent gradual enclosure by yeomen - "He should be ever on his watch to prevent (if possible) the Freeholders inclosing any part of their land in the common fields.....Partial enclosure should never be permitted without a general agreement to do the whole." (Article 24)

The objection of the Tithe owner to enclosures in the common fields was that by increasing the pasture, and decreasing the arable area, they diminished the produce of grain and so diminished the tithe. John Houghton (sept. 16, 1681, p.16) also refers to the objection of the tithe owning clergy to enclosure. And this objection was probably one of the strongest forces against enclosure at that time.

Again, going back a century and a quarter, John Norden's "Book of Surveying," published about 1600, in one place recommends general enclosure, on the ground that "one acre enclosed is worth one and a half in Common, if the ground be fitting thereto" (Book

III. p.97), in another declares "Also enclosures of common fields, or meadows in part, by such as are most powerful and mighty, without the Lord's licence, and the Tenants' assents, is more than may be permitted." (*ibid* p. 96)

The reason of course is, first, that the holder of lands in common fields or common meadows, who fenced his holding, or parts of it, thereby prevented the other holders from exercising their rights of pasturing their cattle upon the fenced portions, without giving up his recognised right to pasture cattle on his neighbours' holdings, very likely, indeed, turning out all the more cattle in the summer and autumn, because better supplied with winter feed; and secondly because the shade of his hedges, if he set quickset hedges, injured his neighbours' crops. In "Select pleas in the Manorial Courts" we find numerous cases of complaints against manorial tenants for attempting to make hedges, banks or such barriers.

At Bledlow, in Northamptonshire, "It is presented that John Le Pee has unlawfully thrown up a bank" in 1275 (p.23). In Hemingford (Huntingdon) that William Thomas Son has planted willows in the bank unlawfully" in 1278 (p.90), and in the same manor "Elias Carpenter has wrongfully planted trees on a boundary" (p.92).

In Weedon Beck (Northamptonshire) in 1296 "Walter Mill complains of Jehn Brockhole and says that he has raised a wall and hedge between their tenements to his damage."

One is tempted to associate the early and complete enclosure of Kent, without acts of Parliament, with the proverbial wealth and importance of the Kentish yeomen, and the custom of gavelkind (i.e. the equal inheritance of landed property by all sons), which necessarily tended to multiply small properties.

William Marshall's description of the enclosure of the Vale of Pickering, the most fertile part of the North Riding of Yorkshire, occupying the southern slopes of the Yorkshire Wolds, shows a similar association. In Rural Economy of Yorkshire, published in 1788, we read:-

"A century ago the marginal townships lay perhaps entirely open, and there are vestiges of common fields in the area of the vale. The West Marshes, church property, have been longer under inclosure; and the central townships were probably inclosed long before those of the margin; the soils of that part being adapted to grass; and while the surrounding country lay open, grass land was of singular value. At present the entire vale may be said to be in a state of inclosure" (p.17).

"Lands are much in the hands of small owners, in general, in the occupation of yeomanry; a circumstance, this, which it would be difficult to equal in so large a district." (p.19)

He notices (p.20) that it was the custom to divide lands among all the children, and (p.24) that the custom of sale of tenant right existed.

"In the present century, more especially in the last fifty years, inclosure has made a rapid progress.....In my own remembrance more than half the vale lay open" (p.50).

The township of Pickering itself lay open at the beginning of the century. It then had 2,376 acres of common field arable, stinted pastures, and 3,700 acres of common. "The common fields and common meadows have been gradually contracting by amicable changes and transfers, and are now, in a manner, wholly inclosed. The stinted pastures have, at different times, been inclosed 'by commission,' namely, by the unanimous reference to arbitrators." †

In general, it may be said, that the parliamentary enclosure of a given parish indicates that the manorial authority was exercised during a long period antecedent to the enclosure, to prevent gradual enclosure by individual tenants; and that the existence of important rights and properties belonging to the lord of the manor

†Footnote next page

prevented a common agreement to enclose by the actual cultivators of the soil from being reached and put into execution.

It may also be noticed that in a parish or township where there is no one principal landlord, but a number of landowners owning moderate properties, there is comparatively little likelihood of the net profit of an enclosure act seeming to any one owner worth the trouble of initiating a movement to promote one; and a comparatively greater likelihood of some owner or owners being found disposed, from private grudges or on public grounds, to oppose the proceedings.

This distribution of property in a common field parish increases the probability that enclosure will proceed in a piecemeal fashion, instead of by an act.

† An older description of piecemeal enclosure is given by John Houghton. "Would they who plough in champain grounds but change their little parcels; would they who have 6 or 8 acres together make a ditch of 6 or 7 foot wide and deep, and fill it if they would with water, and carry away the bank that it might not be thrown in again, hedges might chance to thrive, and in 3 years (tho' they to please the people might at certain times lay it open) they would raise more money than they use to do in 6." (Collection, Sept. 16, 1681, p.16) This gives one a pretty fair idea both of the profit and of the unpopularity of such enclosure at the time.

ENCLOSURE UNDER THE GENERAL ACTS OF 1836 AND 1840.

In 1836 a general act (c.115) was passed "to facilitate the Inclosure of Open and Arable Fields in England and Wales." By this act two thirds in number and value of the proprietors of lands and common rights in Arable Common Fields could appoint Commissioners for enclosure, provided such fields were not within 10 miles of the centre of London, or 3 miles from the centre of some town of over 100,000 inhabitants, or within certain smaller distances of smaller towns. Enclosure so effected was only recorded locally, Awards had to be deposited in the parish churches; but no confirming act was needed. If seven eighths in number and value of the proprietors were agreed upon enclosure, it was not necessary for them even to appoint Commissioners, if they could come to an agreement as to the redistribution of properties.

In 1840 an amending act (c.31) was passed, providing that persons who took possession of the allotments awarded them in enclosures under the act of 1836 must be deemed to have waived the right of appeal from the award. The scope of the act of 1836 was also extended to lannas meadows.

As these acts were in operation from 1836 - 1845 the enclosures

effected by special acts of Parliament during this period, must have been greatly outnumbered by those effected during that period without being recorded by the central Government. Between 1845 and 1852 the enclosure of lands which were neither commonable all the year round, nor subject to any common rights not regulated by a stint, could be effected by the Enclosure Commissioners without being reported to Parliament; but after 185⁴⁵~~2~~ the Enclosure Commissioners kept a record of the awards.

ENCLOSURE IN CORNGROWING AND PASTORAL DISTRICTS.

The arable common fields, and in consequence the commonable meadows with intermixed ownership, which were situated in districts predominantly pastoral, tended, other things being equal, to be divided and enclosed earlier than the common fields in the predominantly corngrowing districts. For this there are various reasons.

First, as may be seen from the maps of Castor and Ailesworth, of Laxton, of Braunton (herewith) or of any maps of any common field parishes, piecemeal enclosure tends to begin in the arable fields (a) close to the village, and (b) on the outermost margin of the fields. The greater the extent of the fields, the longer, ceteris paribus, will it be before piecemeal enclosure completely obliterates them.

Secondly, enclosure in a pastoral district does not arouse the same resentment and popular resistance that it does in a corngrowing district. This is easily seen from all the controversial writings of the whole period during which enclosure has been a matter of controversy, up to about the middle of the nineteenth century. It was not enclosure as enclosure that offended, but enclosure as causing, or as being intended to result in, the laying down of arable land in grass; as being, in the words of Joseph Bentham

of Kettering, "the inhuman practices of maddened and irreligious depopulators"* which robbed the king of subjects and the country of corn and cattle. Those who enclosed were "monsters of men, dispeoplers of towns, ruiners of the commonwealth as far as in them lyeth, occasioners of beggars and beggery, cruell inclosiers, whose Adamantine heart no whit regard the cries of so many distressed ones."x Such denunciation would be out of place, and the passions which gave rise to it would never have arisen, in a predominantly pastoral district, because there would be in such a district comparatively few persons thrown out of employment even if the enclosure were of the arable fields only; and because it is scarcely possible that while enclosure of the arable fields was going on, there would not be simultaneous enclosure of waste land, which would have to be repeatedly ploughed and tilled even if the intention were to convert it into permanent pasture ultimately. In other words, while enclosure in a predominantly corn-growing district is associated with "depopulation," in a pastoral district it is associated with increased employment, increased local population, a larger production of food, and on the whole

* The Society of the Saints, p. 67
x ibid, p.98

increased local prosperity. Thus though there was a rebellion in Devon and Cornwall in 1549, the same year as Ket's rebellion, enclosure was not one of the complaints of the rebels. And this was not because enclosure had not begun in Devon and Cornwall, because as a matter of fact enclosure had advanced further in Devon and Cornwall than in most other counties. The attitude of the Cornishmen is thus expressed by Carew:- "They fall everywhere from Commons to Inclosure, and partake not of some Eastern Tenants envious dispositions, who will sooner prejudice their owne present thrift, by continuing this mingle-mangle, than advance the Lords expectant benefit, after their terme expired." *

Thirdly, there was during one period in the sixteenth century a law specially guarding the corn-growing districts from enclosure, from which other districts were exempt.

The statute 7 Henry VIII. c.1 was the depopulation act in force for the twenty years 1516 - 1536. It derives special importance from the Inquisition into Enclosures which followed its enactment, in 1517. It applies only to parishes "Whereof the more part was or were used and occupied to tillage and husbandrie;" and it required the land to be tilled "after the maner and usage of the

* Carew, Cornwall (1602) p.30

countrey where the sayd land lyeth." This restriction drops out of the next Depopulation Act, 27 Henry VIII., c.22, passed in the year 1536.

In the year 1536 Leland the Kings Antiquary began his Itinerary which lasted till 1542. Whether in consequence of special instructions or not, he almost everywhere notes the condition of the country he traverses with regard to enclosure. A summary of his observations is shown in the form of a map; Devon, Cornwall, West Somerset, South Wales, Hereford, Worcester, the north west of Warwick, South Lancashire, the country round Southampton and near Hampton Court, with parts of Yorkshire, are shown to be the most enclosed districts which are described; and the districts described by Leland as champaign are those which were later enclosed largely by Act of Parliament.

The general movement of agricultural progress, it may surely be assumed, up to Leland's time, was from the southeast of England northwards and westwards. The extreme south east corner was certainly very early enclosed, as one would naturally expect, but we also find remote western districts, where one would naturally expect to find old customs linger comparatively late, precede the central districts in the abandonment of the "village community,"

by many years.*

Whether much of the enclosure which Leland saw in 1536 had been the work of the previous twenty years, it is of course impossible to say; but making any reasonable allowance for progress in hedging and ditching in the western counties where agriculture was mainly pastoral during those twenty years, and assuming that the act of 1516 had effectually stopped enclosure in that period in the corn-growing districts, one can hardly resist coming to the conclusion that if Leland had made his journey in 1516 he would then have found enclosure most advanced in those districts which were most enclosed in 1536.

What we have then to ask is whether the priority of enclosure in the western counties is to be attributed entirely to the fact of their being devoted more to grass and less to tillage, or whether there was some difference in the primitive village community of the west which caused cultivated land to pass more easily into the condition of exclusive ownership and separate use. Obviously we

* How long the enclosure of certain western counties preceded the enclosure of the east midlands, is shown by comparing the two following extracts:- of the former Joseph Lee, in 'A plea for Regulated Inclosure published in 1656, asks, "Are not many places in England, Essex, Hereford, Devonshire, Shropshire, Worcester, wholly enclosed' (p.31). Of the latter the General Report on Enclosures, published 152 years later, says, "A village of farmers and labourers surrounding a church and environed by three or four and in a few cases by five open fields, form the spectacle of Cambridge, Huntingdon, and Northampton shires, as much as on the Loire and on the plains of Moscow." (p.25)

must look for the answer to this question beyond the boundaries of England. To understand the differences between the village life of those parts of England which were once the Danelagh, Mercia and Wessex, from those that were then West Wales and Strathclyde, which may be regarded as at least semi Celtic, we must examine the purely Celtic type of village community.

But it must also be noticed that there is one characteristic feature of the typical English village community, viz. the importance attached to the right of common pasturage on the fallow field, and on the other arable fields after harvest, which would probably never have developed in any part of the country where only a small proportion of the land was ploughed. There would be too little profit and too much inconvenience attached to the exercise of the right, for it to have a chance of being established, or if established, of persisting.

Lastly it seems to me impossible to account for the perfect definition of the two boundaries between parishes early enclosed, without special acts, and parishes enclosed late by special acts, the one in the south east, passing through Suffolk, Essex, and between Surrey and Kent, and the other in the south west, passing through Somerset and Dorset, except on the assumption that the enclosure movement beginning in these two corners of England was suddenly checked when it had reached the limits indicated, by the Tudor series of depopulation acts, and by the Inquisitions and other measures taken to enforce them. These acts specially stipulated for the continuance of the ancient customary methods of tillage. A summary of their provisions which affect enclosure will be found in Appendix

PART II.

CHAPTER II.

RUN-RIG AND COMMON FIELD.

RUN-RIG AND COMMON FIELD.

It is a familiar fact that the early open field system of agriculture of Scotland, Wales and Ireland, known as run-rig or rundale, differed in some important features from the common field system of England.

The mere fact suggests a series of questions with regard to the relationships between common field and run-rig; whether for instance the more complex common field system was evolved from the more simple and primitive run-rig system; or supposing the two not connected, whether a boundary can be defined on one side of which the early agriculture was of the English type and on the other of the Celtic type; and again, if so, which parts of England lie on the Celtic side of the boundary, and which, if any, of Wales and Scotland lie on the English side.

Obviously before considering such questions it is necessary to have a clear grasp of the nature of run-rig, and of the differences between it and the English system.

In the year 1695 the Scotch Parliament passed an act allowing any one "coterminous heritor" owning a share in a "commonty" to have

his portion separate from the rest, and to enclose it; and a series of cases established a defined system of computing the share of the "commonly" to which the lord of the manor as such was entitled in lieu of manorial rights. This caused the process of the separation of intermixed properties in open fields to proceed without the intervention of special acts of Parliament, except for Royal burghs. Also while in England under Enclosure Acts or agreements to enclose the three processes of the separation of intermixed and intercommonable properties, the separation of intermixed and intercommonable holdings, and the hedging or fencing of the separated properties were accomplished by one continuous series of actions on the part of those concerned, in Scotland it was otherwise. The separation of properties where necessary was first accomplished, and for long afterwards the system of run-rig was followed by groups of tenants on the same estate. After run-rig had been abandoned, the separate holdings remained open and unenclosed, and the process of building dykes or planting hedges was carried out at a later date, and by slow degrees.

The abandonment of run-rig was general, according to the reports to the Board of Agriculture, in the lowlands of Scotland about the year 1730. In the county of Perth up to the year 1744

"the land was always occupied in run-rigg, either by the different tenants on the same farm, and sometimes by coterminous heritors. The houses were in clusters for the mutual protection of the inhabitants." (James Robertson D.D., Agriculture of the Southern District of Perth, 1794 pp.22,23) In the northern and Highland counties the transition was naturally later. Sir John Sinclair (General View of the Agriculture of the Northern Counties and Islands of Scotland) describes the cultivated land of the Highlands as being open almost everywhere, except in the case of the "mains" or manor farms, the glebe lands, and the farms of a few principal tacksmen. Of Caithness he says, "The greater part of the arable land in this county is occupied by small farmers who possess it in run-rig, or in rig and rennal, as it is here termed, similar to the common fields of England, as system peculiarly hostile to improvement." (p. 207) But in the Orkneys "Much of the land that formerly lay in the state known in Scotland under the name of run-rig land has been divided, but much still remains in the same situation;" (p. 327) and the process of enclosing had begun even in the Shetlands (p.252).

Turning westwards, we find that in the Inner Hebrides 1850 was the date at which the run-rig system finally died out, in a

manner and under circumstances which will demand further attention. But it survived in the Outer Hebrides to a considerably later date. A very full and interesting description by Mr. Alexander Carmichael is given in Skene's "Celtic Scotland" (Vol.III. chapter X).

"Old systems are tenacious. They linger long among a rural people and in remote places. Of these is the land system of run rig (Mor Earann) which characterises more or less the land system of the Western Isles. The Outer Hebrides are called the Long Island. They are a series of islands 110 miles in length, and varying from half a mile to twenty miles in breadth. This kite-like chain of 40 inhabited and upwards of 150 uninhabited islands contains a population of 40,000. Much of this land is held by extensive tacksmen on leases (Fir Baile), and there being no intermediate tenantry, the rest of the land is occupied by small tenants at will without leases. These number 4,500, the majority of whom fish as well as farm.

"The country is divided into townlands of various extent. The arable land (Fearann Grainsich) occupied by the small tenants of these townlands is worked in three ways - as crofts wholly, as crofts and run-rig combined, and as run-rig wholly. In Lewis and Harris the arable land is wholly divided into crofts; in Uist and

Barra the arable land is divided in part into crofts, and in part worked in run-rig; while in the townlands of Hosta, Coolas Paipil, and the island of Heisgeir in North Uist, the arable land is worked exclusively upon the run-rig system of share and share alike. The grazing land of the tenants of each townland throughout the Long Island is held in common (in Lewis called Comhpairt).

"The soil varies from pure sand to pure moss. Along the Atlantic there is a wide plain of sandy soil called Machair. This merges into a mixture of sand and moss (Breacthalamh, or mottled soil), which again merges into pure moss (Mointeach) towards the Minch. As the soil is dry and sandy, if the summer is dry the crop is light. On the other hand if the summer is moist the crop is heavy and good. In order that all may have an equal chance, the Machair belonging to them is equally divided among the tenants of the township. Obviously the man who is restricted to his croft has fewer advantages than the man who, together with his croft, has his share of the Machair, and still fewer advantages than the man who has, rig for rig with his neighbours, the run of the various soils of his townland, which gives name to the system. Consequently a wet or dry season affects the tenant of the croft system more than the tenant of the combined system, and the tenant of the

combined system more than the tenant of the run-rig system.

"The townland of Hosta is occupied by four, Ceolas Paipil by six, and the island of Heisgeir by twelve tenants. Towards the end of autumn, when harvest is over, and the fruits of the year have been gathered in, the constable calls a meeting of the tenants of the townland for Nabachd (neighbourliness). They meet, and having decided upon the portion of land to be put under green crop, next year, they divide it into shares according to the number of tenants in the place, and the number of shares in the soil they respectively possess. Thereupon they cast lots, and the share which falls to a tenant he retains for three years. A third of the land under cultivation is thus divided every year. Accordingly the whole cultivated land of the townland undergoes revision every three years. Should a man get a bad share he is allowed to choose his share in the next division. The tenants divide the land into shares of uniform size. For this purpose they use a rod several yards long, and they observe as much accuracy in measuring their land as a draper in measuring his cloth. In marking the boundary between shares, a turf (Torc) is dug up and turned over the line of demarcation. The torc is then cut along the middle, and half is taken by the tenant on one side, and half by the tenant on the

other side, in ploughing the subsequent furrow; similar care being afterwards exercised in cutting the corn along the furrow. The tenant's portion of the run²rig is called Cianag, and his proportion of the grazing ground for every pound he pays Coir-sgoraidh.

"There are no fences round the fields. The crop being thus exposed to injury from the cattle grazing along the side, the people have a protecting rig on the margin of the crop. This rig is divided transversely into shares, in order to subject all tenants to equal risks..... Occasionally, and for limited bits of ground, the people till, sow, and reap in common, and divide the produce into shares and draw lots. This is called Comachadh, promiscuous. The system was not uncommon in the past, though now nearly obsolete.

"In making their own land arrangements for the year, the tenants set apart a piece of land towards the support of the poor...

"In reclaiming moor-land the tenants divide the ground into narrow strips of five feet wide or thereby. These strips, called lazy-beds; (Feannagan, from feann to scarify) the tenants allot among themselves according to their shares or crofts. The people mutually encourage one another to plant as much of this ground as possible. In this manner much waste ground is reclaimed and

enhanced in value, the ground hitherto the home of the stonechat, grouse, snipe and sundew, is made to yield luxuriant crops of potatoes, corn, hay and grass. Not unfrequently, however, these land reclamations are wrested without acknowledgement from those who made them.

"The sheep, cattle and horses of the townland graze together, the species being separate. A tenant can only keep stock conformably to his share in the soil. He is however at liberty to regulate the proportions of the different kinds, provided that his total stock does not exceed his total grazing rights. He can keep a greater number of one species and a corresponding smaller number of another. Or he can keep a greater number of the young, and a corresponding less number of the old of the same species, or the reverse. About Whitsuntide, when the young braird appears, the people remove their sheep and cattle to the grazing ground behind the arable land. This is called clearing the townland. The tenants bring forward their stock (Leibhidh) and a souming (Sumachadh) is made. The Leibhidh is the tenant's stock, the Sumachadh the number he is entitled to graze in common with his neighbours. Should the tenant have a croft, he is probably able to graze some extra stock thereon, though this is demurred to by his neighbours.

Each 'penny' of arable lands has grazing rights of so many soums. Neither, however, is the extent of land in the penny, nor the number of animals in the soum uniformly the same."

A soum consists of a cow and her progeny; in some places the cow and her calf only; in some a cow, her calf, her one year old progeby (called a stirk) and her two year old quey; in other places again, the cow, calf, stirk, quey and a three year old heifer. At four years old the heifer becomes a cow, and so originates a fresh soum.

In making souming calculations, it is assumed that one cow is equal to 2 queys or to 4 stirks or to 8 calves, or to one heifer and one stirk. Also one cow is equal to 8 sheep, or to 12 hoggs (one year old sheep) or to 16 lambs or to 16 geese. One mature horse is equal to two cows; also to 8 foals, or to 4 one year old colts or fillies, or to 2 two year olds, or to one three year old, and one colt or filly. The cow is entitled to her calf; and if one tenant has two cows without calves, they are entitled to take one stirk instead.

Those tenants who are found at the souming to have overstock, must either buy grazing from a tenant who has understock, or may be allowed by the community to let the overstock remain on the

grass, till he can dispose of it. In that case payment must be made, according to a recognised code, into a common fund which is used to buy bulls or tups or for some other common purpose. The scouming is amended at Lammas, and again at Hallowtide.

In Lewis and Harris similar arrangements with regard to stock obtain among the crofters, the amount of stock allowed to each crofter being regulated according to the rent paid.

During the early summer the herds are put at night into enclosures, according to the species, and two tenants, chosen in rotation, keep watch to prevent them from straying over the open fields. If they escape, the watchmen are fined, and have to make any damage good, but the fines, and the amount assessed for damages, both go into the common fund.

Early in June, the tillage being finished, the people go to the hill grazing with their flocks. The scene is vividly described by Mr. Carmichael, the general excitement, the men shouting directions, the women knitting and chatting, the children scampering about. Sheep lead the procession, cattle come next, the younger ones preceding the elder, the horses follow. Implements and materials are carried to repair the summer huts. When the grazing ground is reached the huts are repaired, fires lit, and food cooked. The

people bring forward their stock into an enclosure, and the constable and another man stand at the gate of the enclosure and count each man's stock separately to see that he has brought only his proper souming. Then the cattle are turned out to graze, and the "Shealing Feast" is celebrated by the singing of hymns and the eating of cheese. The summer huts are of a beehive shape, and are sometimes constructed of stone, and sometimes of turf and frail materials.[†]

Each tenant under the run-rig system is responsible for his own rent only. Formerly the rent was paid partly in money, partly in meal, partly in butter and cheese, and partly in cattle.

The common functionaries, the shepherd, cattleherd and march-keeper, are paid by their co-tenants for their services in seaweed, land and grazing. The business of the marchkeeper is to watch the open marches of the townland and prevent trespass. He may also have the duty of watching the shore to see when the seaweed is cast upon it. Then he erects a pole with a bunch of seaweed at the end, and the people come down to the shore to collect the weed for manure. No tenant is permitted to take seaweed till his neighbours arrive, unless the custom prevails of collecting the weed in common, dividing it into shares and casting lots.

When required by the proprietor or the people, the constable convenes a meeting of the inhabitants. At such meetings the

[†] The ruins of beehive huts, all over Dartmoor, & of enclosures like Grinspound, are conceivably evidence of similar customs in Devonshire. Now, however, the care of the cattle pastured on Dartmoor by the occupiers of adjacent farms is a dis-

questions in dispute are settled, after full discussion, by votes; lots are drawn if the votes are equal.

"The closer the run-rig system is followed, the more are the unwritten customs and regulations observed. The more intelligent tenants regret a departure from them

"The houses of the tenants form a cluster. In parts of Lewis the houses are in a straight line called Straid, street, occasionally from one to three miles in length. They are placed in a suitable part of the townland, and those of the tenants on the run-rig system are warm, good and comfortable. These tenants carry on their farming operations simultaneously, and not without friendly and wholesome rivalry, the enterprise of one stimulating the zeal of another.....

"Not the least pleasing feature in this semi-family system is the assistance rendered by the neighbours to a tenant whose work has fallen behind through accident, sickness, death or other unavoidable cause.....

"Their mode of dividing the land and of equalising the stock may seem primitive and complex to modern views, but they are not so to the people themselves, who apply them amicably, accurately and skilfully. The division of the land is made with care and justice. This is the interest of all, no one knowing which place

may fall to himself, for his neighbour's share may become his own three years hence.

"Whatever may be the imperfections according to modern notions, of this very old semi-family system of run-rig husbandry, those tenants who have least departed from it are the most comfortable in North Uist, and, accordingly, in the Outer Hebrides."

Mr. Carmichael informs me that the whole of this description held good at least up to May 1904.

The brief descriptions and other references to the run-rig system of the agricultural writers whom Sir John Sinclair and Arthur Young enlisted in the service of the Board of Agriculture at the end of the eighteenth and the beginning of the nineteenth century, are sufficient to show that in all essential features it was fundamentally identical in different parts of Scotland. Sir John Sinclair's own description is meagre and unsympathetic. —Were there twenty tenants and as many fields, each tenant would think himself unjustly treated unless he had a proportionate share in each. This causes treble labour, and as they are perpetually crossing each other, they must be in a state of constant quarrelling and bad neighbourhood. In order to prevent any of the soil being carried to the adjoining ridge, each individual makes his own ridge as high as possible, which renders the furrow quite bare,

so that it produces no crop, while the accumulated soil in the middle of the ridge is never stirred deeper than the plough. The proprietors begin to see the inconvenience of this system, and in general intend to remedy it, by dividing the land into regular farms."

This is obviously a description of run-rig in a state of decrepitude; the communal spirit has died out of it, and apparently the practice of periodic redivision of the land has fallen into desuetude. In another passage we find a variation of the method of guarding the crops which again, when compared with Mr. Carmichael's description of the "promiscuous rig," appears to show the decay of the system. "The tenants have a miserable sort of fence, made of turf, which separates their arable land from the adjoining waste; but it requires constant repairs, and when the corn is taken off the ground, is entirely neglected, and the country becomes one immense common, over which immense numbers of cattle are straggling in search of food, greatly to the injury of the soil."

William Marshall, the rival as an agricultural writer, and bitter critic of Arthur Young, supplied the "General View of the Agriculture of the Central Highlands of Scotland." He supplies us with one significant hint, if we need it, with regard to the

* Ibid p.205

* General View of the Agriculture of the Northern Counties and Highlands of Scotland, p.207. This passage and the next occur in the description of Caithness, but they appear to be intended to apply to the whole district.

fundamental basis of run-rig: "Not the larger farms only, but each subdivision, though ever so minute, whether 'plow-gait, 'half-plow' or 'horse-gang' has its pittance of hill and vale, and its share of each description of land, as arable, meadow, green pasture and muir" (p.29). By the way, even smaller farms than the 'horse-gang', i.e. one quarter of the arable land which could be ploughed by a four-horse plough, together with the corresponding proportion of meadow, pasture and moor, were to be found on the Royal burghs where inter-mixed ownership was exempt from the operation of the act of 1695. On these the smallest farms consisted of a "horse's foot" of land, i.e. one sixteenth part of a "plow-gait."

Dr. James Robertson defines run-rig as "Two or three or perhaps four men yoking their horses together in one plough, and having their ridges alternately in the same field, with a bank of unploughed land between them, by way of march."*

James M^CDonald writing in 1811 a later report on the "Agriculture of the Hebrides, published in 1811, gives an account of the beginning of the disappearance of run-rig in those islands. "Mr. Maclean of Coll insisted upon some of his tenants dividing among

* Agriculture of the Southern Districts of Perth (1794) p.

them the land which they formerly held in common, or run-rig, and which they were accustomed for ages to divide annually by lot, for the purposes of cultivation. They obeyed with great reluctance, and each tenant had his own farm to himself. Three or four years experience has convinced them now that their landlord acted wisely The same thing happened on various other estates, and especially in Mull, Tyree and Skye." (p.133) But the general disappearance of run-rig in these islands took place about the middle of the nineteenth century, and was the consequence of the temporary prosperity produced by the rise of the Kelp industry. This led to extreme subdivision of holdings by sub-letting, the body of small crofters so created relying in the main upon the Kelp industry for a livelihood, and using their crofts as a subsidiary means of subsistence (Skene, Celtic Scotland, Vol. III., chapter X.).

It is clear that the two essential features of run-rig are (1) that it is based upon co-aration, several farmers yoking their horses to one plough, and tilling the land in partnership; just as the English common field system was also based upon co-aration, with the difference that in England, in general, at the time that co-aration was practised, the plough was drawn by eight oxen, instead of by four horses.

(2) That run-rig has a special distinctive feature in the periodical division and redivision of the land, and that in the Hebrides, at least, this feature survived after co-aration has become obsolete. In this respect the Scotch agricultural community resembles that of Great Russia, where also the periodical re-division of the open fields, so as to make the shares proportional to the working power of each family, persists after co-aration has disappeared.

That throughout the British Isles, and indeed throughout northern Europe, the earliest tillage of the soil by ploughs was accomplished by the method of co-aration, scarcely admits of doubt; nor is it easy to doubt that before the possibility of improving the crop by manure was discovered, there was no permanent occupation by one of the partners in the ploughing, of any particular set of strips so ploughed.

But it is also obvious that whereas we know that in some places, as in the Hebrides and in Russia, the idea of common occupation of the land persisted, after co-aration had ceased, and displayed itself in the form of periodic or occasional redivision of the arable land, it is equally possible for the permanent occupation of certain strips of land to be definitely allotted to some

individuals, while the practice of co-aration is still persistent among other individuals of the same community. In the latter case when individual cultivation begins, the peasant who drives his own plough team drives it over the same set of strips of land as had previously been ploughed for him by the common plough; he feels more than ever that they are his own, and that he must guard them against encroachment; though, perhaps, he is not averse, when occasion offers, to widen his strips at the expense of his neighbours. The consequence is that by the time individual cultivation has entirely superseded cooperative ploughing in any particular village, freeholds and copyholds are definitely arranged as we know them in the English common fields. Particularly is this likely to be the case if a long interval of time elapses between the first beginning of individual ploughing and the last disappearance of combined ploughing.

If on the other hand the practice of periodic re-allotment of the land persists up to the time when co-aration ceases, it will obviously be natural for the peasants when they dissolve their plough-partnership, to allot their land to one another with some regard for convenience as well as equity. They will naturally - as Sir John Sinclair noticed they did - allot to each household a

share in each particular sort of soil which had previously been cultivated in common, but each man's share in each field is likely to be allotted to him in one piece, or at least in a few, and not in a number of strips intermixed with those of his neighbours. Then when at a later period hedging and ditching begin, each man has his land in a form convenient for enclosure; and by enclosing it he forms a series of irregular fields, roughly square, or when oblong, with the length not many times exceeding the width. No throwing of the parish into the melting pot, either by a private act of Parliament or by a voluntary submission to a commission, was necessary in order to effect enclosure.

On the one hand then, it is obvious that the great inequality of the holdings held by servile and semi-servile tenures from the time of Domesday onwards, was favourable to the creation of the conditions necessary to make piecemeal enclosure difficult. The socmanni or francigenae who held a whole carucate or ploughland apiece, presumably also had, as a rule, a whole plough-team, and were able to plough for themselves, while their neighbours, who held yardlands and half yardlands, i.e. one quarter or one eighth of a ploughland, could only have their lands ploughed by the common village ploughs. As soon as the socmanni and francigenae began to

permanently improve the soil, as for instance by marling, the beneficial results of which were believed in the eighteenth century to last for at least twelve years, they would naturally become a practically insuperable obstacle not only to any redivision of the land, but also to any minor variation in the exact position of the ridges which comprised the different holdings. Once one such holding was definitely located, the fixing of all other holdings which were intermixed with it would follow; every increase of certainty would be an encouragement to any given tenant to improve his land, and every expenditure of effort by a tenant on permanent improvement would be an additional motive to him to resist any changes in the position of his ridges.

On the other hand, in the case of land first brought into cultivation at a later date, when servile tenures had become obsolete, by "tenants at will" of the lord of the manor, the assured continued occupation of a defined set of ridges in land so reclaimed would not arise, even if the original tenants practised co-aration; and if the original cultivators worked independently of course no inter mixture of holdings would ever arise on such holdings.

Hence the very close connection between copyholds, i.e. the commuted servile tenures, and common fields, which was observed

before copyhold tenure itself was generally again converted into freehold.

To sum up, it is clear that on a priori grounds there are certain defined conditions in which alone we can expect to find the peculiarly English type of open field arable, the type which most obstinately resists dissolution, persisting until destroyed by (a) the absorption of all properties into the hands of a single owner, or (b) a general valuation and redistribution of properties and holdings. These conditions are that the land must originally have been tilled by the method of co-aration, and that co-aration must have persisted until after some at least of the holdings had become a definite set of strips of land, the position of which was not shifted from year to year. These conditions, as Seebohm shows, are the characteristics of the typical English village community. But they are not to be found in open arable fields of the Celtic type of run-rig; and they are not to be expected in lands first brought into cultivation after the disappearance of serfdom.

We may therefore expect to find enclosure of arable land proceeding easily, without the necessity for special acts of Parliament, and at a comparatively early stage of social evolution, on the one hand in Devon and Cornwall, the counties bordering on

Wales, and in Cumberland, Westmoreland and Lancashire; and on the other hand in districts like the Weald of Surrey, Kent and Sussex.

That this inference agrees with the facts will be shown in detail.

Traces of run-rig, however, both in the form of characteristic terms, and of records of local custom, are not confined entirely to the counties within or near the borders of Wales or West Wales. The act (1770 c.59) for Matton in Lincolnshire has for its object to enclose certain commons and "forty-five acres or thereabouts of antient Toftheads and small Inclosures called the Town Rig." To the act for Barton in Westmoreland (1819 c.83) which encloses certain open Common Fields or Town Fields," which mentions "the dales or parcels of land in the said Common Fields or Town Fields," there is a parallel in the act (1814 c. cclxxxiv) for Gateshead in Durham to enclose "certain Common or Town Fields and other commonable lands and grounds." These phrases are all reminiscent of the fact that lands held, or which had previously been held, in run-rig in Scotland, or in rundale in Ireland, are known as town lands.

Much more striking, however, is the local custom at Stamford, described in the following passage by Arthur Young:- "Lord Exeter

has property on the Lincoln side of Stamford that seems held by some tenure of ancient custom among the farmers, resembling the rundale of Ireland. The tenants divide and plough up the commons, and then lay them down to become common again; and shift the open fields from hand to hand in such a manner, that no man has the same land two years together; which has made such confusion that were it not for ancient surveys it would now be impossible to ascertain the property" (General View of the Agriculture of Lincolnshire, p. 27).

William Marshall's comment is perhaps worth adding:- "In regard to commons, a similar custom has prevailed, and indeed still prevails, in Devonshire and Cornwall, and with respect to common fields, the same practice, under the name of 'Runrig' formerly was common in the Highlands of Scotland, and, perhaps in more remote times, in Scotland in general."

Lastly it is to be noticed that there is no mention in any description of run-rig, of the arable fields being used as a common pasture after harvest, or during a fallow year. We shall find later the same absence of this characteristic custom of English Common Field, from open arable fields in Cumberland, Westmoreland,

Lancashire, Wales and Devonshire; i.e. from the Celtic part of England and Wales. This may, of course, be a mere coincidence, and the true explanation may in each case be that the stubble was not needed for pasture. But in any case the absence of rights of pasture over arable fields removes the greatest obstacle to piecemeal enclosure.

EVERY YEAR LANDS.

In the chapter on Norfolk agriculture it is shown that the distinction between Infield and Outfield which was characteristic of the agriculture of the Lothians, was also characteristic of the agriculture of Norfolk; and that a great part of the unenclosed intermixed arable land was not subject to rights of common, and was made to bear a crop every year, such land being known as Every Year lands, Whole Year lands, or Infields.

Here again we were obliged to look to Scotland for further light upon the customs of an English county, but in this case we cannot attribute the resemblance between the customs of Norfolk and the East of Scotland to a common Celtic influence. The hypothesis would be a difficult one, and a different explanation presents itself.

Seebohm points out that the ancient characteristic agriculture of Westphalia, East Friesland, Oldenburg, North Hanover, Holland, Belgium, Denmark, Brunswick, Saxony and East Prussia, a vast area comprising all districts from which the Anglo Saxon conquerors of Britain are believed by any historians to have come, is that known among German scholars as "Einfeldwirthschaft," the "one

field system." Crops, usually of rye and buckwheat, are continually grown year after year, in the strips in the open fields, the fertility being maintained by marling and the application of peat manure. *

It is therefore natural to attribute the Whole Year or Every Year lands of Norfolk, and the Infields of Scotland, alike to the influence of Saxon, Anglian or Danish conquest and settlement. If it is asked why the same agricultural feature was not more widely produced, the obvious answer is that when people of different races are mixed together, in the occupation of the same villages, it is by no means certain that the agricultural customs which will afterwards prevail will be those of the conquerors, or of the race which is in the majority. The customs of the first occupiers had been modified by the environment, and had to some extent modified the environment, till something like harmony was created. After a conquest by another race, if any of the conquered race remain, the easiest course is to continue the existing mode of husbandry. It is more likely that the customs of the conquered race should remain as the basis of the future practice, though altered to some extent in form and more in spirit, than that the previous customs

* The English Village Community, p. 372

of the conquerors, which they had followed under other circumstances on a different soil and amidst other surroundings, should be imposed on the conquered people.

The following are the acts for places outside Norfolk which specify the existence of Whole Year lands, Every year lands, or Infields.

- 1740, c.19 Gunnerton, Northumberland. This act is to enclose 1300 A. of Ingrounds, and 1000 A. of Outgrounds.
- 1752, c.27 Enclosing Wytham on the Hill Infield, Lincolnshire.
- 1761, c.32 Enclosing Norham Infields. Norham was nominally in Durham, but it is on the Scottish border.
- 1807, c.18 Herringswell, Suffolk. "Divers old inclosed Meadow and Pasture grounds, and old inclosed Whole Year or Every Year Arable lands, Open or Common fields, Half Year or Shack lands, common meadows, heaths, warrens, fens, commons and waste grounds."
- 1811, c.ccxix. Great Waddingfield c. Chilton and Great Coniard, Suffolk: "divers open fields called Whole Year lands and Half Year lands."
- 1813, c.29 Icklingham, Suffolk. "Open and Common fields, Infield or Every Year lands, Common Meadows, Heaths, Commons and Wastes."
- 1819, c.18 Yelling, Huntingdon, "Whole Year lands."

Further, Arthur Young (Agriculture of Suffolk, Appendix, p.217) tells us that the parish of Burnham, near Euston in Suffolk, contained in 1764,

Infield arable, inclosed	381 acres,
Outfield arable	2626 ,,
Meadow and Pasture	559 ,,
Heath or Sheepwalk	1735 ,,

Total	5302 ,,

And William Marshall (General View of the Agriculture of the Central Highlands of Scotland, 1794, p.38) remarks, "The every year lands as they are called, of Gloucester, may be said to be clean compared with those of Breadalbane." Now William Marshall knew the agriculture of Gloucestershire well; and he was an extremely accurate observer, and more interested in the local variations of common field cultivation than other agricultural writers of his time; his authority may therefore be considered good enough to establish the existence of lands known as Every Year lands in Gloucestershire.

It is also to be noticed that acts of Enclosure for Gloucester and Oxford frequently specify, not "open and common fields" but "an open and common field," perhaps of between two and three thousand acres; and further, as we have previously noted, the Board of Agriculture reporter for Oxfordshire says, "In divers uninclosed parishes the same rotation prevails over the whole of the open fields; but in others, the more homeward or bettermost land is oftener cropped, or sometimes cropped every year."

It may be suggested, further, that a four year course, such as we have seen was customary in many places, might possibly have originated from the custom of cropping the land every year. The difficulties of maintaining the fertility of the land, and of keeping it clean, under perennial crops, might well have been found insuperable before the introduction of turnip culture, and the natural remedy, suggested by the two or three year course in neighbouring parishes, would be a periodic fallow. It is, however, so far as any evidence that can be supplied from the eighteenth and nineteenth centuries goes, equally possible that the four year course was a modification of the three year course, or that the two, three and four year systems are all equally ancient, taking their origin in different villages from the conflict between Anglo Saxon and Celtic customs.

COMMON FIELDS IN NEW ENGLAND.

A certain amount of light upon the question when the common field system lost its vitality, its advantages being completely overshadowed by its disadvantages, so that only the obstructive forces which we have considered prevented its disappearance, is furnished by the fact that the original settlers of New England, who presumably derived their ideas of agriculture from the eastern counties of England, reproduced in America a form of the English village community. No doubt their poverty and early difficulties compelled them to revert to a further degree of dependance upon mutual help, and so perhaps the form of community which they there established may have been of a more primitive type than that which they had left behind, and allowance must be made for this possibility; and also for the possibility of effects of the sojourn of the Pilgrim Fathers in Holland.

The following accounts of the New England Common Fields are taken from two papers by Mr. Herbert B. Adams.

"Vestiges of the old Germanic system of Common Fields are to be found in almost every ancient town in New England. In the town of Plymouth there are to this day some 200 acres of Commons known

as Town lands. This tract is largely forest, where villagers sometimes help themselves to wood in good old Teutonic fashion.....

In the old town of Sandwich near Cape Cod, at the point where the ship canal was projected in 1880, there is ^{little} a parcel of 130 acres known as the Town Neck. This is owned by a company of 24 proprietors, the descendants and heirs of the first settlers in the town, and this tract is managed to this day as a common field. Originally the Town Neck with other common lands belonged to the whole town.

In the M.S. Town Records of Sandwich I find under date May 22, 1658, this vote, "If any inhabytant wanteth land to plant, hee may have some in the Towne Neck, or in the Common for six yeare and noe longer." Later in 1678, April 6, townsmen are given liberty to improve Neck lands "noe longer then ten yeares.....and then to be at the townsmen's ordering again.' In the year 1695, the use of the Town Neck was restricted to the heirs of the original proprietors, and the land was staked out into 38 lots. The lots were not fenced off, and the whole tract continued to lie under the authority of the entire body of proprietors, like the arable fields of a German village community. In 1696, April 4, it was agreed that the Town Neck should be improved for the future by planting and sowing as a common field, until the major part of those interested

should see cause otherwise to dispose or improve the same. The common fence was to be made up, and a gate to be provided by the first of May. A field driver or hayward was to keep the Town Neck clear of creatures and to impound for trespass. In 1700 it was voted that the Neck be cleared of creatures by the 16th of April, and that no part of the land be improved by tillage other than by sowing.

"And thus from the latter half of the 17th century down to the present day (May 9, 1881) have the proprietors of Sandwich Town Neck regulated the use of their old common field. Every year they have met together in the spring to determine when the fences should be set up and how the pasture should be stinted. The old Commoners' records are for the most part still in existence as far back as the year 1693, and before this time the Town records are full of agrarian legislation, for the Town Neck was then virtually town property. There arose in Sandwich and in every New England Village community the same strife between old residents and new comers, as between the Patricians and Plebeians of ancient Rome. The old settlers claimed a monopoly of public land, and the new comers demanded a share. In most old New England towns the heirs of original settlers or of citizens living in the community at a specified date retained a monopoly

of the common lands for many years until finally compelled by force of public opinion to cede their claims to the town. In Sandwich, however, a vestige of the old system has survived to this day. Every spring, for many years, has appeared a public notice (I saw one in the Seaside Press, May 8, 1880) calling together the proprietors of the Town Neck at some store in the village to choose a moderator and a clerk, and to regulate the letting of cow rights for the ensuing year.....

"There were for many years in the town of Salem certain common fields owned by associated proprietors just as in the case of Sandwich Town Neck. Such were the North and South fields in Salem. The old Commoners' records of the South fields are still preserved in the library of the Essex Institute, and date as far back as 1680. Under the date of October 14th of that year, I find the following: 'Voted that the proprietors have liberty to put in cattle for herbage - that is to say 6 cows, 4 oxen, 3 horses or yearlings, or 24 calves to 10 acres of land, and so in proportion to greater or less quantities of land; and no person shall cut or strip their Indian corn stalks after they have gathered their corn, on penalty of forfeiting herbage.'

"The so-called Great Pastures of Salem, some 300 acres, are

to this day owned and managed by a small company of proprietors in common, of whom Dr. Wheatland of the Essex Institute has been for some years the clerk. He has in his hands the records of the proprietary, extending back for many years.

"These records are full of old time regulations in regard to common fencing, common pasturage, cow commons, sheep commons and the like" (The Germanic Origin of New England Towns, p.33).

Perhaps still more conclusive evidence of the creation by the New England settlers are the following decrees of the legislative body of Massachusetts, which Mr. Adams quotes. In the spring of 1643 the Massachusetts General Court ordered, "For preventing disorder in corne feilds w^{ch} are inclosed in common.....that those who have the greater quantity in such feilds shall have power to order the whole, notwithstanding any former order to the contrary, & that every one who hath any part in such common feild shall make and maintaine the fences according to their severall quantities."

But in the autumn of the same year the act was passed:-

"Whereas it is found by experience that there hath bene much trouble and difference in severall townes about the Manner of planting, sowing, & feeding of common corne feilds & that upon serious consideration wee find no general order can provide for the best

improvement of every such common feild, by reason that some consists onely of plowing ground, some haveing a great part fit onely for planting, some of meadowe and feeding ground; also so that such an order as may be very wholesome & good for one feild may bee exceeding preiudiciall & inconvenient for another, it is therefore ordered, that where the commoners cannot agree about the manner of improvement of their feild, weither concerning the kind of graine that shalbee sown or set therein, or concerning the time and manner of feeding the herbage thereof, that then such persons in the severall townes that are deputed to order the prudenciall affaires thereof, shall order the same, or in case where no such are, then the maior portion of the freemen, who are hereby enioyned wth what convenient speed they may to determine any such difference as may arise upon any information given them by the said commoners; & so much of any former order as concerns the improvement of common feilds & that is hearby provided for, is hearby repealed" (Village Communities of Cape Ann and Salem).

CHAPTER III.

THE PROGRESS OF ENCLOSURE WITHOUT PARLIAMENTARY
SANCTIONS ~~IN THE NINETEENTH CENTURY.~~

CHAPTER XV.

The Progress of Enclosure without Parliamentary
Sanction ~~in the Nineteenth Century.~~

A. From 1845 onwards.

Any statistical account of Enclosure without Parliamentary Sanction must necessarily be vague in comparison with the statements which it is possible to make of Enclosure by Act of Parliament, and must consist of inferences from evidence of varying value. And, naturally, the evidence in general becomes scantier in proportion as the period investigated is more remote.

The Tithe Commutation maps and awards afford the richest mine of information for the period since 1836. We have seen that according to the analysis of them published by the Copyhold, Inclosure and Tithe Commission in 1873 they indicated the existence at that date of 264,307 acres of common fields. We have already seen how untrustworthy this estimate is if taken for a basis for calculating the area of existing common fields, how inaccurate it was even at the date at which it was published. But one great source of inaccuracy in it, as we have seen, is the assumption that no enclosure, other than by

Act of Parliament, took place after the date of Tithe Commutation. If we could eliminate all other errors, and also get a perfectly accurate statement of the area of existing common fields, we should then know how much enclosure of common fields has taken place without Parliamentary intervention since the date of Tithe Commutation. This date, of course, is different in different parishes, but the average date is about 1845.

To eliminate all other errors, it would be necessary to go over all the work again, a task which would take a single investigator several years of continual labour, and would not then be accomplished unless the investigator were himself infallible. We must therefore be content with an approximate correction.

The Tithe maps and awards deposited with the Tithe Commission cover about three quarters of the area of England and Wales. The amount of common field in the other quarter is estimated on the assumption that in each county the part for which there are no title awards in the custody of the Tithe Commission contained the same proportion of common field as the part for which title awards existed. The common

There are no less than 11,783 separate sets of Awards and Apportionments, each with its Map. The maps vary in size from about six or seven to over a hundred square feet each. The Apportionments are bulky rolls of parchment.

fields thus estimated amount to about two fifths of the total estimate. If the particulars given in the return for the different counties were added up, we should get the statement:-

	Common Field Lands
"Areas ascertained from the Tithe Documents	163,823 acres
"Estimated additional areas	100,484
Total	<u><u>264,307</u></u>

We have seen that assuming the total of 163,823 acres is correctly "ascertained," the estimate of 100,484 acres for the other parishes is very excessive, because the most frequent reason for no title documents existing in the custody of the Tithe Commission is that the commutation of tithes was effected before 1836 by a local enclosure act, which swept away the common fields.

In consequence, counties which were mainly enclosed by Acts of Parliament are very partially covered by the Tithe Documents, counties which have few or no acts for enclosure of common fields are nearly entirely so covered. For example we have

Counties of Parliamentary Enclosure.

	Percentage of area enclosed by Acts.	Area covered by Tithe Documents	Area not so covered
Northampton	51.5	148,066	485,220
Rutland	48.5	37,728	54,968
Huntingdon	46.5	83,856	146,630
Bedford	46.0	104,357	191,156
Oxford	45.6	214,889	252,417
East Riding Yorkshire	40.1	283,473	470,228
Leicester	36.2	156,889	352,530

Counties with little or no Parliamentary Enclosure.

Devon	nil	1,611,710	46,030
Cornwall	nil	851,486	6,122
Kent	nil	673,736	29,246
Shropshire	0.3	768,106	64,385
Monmouth	0.4	329,430	16,292
Cheshire	0.5	599,604	115,631

Fortunately there is another possible way of calculating the probable area of common field land which would have been found in the parishes not covered by Tithe Documents, if it had been investigated at about the same date.

Out of the 75 parishes enclosed by Act of Parliament since 1850 - i.e. at a later date than almost all of the Tithe Documents - the Tithe Commission had the maps and Awards of 71, all, that is, but four. Common fields subsequently enclosed were to be found in these two classes of parishes in the proportion of 71 to 4, it is a fair inference that the total area of common fields, whether subsequently enclosed or not, was distributed in the same proportion.

On this assumption we should have the following calculation:-

	Common Field Lands acres
"Areas ascertained from the Tithe Documents	163,823
"Estimated additional areas	9,329
Total	<u>173,152</u>

No probable error in the additional estimate in this calculation would have an appreciable effect on the total.

Next, as we have noticed above, the "Areas ascertained" require correction. This it is much more difficult to supply satisfactorily; all that we can do is to determine (1) whether the number given is likely to err by excess or by defect; (2) whether the error is likely to be large.

The main purpose of the return was to establish the total amount of waste land subject to common rights, and the proportion of such

land likely to be capable of cultivation. This part of the work was done with great care, and particularly with great care not to include any land which was not certainly subject to common rights. The final figure arrived at was certainly considerably in defect through the documents on which it was based failing to mention common rights in all cases where they existed.

The part of the return relating to common field lands, on the other hand, was considered of less importance; the Explanatory Letter says with regard to them,-

"The common field lands are generally distinguishable by the particular manner in which they are marked on the Tithe Maps, and their extent has been estimated by these maps." This means that areas on the Tithe Maps subdivided by dotted lines were assumed to be Common Field Lands. This method had the advantage of comprehensiveness - it is probable that scarcely any common field land escaped notice, if there were a Tithe Map for the parish in which it existed. I have only detected one error of omission. The common fields of Eakring were very considerably in excess of the 54 acres at which they were estimated. But on the other hand it has the disadvantage of including with common field lands numerous cases of properties or holdings which were inadequately divided from one another by fences or

hedges, but which were not common fields. But it is very hard to say precisely what percentage ought to be deducted to allow for this error. Generalising from all the cases in which I have been able to put estimates for particular parishes to a test, I should say that more than one sixth, but less than one third of the total should be deducted. Taking the larger fraction, so as to leave the remainder under-estimated, rather than over-estimated, we have

	acres
Area of common field lands, by estimate above	173,052
less one third	57,684
	<u>115,368</u>
Parliamentary enclosure since 1873 has reduced the area of common fields by	14,842
	<u>100,526</u>

The final remainder represents our corrected estimate of the area of common field arable and commonable meadows of intermixed ownership which would now exist if there had been no enclosure except by act of Parliament since about the year 1845. The total area of such fields and meadows actually existing almost certainly does not exceed 30,000 acres. We therefore may conclude that not less than 70,000 acres have been enclosed as the result of the consolidation of farms and properties and voluntary agreements and exchanges, since, about the year 1845, and that not more than 100,000 acres have been

thus enclosed.

The total area of common fields enclosed by acts since 1856, together with such meadows and commons as were enclosed together with common arable fields, is 139,517 acres.

It would therefore appear that such voluntary methods of enclosure have accounted in this period for an area something between half as large an area as Enclosure Acts and five sevenths of that area.

The proportion of villages in which common fields have been entirely got rid of by voluntary enclosure during the same period would of course be smaller; because wherever common fields exist they are subject to continual diminution by gradual enclosure; and the final application of an act of Parliament may be merely the coup de grace. Curiously also it may happen that a practically perfectly effective enclosure may be effected, and years later resort be had to an act, as in the cases of Hildersham (Cambridge) and Sutton (Northampton).

B. 1794 - 1845.

The agricultural survey of Great Britain carried out by the Board of Agriculture in 1793 furnishes us with much information about the state of enclosure of some counties, and with scraps of information about others. Where the information is fullest it may take the form of estimates of the total area enclosed or open, or the form of information with regard to particular villages. By correlating the information thus supplied with that furnished by the acts themselves, or from other sources, we can in some cases obtain a fairly full account of the enclosure history of a county.

Bedfordshire.

The "General Report on the Agriculture of Bedfordshire" gives the following estimate of the condition of the county (p.11)

	A.
Inclosed meadow pasture and arable	68,100
Woodland	21,900
Common fields, common meadows, commons and waste	217,200
Total	<u><u>307,200</u></u>

The area of Bedfordshire being 298,500 acres, a slight deduction should be made from the figures under each head. But this does not affect the two striking points about the estimate, (1) that over two

thirds of the area of the county was open, and (2) that the open and commonable land amounted to over 200,000 acres.

The author proceeds, "Every parish which is commonly understood to be open consists of a certain proportion of antient inclosed land near the respective villages, but that proportion, compared with the open common field in each respective parish, does not on an average exceed one tenth of the whole." (p.25)

He further says that Lidlington, Sundon and Potton had been recently enclosed. Each was enclosed by act of Parliament.

We can deal with the above information in two ways, (1) by translating it into terms of parishes, (2) by dealing with it in terms of acres.

In Bedfordshire very little common indeed existed apart from the open field parishes. This is proved by the fact that from 1700 to 1870 there were only three enclosures of commons, apart from arable common fields, comprising an area of 837 acres, and that the Tithe Maps only indicated 507 acres more of commons in parishes where there were no common fields. We may safely assume that at least 200,000 acres out of our author's 317,200 acres of open land belonged to open field villages, and that these villages also had, in accordance with his estimate, 20,000 acres of old enclosure, the area of

all the open field parishes in 1794 was, according to the estimate, about 220,000 acres; that of the enclosed parishes about 87,200 acres. If the numbers of the parishes enclosed and open were about in the same proportion, out of the 121 parishes in Bedfordshire, there should have been 87 open and 34 enclosed.

From the map of Bedfordshire and from the list of Parliamentary enclosures in the appendix, it will be seen that 75 parishes were enclosed by acts passed in 1793 and later. There were also 7 other parishes in which the Tithe documents indicate common fields surviving up to the date of Tithe Commutation, making a total of 82 parishes which we have previously accounted for.

It would follow that about 7 parishes were enclosed in Bedfordshire between 1794 and 1845 without any act. This is in accordance with what we might reasonably expect.

Of the 34 parishes which by this argument were enclosed in 1793, 17 had been enclosed by acts passed between the years 1742 and 1783, leaving a remainder of 17 parishes. There is obviously a strong probability that the majority of these were enclosed in the eighteenth century.

But in this calculation I have treated the 21,000 acres of woodland as though it were part of the enclosed parishes. If it be considered to belong indifferently to open and enclosed parishes,

the above calculation must be modified. We then have 94 parishes open in 1793 and 27 enclosed; 14 out of the 94 would be enclosed without Parliamentary sanction between 1793 and 1845, leaving only 19 parishes so enclosed at some unknown date earlier than 1793.

If we treat the Bedfordshire estimate by the method of dealing with acreage instead of parishes, we find out of 137,313 acres enclosed by act of Parliament an estimated area of 23,883 acres belongs to the 17 parishes enclosed before 1793, leaving 113,430 enclosed since, or 114,297 acres including the 867 acres of commonable waste and woodland enclosed by Act of Parliament. The existence of 6841 acres of commonable land of all descriptions is, in addition, indicated by the Tithe documents; which added to the previous figure gives us 121,138 acres of commonable land which can be accounted for. We can allow very little more for the two parishes not enclosed by Act of Parliament for which there are no Tithe maps and awards in official custody; at a rather generous estimate these might bring up the total to 122,000 acres. If therefore the estimate of the Board of Agriculture's reports of 217,200 acres of commonable land were only overestimated in the same proportion as his estimate of the area of the whole country, that is if there were about 210,000 acres of such land in 1793, no less than 88,000 acres must have been enclosed without Parliamentary sanction since; mainly, of course,

by gradual piecemeal enclosure. In other words, Parliamentary enclosure has been responsible for about three fifths, and other enclosure for about two fifths, of the actual extinction of commons and common fields from 1793 onwards.

All this, of course, is based upon the assumption of the accuracy of the estimate supplied. The result is not antecedently improbable, nor is it inconsistent with our other conclusion that 7 parishes only were entirely enclosed without acts in the period 1793-1845 while 73 parishes were enclosed by acts. At the same time I think that the estimate of land open and commonable in 1793 was excessive, because the figures for parishes enclosed in the 10 years 1793 - 1802 do not agree with the statement that only ten per cent of the open field parishes was enclosed. By 27 acts in these ten years 40,000 acres were enclosed in parishes having a total area of 76,262 acres. In one case only was the enclosure so incomplete that another act was subsequently passed for the same parish. One must necessarily come to the conclusion that in the parishes known as open field parishes in 1793 considerably more on an average than a tenth of the area was, if not enclosed in the sense of being hedged or fenced, at least so far separated from the intermixed and commonable lands as not to need enclosure. It follows (1) either that

the number of parishes unenclosed in 1793 was more than we previously calculated, (2) or that the acreage of commonable land was less. The latter is certainly the more probable alternative. The reporter is more likely to have got his figures by making a mental estimate of the proportion between the number and area of the enclosed and open parishes respectively, and then transferring ten per cent of the area of the latter to the total of the former, than in any other way; Further, from the present aspect of the county, I fully believe that on an average not more than ten per cent of the area of parishes enclosed since 1793 was actually enclosed with hedges while they were in the open field state. If we calculate that he ought to have transferred instead 25 per cent of the area of the open field villages to the heading of enclosed land, we should still have the result that about 58,000 acres were enclosed since 1793 without Parliamentary intervention, while some 114,000 acres were enclosed by Act of parliament. Here again we get the same result for Bedfordshire from 1793 onwards as for the whole county from 1845 onwards - voluntary enclosure has diminished the area of common fields at least half as much as Parliamentary enclosure.

Proceeding backwards from 1793, we notice that the estimate reads,

	Acres
Inclosed meadow, pasture and arable	68,100
Woodland	21,900

Of this area of 68,100 acres of enclosed cultivated land, 21,683 acres is accounted for by Parliamentary enclosure from 1760 onwards. We must, it appears, allow not much less than half this amount for contemporaneous voluntary enclosure; therefore only 35,000 acres of enclosed arable, meadow, and pasture in the whole county should have been in existence in 1760. In Sutton 2200 acres were enclosed in 1742. There remains only 270 acres of still older enclosure per parish; about 11 per cent of the total area of the county.

Arthur Young, in June 1788, travelled through Bedfordshire to St. Neots, and then close to the boundary between Bedford and Huntingdon to Kimbolton and Thrapston in Northamptonshire. He found from Sandy to St. Neots the country chiefly open, and that it continued so to Kimbolton and Thrapston; though with regard to the two latter places he mentions enclosed pastures. (Northern Tour, 2nd Ed. vol. i. pp. 55-56) This, so far as it goes, tends to confirm our conclusions.

I am anxious not to lay any undue stress on the above arithmetical calculations; but I think it is quite clear that up to the year 1742 the condition of the county of Bedford was that indicated by Leland's description.

Leland passed through Bedfordshire in his Itinerary. From Vol. 1, folio 116-120, we find that from High am Ferrers in Northamptonshire, about 2 miles from the Bedfordshire boundary, to Bedford (14 miles) was "champaine". From Wellington village

to Antehille Castle (Amphill) "12 miles almost all by Chaumpayn Grounde, part by corne and part by Pasture, and some baren heathy and sandy grounde." Then "From Antehille to Dunestable X m. or more. First I passed partely by woddy ground and Enclosures. But after most parte by champagne Grounde.....And thens to Mergate all by Cham-paine a vj miles." And so out of Bedfordshire. A small part of the County was ancient woodland, a smaller part was cultivated land reclaimed from the forest state which had never passed through the common fields system of cultivation, but almost all was in the condition of the typical open field parish, common field arable, common-able meadows, and common pastures, with a certain amount of enclosure round the villages. It would appear that during the two hundred years following Leland's journey only an insignificant amount of progress in Enclosure took place in Bedfordshire. This conclusion is not contradicted, but on the other hand it is not strikingly confirmed by Walter Blyth (The English Improver, 1849) who enumerates as unenclosed, "the south part of Warwick and Worcestershire, Leicester, Notts, Rutland, some part of Lincoln, Northampton, Buckingham, some part of Bedfordshire, most part of the Welch of England and very many parcels in most counties."

One further point may be noticed. In Bedfordshire the percentage of the total area enclosed by Act of Parliament is exceptionally high - 46.0 per cent. We find that when we make allowance for (1) contemporary voluntary enclosure, (2) for ancient woodland and for some land passing directly from the forest state into that of separate ownership and occupation, (3) for some ancient enclosing of land in the immediate vicinity of villages, there is little or no other enclosure remaining to be referred to the period before Parliamentary enclosure began - in this case the year 1742.

Northampton, Rutland, S.E. Warwick & Leicester.

These four counties may be said to form a definite group, so far as their exclusive history is concerned. The main facts of their Parliamentary enclosure are shown in the following table.

	Acreage Enclosed		Percentage of total area
	By 18th Century Acts	By 19th Century Acts	
Warwick	124,826	24,731	25.0
Leicester	187,717	12,660	38.2
Rutland	37,180	10,044	46.5
Northampton	247,517	85,251	51.8

Like Bedford they are all counties with a high proportion of Enclosure by Act of Parliament; but they differ from Bedford in that their enclosure was much more preponderatingly effected in the eighteenth century. The proportion of eighteenth century acts is particularly high in Leicester, but the proportion of acts earlier than 1760 is higher in Warwick than in any other county (29 out of 114). This district, further, is that in which the greatest amount of agitation arose against enclosure in the seventeenth century, and that in which the effect of enclosure in causing depopulation through decay of tillage was most marked in the eighteenth century.

Northamptonshire.

Northampton has 51.8 of its area covered by Acts of Parliament for the enclosure of whole parishes, a larger proportion than any other County. There have been passed in addition an important act for extinguishing common rights in Rockingham Forest, in 1786, and an act in 1812 for draining and enclosing Borough Fen, and creating a new parish to be called Newborough, and three other acts for enclosing commons or wastes; the whole area affected by the five acts being perhaps 15,000 acres. These being included, the total area which has undergone Parliamentary enclosure reaches 54% of the county.

James Donaldson, the Board of Agriculture reporter, says that of the 316 parishes, 227 were enclosed by 1793, and 89 were then in open field; and that "half of the inclosed parishes may be denominated old enclosure."

Of the 89 parishes open in 1793, 88 have been enclosed by Act of Parliament since; so that there was only one parish enclosed without Parliamentary intervention from 1793 to 1903, when the last trace of the Northamptonshire common fields was swept away by the enclosure of Sutton. This fact is remarkable, it points to a wide diffusion of ownership of lands and of rights over the land; and it should be associated with the specially strenuous resistance of Northamptonshire to Enclosure in the reign of James I.

The statement that of the enclosed parishes half may be denominated old enclosure, would be more enlightening if one knew exactly what Mr. Donaldson means by old enclosure. But we find that 113 parishes, (which is as near as possible half 227) were enclosed by Acts passed in the period 1765-1792; if therefore by "old enclosure" he means enclosure dating back more than 28 years, his statement would imply that there was no enclosure without an act in that period. 19 parishes were enclosed by Act in the five years 1760 - 1764, 18 in the period 1749 - 1759, and four earlier. These acts altogether account for the enclosure of 153 out of the 227 parishes, and there

is evidently a strong balance of probability that the enclosure of the remaining 72 took place almost entirely before the middle of the eighteenth century.

Leicestershire.

R. Monk, the reporter for Leicester, gives as an Appendix a list of the "Lordships" of that county, with the names of the lords of the manors, or chief landowners, and the date of enclosure, when he could ascertain it. He only knew of ten open field parishes and of two half open and half enclosed; but of these, 4, Cold Overton, Cole Orton, Whitwick and Worthington, have not since been enclosed by Act of Parliament; they must therefore have been enclosed voluntarily at the end of the eighteenth, or in the first half of the nineteenth century; for the Tithe documents for these parishes do not indicate any surviving common field. For 35 of the parishes not enclosed by Act of Parliament, Monk gives no information; of the following 15 he gives the date of enclosure,--

Parish	Enclosed	Parish	Enclosed	Parish	Enclosed
Shanktons	1736	Frisby	1769	Ilston	1768
Birstall	1750	Stretton Parva	1770	South Kilworth	1769
Beeby	1761	Stapleford	1772	Hose	1791
Thurnaston	1762	Shearsby	1773	Barkston &	
Saxelby	1765	Hathorn	1777	Pluager	1791

The following 55 he merely describes as "Enclosed" -

Allexten	Garthorpe	Thorp Arnold
Aston Flamville	Galby	Thurnby
Barwell	Goadby	Tilton on the Hill
Bittesby	Hether	Twycross
Blackfordby	Huncote	Ullesthorpe
Brooksby	Ibstock	Welham
Broughton Astley	Isley Walton	Little Wigston
Burrow	Knossington	Wetherby
Burton by Prestwold	Loskington	Woodthorpe
Cadeby	Loseby	Owston
Carlton	Market Bosworth	Staunton Harold
Coston	Potters Marston	Wanlip he describes as en- closed lately.
Cotes	Misterton	
Dadlington	Normanton on the	
Dalby in the Wolds	Heath	
Great Dalby	Odstone	
Dishly Grange	Rollestone	
Eastwell	Saxby	
Edmundthorpe	Snareston	
Fenny Drayton	Stapleton	
Focleworth	Stretton Magna	
Gaddesby	Stretton	

The following 40 he describes as "old enclosure," or gives

17th century dates for their enclosure. -

Ashby Folville	Enderby	Shawell
Great Ashby	Foston	Staunton Wyville
Barlston	Breathby	Stoke Golding
Buckminster	Glen Parva	Theodlingworth
Beaumont Leys	Kirkby Beler	Thorp Sackville
Burbage	Lodington	Welby
Burton Lazars	Muston	Willoughby Waterless
Braunston by Kirkby	Nailston	Wyfordby (or Wiverby)
Carleton Curlew	Newton Linford	Wymondham
Catthorp	Packington	
Cossington	Peatling Magna	
Cotterback	Prestwold	
Little Dalby	Ragdale	
Elmesthorpe	Seraptoft	

Pickwell he says was enclosed in 1628, Shenton in 1643, and Laughton in 1665.

Here again in interpreting these statements, we are confronted with the difficulty of determining what antiquity is implied by the term "Old Enclosure," and also by the difficulty of estimating what proportion of the parishes described merely as "enclosed" belonged to any particular epoch of enclosure.

On the one hand we note (1) that one third of the open field parishes known to Monk were enclosed without acts in the following half century, (2) that he gives the date of enclosure of 15 other parishes for which we have no acts, which were enclosed in the previous half century. It would therefore appear that a very considerable amount of enclosure was going on, without acts of Parliament during the period in which Parliamentary enclosure was proceeding rapidly.

On the other hand, the fact that he can give 17th century dates for the enclosure of three parishes suggests that probably a very large proportion of his "old enclosure parishes" and a fair proportion of his enclosed parishes were enclosed in the seventeenth century.

† William Pitt, who made a second survey of the agriculture of Leicestershire for the Board, published in 1808, gives an interesting account of the enclosure of the vale of Belvoir. This, the North eastern corner of Leicestershire was enclosed between 1700 and 1800;

Pursuing the enquiry backwards, we find our next source of information in Celia Fiennes, a lady of Newtowntony, who made a series of rides in the last few years of the seventeenth century. Newtowntony is 3 miles east of Aylesbury, amid the open chalk hills, or, as she describes it, in the midst of "a fine open champion country;" and she usually describes the aspect of the country she passed through. She travelled westwards to Land's End, eastwards to Kent, northwards to the border, and she gives some information with regard to the state of enclosure of most of the English Counties. She went through both Bedfordshire and Northamptonshire, but with regard to those two counties gives no information as to their condition of enclosure. As she is more apt to notice the presence than the absence of hedges, this, so far as it goes, confirms our conclusions with regard to Bedfordshire, and with regard to Northamptonshire this small piece of negative evidence tends to the conclusion that that county also was almost entirely open in the beginning of the eighteenth century.

Leicestershire, she says, "is a very Rich Country - Red land,

and as a result a complete change in the cultivation took place; the rich land in the valleys, which had been arable common fields, was laid down in grass, and the tenants forbidden under heavy penalties to plough it; while the summits of the hills and edges of the vales, which had been sheep runs, were converted into arable land.

good corn of all sorts and grass, both fields and jnclosures.

You see a great way upon their hills the bottoms full of Enclosures, woods, and different sorts of manureing and herbage." (p. 133).

It is evident that enclosure had considerably advanced; but it must be noted that "fields" with Celia Fiennes means common field. It is further to be noted that her description of the enclosures creeping up the hills implies a process of gradual enclosure. Of the neighbourhood of Bosworth (in the west of Leicestershire) she says, "this is a great flatt full of good Enclosures." The western side of Leicestershire was therefore mainly enclosed before 1700, while the north east was all open till 1700.

But though enclosure was so far advanced in Leicestershire, "their fewell," Celia Fiennes says, "is but cowdung or Coale." The use of cowdung for fuel supplied to advocates of enclosure in the seventeenth and eighteenth centuries, one of their chief arguments. Either the hedges of Leicestershire were not yet able to supply enough wood for fuel, or the old custom continued although it was as unnecessary as objectionable. In either case the natural infer-

Arthur Young found the practice still prevalent in Northamptonshire more than 70 years later; "they collect all the cowdung from their fields and daub it in lumps, barns, and stables, to dry for fuel." (Eastern Tour, Vol. I. P. 48).

Edward Lawrence speaks of Yorkshire (evidently the East Riding only is meant) and Lincolnshire as the counties where the practice prevailed in 1727. (The duty of a Steward to his Lord, Article 3.)

ence is that much of the enclosure of Leicestershire which Celia Fiennes observed, was then recent.

This again is confirmed by Walter Blyth, who in the passage quoted above, describes Leicestershire as entirely open, as well as Northampton, Rutland and the south part of Warwick.

Further detailed information is given by the disputants Joseph Lee, John Moore and the anonymous writers who joined in the controversy, who debated the ethics of enclosure in the Midlands in the years 1675-1687. John Moore in his first pamphlet asks "above 100 towns inclosed in Leicestershire, how few amongst them all are not unpeopled and unearned?" Now it is probably fair to read "above 100" as "about 100" or "nearly 100." The names of some of these are supplied by Joseph Lee in his "Vindication of Regulated Enclosure," for he gives (page 5) as examples of Inclosure without Depopulation, the following 15 parishes in Leicestershire, Market Bosworth, Carlton, Coten, Chenton, Cadeby (Cadeby) Bilson (Billesdon), Twiswold, Higham, Golding (Stoke Golding), Little Glen, Croft, Ashby Magna, and Stapleton, together with Stoke in Northamptonshire, Upton and Burson, ^{in Warwick,} which might be either in Northampton or in Warwick, and three others, Nelson, Josford and Woseat, which I am unable to locate; except that Cosford ^{now} near Gathery, the extreme south corner of Leicestershire, for Lee further gives a list of 15 enclosures within 5 miles of

Catthorp, in which Cosford and Coten are included, and also Bigging, Brownsover, Sharvell, Streetfield, Over, Cottesbatch, Pultney, Sturker, Hallfield, Sister (? Siston) Moorebarn, Cotes and Kisterton. (P.8)

Of the former set of townships he says, "they have been enclosed some twenty, some thirty, some forty or fifty years;" of the latter he says, "most of these Inclosures have been plowed within thirty years, and the rest are now about to be plowed."

It would appear therefore that enclosure began in Leicestershire at about the beginning of the seventeenth century, and proceeded so rapidly that nearly a hundred townships, mainly situated in the south and west of the county, were enclosed within about 50 years. Enclosure also began in Northamptonshire about the same time; but at not so great a rate. The author of "Considerations concerning common fields and Enclosures," published in 1655, makes a reference to "Mr. Bentham's Christian Conflict; p. 322" which gives a list of eleven manors in Northamptonshire, enclosed and copulated. In a later sermon "A Scripture Word against Inclosures," 1656, John Moore says, "England, (especially Leicestershire and the counties round about) stands now as guilty in the sight of God of the sinnes

This was Joseph Bentham of Kettering, who published "The Societic of the Saints" in 1638, in which he denounces enclosure with remarkable vehemence.

in the text, "They sold the righteous for silver, and the poor for a pair of shoes, as Israel did then." (p.1). A little later he again refers to "Enclosure in Leicestershire and Northamptonshire, and the counties adjacent." This confirms the conclusion reached from the other evidence that Leicestershire was in the centre of the ^{seventeenth century} movement of enclosure of common fields, and that it was in Leicestershire that the movement was most effective.

Rutland.

Rutlandshire has had 46.5 per cent of its area enclosed by acts of Parliament, 47,224 acres. Of this area 14,641 acres were enclosed by acts passed between 1756 and 1775; then for twenty years there were no acts, the next being passed in 1793. By that and subsequent acts 32,583 acres were enclosed.

John Crutchley, the Board of Agriculture reporter, says that two thirds of the country was enclosed, one third unenclosed. (Agriculture of Rutland, 1793, P. 30). As the area 32,583 acres is just one third of the total area of Rutlandshire (97,275 acres) acts of Parliament entirely account for all the enclosure since 1793. Of the area enclosed before 1793 there remains about 30,000 acres, a little more than half the county, unaccounted for.

Part at least must have been enclosed before the beginning of the eighteenth century, for Celia Fiennes says, "Rutlandshire seems more woody and enclosed than some others." (p. 54). It is one of the counties described by Walter Blyth as entirel, uninclosed in 1849, but as we have seen, this description is also applied by him to Leicestershire and Northamptonshire, and as it was, especially in the case of the former county, decidedly too sweeping, we cannot infer that no enclosure took place in Rutlandshire before that date.

Leland passed through Uppingham and Stamford; he found part of the county woody, but he makes no mention of enclosure.

Leland gives a very full description of the counties of Leicester and Northamptonshire; Charwood forest in Leicestershire, and Rockingham Forest in Northamptonshire were then very extensive; but all the remainder of the two counties he describes in general as "champaigne," or by words which imply an uninclosed condition. The only mention of enclosure is in the case of two parts in Northamptonshire.

He first entered Northamptonshire from Huntingdonshire, coming through Kimbolton and the village of Leighton. We have in Vol. I. folio 3,

"From Leighton to Barnevel Village" (in Northamptonshire) "a vi miles by exceeding faire Orme and pasture ground."

"Thence to Oundle ... the Medowes lying on every side on a great Leavel thereaboute."

"Oundle to Foderingeye, a 2 miles by marvelous fair Corne ground and Pasture, but little wodde."

"From Wellingborow to Northampton 8 miles al be champaigne Corne and Pasture Ground, but little wood or none, even as it is betwixt Oundle and Wellingborow." (fol. 7.)

"Wedon is a praty throughfare, sette on a playne ground." (fol. 11)

"Towcester is 7 miles from Wedon and as much from Northampton, al by playne Corne ground and pasture."

"Northampton to Kingesthorpe a mile, and a little farther, by Multon Parke enclosed with Stone ... thens by Champaigne Ground, bering good grasse and Corne, a ix mile to Koting." (fol. 12).

"Thens to Welledoen, an uplandish Towe, 4 miles, where the Soile is surwhat furnished about with wood, and plenteo beside of Corne and Grasse And thens 2 mile by Corne, pasture and Wood to Deene."

"From Deene to Rokingham, by summe Corne and Pasture but more Wood grounde a 3 miles." (fol. 13).

"There lyeth a greate valley under the Castle of Rokingham, very plentifull of Corne and Grasse...The Forest...about 20 mile yn lenght, and in bradth 5 or 4 Miles in sum places in o. less.

And withyn the Precinctes if it is good Corne and Plentie of Woodde."

"Rokingham to Pippewelle, the late Abbey, abut a 3 Miles of by Wood and Pasture."

"Dene to Haringworth a 3 Miles be Corne, Grasse, and sum Woody Grounde." (fol. 14)

Then entering Leicestershire, he says,

"The grounde bytwixt Dene and Staunton is plentiful of corne, and exceeding fair and large Medowis on both sides of the Weland. But from Rokingham to Staunton there was in sight little Woodde, as yn a Countrey of Chaumpain. From Staunton to Leyreester of by Chaumpain Grounde on 3 or 3 Miles. (fol. 15)."

"Leyreester to Brodegate by grounde welle Wooddid 3 miles... Brodegate to Groby a Mile and a half such by Wodden lande (fol. 19).

"Brodegate to Beighborow about a v Miles. 1st foreste of Charley commonly called the Wast, xx miles or more in Cumpase, having plenty of woodde" (fol. 20). The forest of "Leyreester," the other forest of the county, he says is five miles in length.

"Brodegate to Bellegrave Village a 1 miles by Woddy and Pasture Grounde"... "Bellegrave to Inghesby a 4 Miles, partely by Corne, Pasture, and Woddy ground...Thens to Wicetwbe a 4 Miles by Corne, Pasture and Wood....faire Grehardes and Gardones. (fol.22)

"Marke that such parte of Leyrcestershire as is lying South and Est is Champaine, and hath little Wood. And such parte of Leircestershire as lyith by West and North hath much woodde." (Fol.24

Next he passes through Rutlandshire into Northamptonshire again.

"From Wiscombe partely through Woddy ground of the Forest of Leefield, and so in Ruthelandshir by Woddy first, and then all champain Ground, but exceeding rich Corne and Pasture, to Uppinghamfrom Uppingham to Haringworth (Northamptonshire) 3 little miles, al by Champaine.....Dene to Cliffe Parke 5 Miles; it is partely wauillid with stone, and partely palid. From Dene to Coli-weston a 5 or 6 Miles, partely by Champaine, partely by Woodde ground." (fol.25) "From Coly Weston to Grimesthorpe (In Lincolnshire) about an 8 Or 9 most by playne Ground, good of Corne and Pasture, but little wood." (fol.26)

His journey then took him northwards, but returning, he again passed through Leicestershire, Rutland and Northamptonshire, and notes:-

Notingham to Bever (Belvoir) all by champaine ground, 12 miles
(fol.113)

Bever to Croxton, 2 miles, (fol.115)

Croxton to Castleford Bridge by champaine (fol.115)

Castleford Bridge to Stamford	1 mile	fol.115
Stamford to Colyweston	2½ miles, champayn	,,
Colyweston to Dene, moste by Chaumpaine		,,
Dene to Foderingeye, most by wood, 6 miles		fol.116
Foderingey to Undale, 2 miles, champaine		,,
Thens a 9 mile to Layton in Huntingdonshire, Champaine		,,
To Higham Ferrers in Northamptonshire, 8 miles,		,,
To Bedford, 14 miles, champaine.		,,

WARWICK.

Warwickshire is divided by the river Avon into two parts of approximately equal area; the north western part is a district of ancient enclosure, probably enclosed in the main direct from the forest state; the south eastern part has a similar enclosure history to Leicester and Northampton, except that its enclosure took place generally somewhat earlier. One quarter of the whole county has undergone Parliamentary Enclosure, but the proportion so enclosed of the south eastern part is much larger.

John Wedge, the Board of Agriculture reporter, estimates that in 1793 out of a total area of 618,000 acres, 57,000 was open field land (p.11). To reduce 618,000 to the true area of the county (577,462 acres) one must deduct 10 per cent; a deduction of 10 per cent leaves about 51,000 acres of common field. Enclosure acts since account for 38,444 acres, and in parishes not enclosed by acts the Tithe documents indicate rather over 1,000 acres of common field lands. There remains a little over 10,000 acres unaccounted for, which has disappeared between 1793 and the date of Tithe commutation.

John Wedge appears to have attempted a list of open field parishes with their area, and extent of common field and waste; but

only got so far as to supply this information for five parishes (p. 54), each of which has undergone subsequent enclosure by Act of Parliament. He draws attention to the contrast between the two parts of Warwickshire: "about 40 years ago the Southern and Eastern parts of this county consisted mostly of open fields. There are still about 50,000 acres of open field land, which in a few years will probably all be enclosed. These lands being now grazed want much fewer hands than they did in the former open state. Upon all inclosures of open fields the farms have generally been made much larger; for these causes the hardy yeomanry of country villages have been driven for employment into Birmingham, Coventry, and other manufacturing towns."

About 90,000 acres was enclosed by act of Parliament in the part of Warwick described between 1743 and 1793; this, together with the 50,000 acres remaining amounts to rather less than half the area of the division of the county under consideration. As Wedge clearly was of opinion that the greater part of S.E. Warwick was open at the date he mentions, and as there is no reason for thinking he was wrong, it is to be inferred that a considerable amount of non-parliamentary enclosure was going on in S.E. Warwick during the second half of the eighteenth century.

The extracts above given with reference to Leicester and Northampton also prove that enclosure was going on during the first half of the sixteenth century, though it had so little advanced up to 1649 that Blyth speaks of this part of the county as uninclosed.

Leland gives an extremely full account of the state of enclosure of Warwickshire, which shows that as early as 1540 the north west part of the county was "much enclosed." It was on one of his later journeys that he explored the county, entering from Oxfordshire. He found "Banbury to Warwick, 12 miles by Champaine Groundes, fruitful of Corne and Grasse, and 3 miles by some enclosed and woody Groundes" (Vol.IV., part 2, fol.162).

"I learned at Warwick that the most part of the shire of Warwicke, that lyeth as Avon River descendeth on the right Hand or Ripe of it, is in Arden (for Soe is the ancient Name of that part of the Shire;) and the Ground in Arden is much enclosed, plentifull of Grasse but not of Corne. The other part of Warwicke-shire that lyeth on the left hand or Ripe of Avon River, much to the south, is for the most part Champion, somewhat barren of wood, byt plentifull of Corne." (fol.166 a)

"From Charlecote to Stratford a 3 Miles by Champaine, good corn and grasse" (166 b).

"I roade from Stratford by champaine Ground, fruitfull of Corne and Grasse a 5 miles.....thence 2 miles by Champaine to Coughton. From Coughton to Aulcester 2 miles by enclosed Ground (167 b). I roade from Aulcester towards Evvesham a 2 Miles by woody and inclosed Ground, and then a mile by Ground lesse inclosed, but havinge more Corne then wood. Thence a 4 miles by cleane Champion" (168 b).

Having thus entered Gloucestershire, he came through Worcester and Lichfield, and so reentered Warwickshire from the north, and found - "Colishull to Meriden 4 m. by enclosed ground having some corne, wood and pasture. 3 miles by like ground to Coventry" (190 a) To Southam was "4 m. good corne and pasture in Champion," thence to Banbury in Oxfordshire "10 m. by champaine, noe wood but exceedinge good Pasture and corne."

We may add, so as to complete our review of the evidence, that William Marshall in his book on the Agriculture of the Midland District of England (1790), treats a region of which the town of Leicester was near the centre, comprising the counties of Warwick, Rutland, the north of Leicester and of Northampton, the east of Staffordshire, and the southern extremities of Derby and Nottingham, as an agricultural unit. He says, "Thirty years ago much of this

district was in an open state; and some townships still remain open; there are others, however, which appear to have been long in a state of enclosure, and in which, no doubt, the present system of management originated" (p.8). This does not add to our information about this district, but the fact that Marshall was perfectly correct in his reading of the story told by the aspect of the country is important because for some other districts his testimony is material.

To sum up, we find that in the North west of Warwick enclosure was general as early as 1540, while it was practically non-existent in the South east of that county and in Leicester, Northampton and Rutland. We find that the movement towards enclosure of the "champaigne" country began about the year 1600, that it proceeded steadily in spite of great popular resistance through the seventeenth century, but at a much greater rate in Leicester, and probably in S.E. Warwick, than in Northamptonshire, the rate in Rutland being probably slower than in Leicester, but certainly greater than in Northamptonshire, the course of the movement being from west to east; that about half of S.E. Warwick, and of Leicester, was enclosed when the movement of Parliamentary enclosure began, but less than half of Rutland, and not more than quarter (probably not more

than a fifth) of Northamptonshire.

We have seen that the enclosure of Bedford was later than this; and we shall see that the same is true of Cambridgeshire and Huntingdon. In the midlands of England the course of enclosure from 1600 onwards was from west to east.

A word may be added with regard to the methods by which non-Parliamentary enclosure was effected in this district. There was great diversity in Leicestershire from village to village with regard to the diffusion of property, as may be seen from Monk's Appendix, in which he endeavours to give the names of the principal owners in each "lordship." Some are entirely in the hands of a single individual, others had many owners, but in the great majority the land was mainly, but not entirely, owned by the lord of the manor. The description of the enclosure of S.E. Warwick supplied by John Wedge, the consolidation of farms, and the depopulation of the villages, indicates that there enclosure, whether by Act of Parliament or not, was carried through by the authority of the lord of the manor, he being the main landowner.

The method by which this would be done when an Act of parliament was not resorted to, is fully explained by Edward Laurence (The duty of a Steward to his Lord, 1727), Article XIV.

"A Steward should not forget to make the best Enquiry into the disposition of any of the Freeholders within or near any of his Lord's Manors, to sell their Lands, that he may use his best Endeavours to purchase them at as reasonable a price as may be for his Lord's Advantage and Convenience.....especially in such Manors where improvements are to be made by inclosing Commons and Common-Fields; which (as every one, who is acquainted with the late Improvements in Agriculture must know) is not a little advantageous to the Nation in general, as well as highly profitable to the Undertaker. If the Freeholders cannot all be perswaded to sell, yet at least an Agreement for Inclosing should be pushed forward, by the Steward, and a scheme laid, wherein it may appear that an exact and proportional share will be allotted to every Proprietor; perswading them first, if possible, to sign a Form of Agreement, and then to chuse Commissioners on both sides.*.....If the Steward be a Man of good sense, he will find a necessity of making use of it all, in rooting out Superstition from amongst them, as what is so great a hindrance at all noble Improvements. The substance of what is proper for the proprietors to sign before an Enclosure is to be made, may be conceived in some such form as followeth.

* One for the lord, one for the freeholders, who choose an umpire.

"Whereas it is found, by long Experience, that Common or open Fields, wherever they are suffer'd or continued, are great Hindrances to a publick Good, and the honest Improvement which every one might make of his own, by diligence and a seasonable charge: and whereas the common Objections hitherto raised against Inclosures are founded on mistakes, as if Inclosures contributed either to hurt or ruine the Poor; whilst it is plain that (when an Inclosure is once resolved on) the Poor will be employed for many years afterwards in planting and preserving the Hedges, and afterwards will be set to work both in Tillage and Pasture, wherein they may get an honest livelihood. And whereas all or most of the Inconveniences and Misfortunes which usually attend the open Wastes and common Fields have been fatally experienced at ---, to the great discouragement of Industry and Good husbandry in the Frecholders, viz. That the Poor take their Advantage to pilfer and steal and trespass; That the corn is subject to be spoild by cattle, that stray out of the Commons and Highways adjacent; That the Tenants or Owners, if they would secure the fruits of their labours to themselves, are obliged either to keep exact time in sowing and reaping, or else to be subject to the damage and inconvenience that must attend the lazy practices of those who sow unseasonably, suffering their Corn

to stand to the beginning of Winter, thereby hind'ring the whole Parish from eating the Herbage of the common Field till the Frosts have spoil'd the most of it. For these Reasons, and for many more which might be assigned to encourage Industry; and to ascertain a security to every man of enjoying the quiet possession of his labour and Care, we whose names are underwritten, being freeholders, do agree to the Inclosing, and to the immediate setting about the work of an Inclosure in the common Fields of --- and to bring it to perfection with all convenient speed."

That in the early seventeenth century enclosing much of the enclosure was carried out by the power of the lord of the manor is plain from the scraps of information given by John Moore. Thus he tells us that Ashby Magna was enclosed in 1606, and that the lord gave most of his tenants leases for three lives and 21 years after (Scripture Word against Inclosures, p.9), that being the reason why depopulation had not resulted up to 1656; that in both Misterton and Poultney no house at all was left except the minister's, so that these two manors must have been the property of absentee landlords.

But Catford^{thorp} had no lord of the manor, it consisted of 580 acres divided among 8 freeholders and 5 or 6 holders of "ancient cottages"

who were also Freeholders (Joseph Lee, p.5). The enclosure was carried out by the agreement of all the owners except one, who objected on conscientious grounds. The way in which these agreements to enclose were effected in parishes where property was divided is thus described by Moore:- "In common fields they live like loving neighbours together for the most part, till the Spirit of Inclosure enter into some rich Charles heart, who doe not only pry out but feign occasions to goe to law with their neighbours, and no reconcilment be made till they consent to Inclosure. So this Inclosure makes thieves, and then they cry out of thieves. Because they sold the righteous for silver, and the poor for a pair of shoes. If it had not been for two or three righteous in many Townes of these Inland Counties, what desolation had there been made ere this time?" (Scripture Word, p.12)

CAMBRIDGE AND HUNTINGDON.

Much of these two counties anciently consisted of fen and marsh, and of the land now cultivated a great deal never passed through the common field system. But the "upland" of each county was very late in undergoing enclosure.

Vancouver, the reporter for Cambridgeshire, gives an estimate of the areas of lands of different description, which I slightly rearrange below.

	Uninclosed Acres	Enclosed Acres	Doubtful A.
Enclosed arable		15,000	
Open field arable	132,000		
Improved pasture		52,000	
Inferior ,,			19,800
Improved fen		50,000	
Woodland			1,000
Waste and unimproved fen	150,000		
Halfyearly meadow land	2,000		
Highland common	7,500		
Fen or moor common	8,000		
Heath and sheepwalk	6,000		
	<u>305,500</u>	<u>117,000</u>	<u>20,800</u>
Total area 443,300 A.			

The actual area of Cambridgeshire is 549,723 acres; but Vancouver was an exact and careful observer, and the proportions between the areas assigned to each description ~~of~~ were no doubt reasonably accurate. Here we find over two thirds of the total area uninclosed; and more than eight ninths of the arable land. It is of course possible, probable even, that a larger amount than 15,000 out of 147,000 acres of open field arable had undergone enclosure, and that the 53,000 acres of improved pasture includes a good deal of such land, laid down in grass on enclosure. But even if we included the whole, there would only be 67,000 acres of ancient common field land which had undergone enclosure, compared with 132,000 acres still open.

Vancouver also gives detailed accounts of 98 of the Cambridgeshire parishes, 83 of which were open, 15 enclosed. Of those which were open in 1793, 74 have since been enclosed by Act of Parliament, 9 have not, viz. Babraham, Boxworth, Downham, Ely, Littleport, Lolworth, Madingley, Soham and Over.

Babraham had 1350 acres of common field, and Vancouver says that enclosure was desired. It was completely effected before the date of Tithe Commutation.

~~Boxworth~~ Boxworth had 900 acres of common field. "The whole of this

parish," says Vancouver, "lies within a ring fence and containing 2,100 acres, is the property of one gentleman." Vancouver's acres, as we have seen, are large ones; the actual area is 2526 acres: enclosure was effected before the date of Tithe Commutation, and as might be supposed under the circumstances, without an act.

Downham had according to Vancouver 680 acres of common field; the Tithe map indicates 450 acres still remaining.

To Ely he assigns 2,100 acres of common field. This had all gone at the time of Tithe Commutation.

Of 345 acres assigned to Littleport, a remanant of 40 acres survived to be recorded in the Tithe map.

The common field land of Lolworth suffered no diminution; for while Vancouver gives it 650 acres, the Tithe map indicates 800 acres.

In Soham enclosure was nearly as slow. Vancouver assigns it 1200 acres of common field; the Tithe map 1100 acres.

Madingley Vancouver says had 1030 acres of common field. These were all enclosed before the date of Tithe commutation.

For Over the Board of Agriculture has no Tithe documents. But we may add that Horseheath had about 750 acres of common field out of a total area of 1850 acres according to the Tithe map.

Of the 15 parishes stated by Vancouver to have been enclosed before 1793, only two were enclosed by Act of Parliament.

The extent of the information obtained from the acts, the tithe documents, and Vancouver's report is as follows:-

Of the 152 agricultural parishes of Cambridgeshire, we know the date of enclosure of 118, enclosed by Acts of Parliament. These are given in the Appendix.

Of 13, viz. Arrington, Childerley, Chippingham, Hatley St. George, Leverington, Newton in the Isle of Ely, Outwell, Tadlow, Tid St. Giles, Upwell cum Welney, and Wisbeach St. Mary, we know that they were enclosed without acts before 1793. The date 1790 is given for Chippingham, and a small remnant of common field survived till 1851 in Newton.

Four parishes were enclosed, not by acts, between 1793 and the date of tithe commutation, Babraham, Boxworth, Ely and Madingley.

Five parishes which were not entirely enclosed even at the date of tithe commutation have not been enclosed by act since. These are Lolworth, which then had only about one fifth of its area enclosed, Horseheath, which was about half enclosed, Scham, which had about 1,100 acres of common field and 456 acres of common, out of

a total area of nearly 13000 acres, and Downham and Littleport, which had respectively 450 and 40 acres of common field remaining.

Of one parish, Over, we only know that it was open in 1793.

Of nine parishes, Borough Green, Croydon-cum-Clapton, East Hatley, Papworth St. Agnes, Long Stanton, Westley Waterless, Wisbeach St. Peter, Witcham and Witchford, we only know that they were enclosed before the date of tithe commutation.

Of two, Little Gransden and Standground, we have no information.

I have before laid stress upon the eastward march of enclosure in the midlands during the sixteenth, seventeenth and eighteenth centuries, which the following comparison illustrates.

	Parliamentary Enclosure			
	In the 18th century		In the 19th century	
	Acts	Acres	Acts	Acres
Warwick	91	124,828	33	24,731
Cambridge	33	51,028	85	147,311

Celia Fiennes traversed the county. She describes the part from Littlebery (in Essex) to Cambridge as entirely open (p.48), and makes no mention of enclosures in the description of the view from the "Hognogoge hills" (p.49), but she speaks of "good enclosure" between Cambridge and Huntingdon.

Though Cambridgeshire was on the whole so late in undergoing enclosure, the conversion of arable into tillage had so far proceeded that about one fifth of the county was included in the

Inquisition of 1517, and it was found that in this part 1,422 acres had been enclosed and converted into Parks or Pasture (Leadam, Domesday of Inclosures).

HUNTINGDON.

George Maxwell, the Board of Agriculture reporter, says that Huntingdon contains 106 towns and hamlets, of which 41 were then (1793) wholly enclosed, and of the remaining 65 a very considerable part was enclosed. He computes that about a half of the "high land part" of the county, which would of course include all old arable land, was still unenclosed. (Agriculture of Huntingdon, p.16)

58 parishes were enclosed by acts subsequently to the date of his report, and one parish (Lutton) remained open to the date of tithe commutation. This leaves 6 out of the 65 open or partially enclosed parishes of his report, in which enclosure was completed by the middle of the nineteenth century without any act.

Of the 41 parishes wholly enclosed before 1793, 20 were enclosed by acts of Parliament, leaving 21 parishes which might have been enclosed contemporaneously without acts, or to be assigned to the time previous to the beginning of Parliamentary enclosure.

Some of this enclosure is certainly to be assigned to an early

date. Celia Fiennes, as we have seen, found more enclosure as she came to Huntingdon from Cambridge. Leland also found enclosure in the smaller county.

"From Cambridge to Eltete villago al by chanpeyne counterrey 8 miles. St. Neotes 4 miles. From St Neotes to Stoughton Village by sum enclosid ground a 3 Miles, it is in Huntendunshir. From Stoughton to Meichdown Village a 4 Miles be much Pasture and Corne ground.....there be goodly Gardens, Orchards, Ponds, and a Parke thereby."

THE EASTERN COUNTIES.

The story of the enclosure of Essex and Suffolk is almost completely told by the maps of the two counties. Each is sharply divided into a larger part very anciently enclosed, without acts of Parliament, and a smaller part close to the boundaries of Hertford, Cambridge and Norfolk, which was enclosed at a late date by acts of Parliament. Essex has but one act belonging to the eighteenth century, and that is dated as late as 1795. Suffolk has 9 acts belonging to the eighteenth, and 44 belonging to the nineteenth century.

The additional information available only serves to bring out more clearly the very striking contrast between the regions of

ancient and recent enclosure.

On the one hand we find that the Parliamentary enclosure of the extreme west and north west portion of Essex is only part of the recent enclosure of that part.

The Enclosure Acts cover 29 parishes, and an area of 22,000 acres, about 760 acres per parish. Vancouver, who reported on Essex as well as Cambridge, tells us, "The arable land in about 40 parishes lies very much in open common fields, and which in point of quantity is found to average 1200 acres per parish."* He gives a list of open field parishes; Baxted and Streethall which have not since been enclosed by Act are included; and each of these had some common field at the time of tithe commutation.

On the other hand he tells us that the neighbourhood of Great Dunmow, which is quite close to the region of nineteenth century enclosure, had been enclosed from time immemorial.*

The well known passage in the "Discourse of the Commonwealth," "Countries where most Inclosures be, are most wealthie, as Essex, Kent, devenshire, and such," sufficiently establishes the ancient enclosure of the greater part of Essex. And though the evidence is not very full, it is I think sufficient to show that the

* Agriculture of Essex, p.185 * ibid p.195

enclosure of the corresponding part of Suffolk had a similar history. Celia Fiennes says that the journey from Ipswich to Woodbridge is "7 miles mostly Lanes, Enclosed countrys;" and from Woodbridge to Saxmundham "The wayes are pretty deep, mostly Lanes, very little Commons " (p.107).

John Norden (1602) also makes mention of Suffolk methods of hedging.

The question then arises with regard to this region of ancient enclosure in Essex and Suffolk, whether it ever passed through the typical English common field system. To this question we are able to give an unhesitating answer.

On the map of Suffolk will be noticed far away from any other Parliamentary enclosure, in the southeast corner of the county, a little purple patch at Orford, and a little green patch at Iken. The enclosure at Orford was in 1881. There were but 46 acres to enclose, and these lay in strips alternately belonging to the Lord of the Manor and to the Corporation of Orford. The existence of corporate property in this small spot of land preserved it from enclosure to such a late date.

The case of Iken appears to have been somewhat similar. It was enclosed in 1804. There was only the small area of 100 acres to enclose, comprising "certain open and common fields, meadows,

commonable lands, and waste grounds." The Marquis of Hertford was lord of the manor, and six individuals by name, and "divers others" are said to be the other proprietors of land. There is a special clause authorising the parish authorities, if they will, to accept rents from the Marquis of Hertford in lieu of allotments.

But the clearest evidence is from the town of Colchester. The Borough is of great extent, and includes the four agricultural parishes of Greenstead, Bere Church or West Donyland, Lexden and Mile End. In these four parishes, says Vancouver, "one third of the arable land lies in half-yearly common fields" (p.40). The Corporation of Colchester is to this day a very large owner of arable land; how it was enclosed, and how the Corporation, as distinct from the free-men, secured the property after the passing of the Municipal Corporations Act of 1835, I do not know. The important point is conveyed in the word "half-yearly." The arable fields of Colchester were genuine common fields, subject to rights of common of pasture after harvest.

I think there can be no doubt that though much of Essex and Suffolk might have been ancient woodland, and have been enclosed directly from that condition, the primitive village community of Essex was of the same type as that of Central England.

NORFOLK.

Adequate material does not exist for a statistical survey of the enclosure of Norfolk, because of the disappointing habit which the promoters of enclosure acts for this county fell into about the year 1793 *and persisted in later, of not making any statement with regard to the area covered by the act. The best statement that we can make is that 297 parishes out of 682 were enclosed by Act of Parliament. *

We have already dealt with some peculiar features of Norfolk. agriculture revealed by preambles of enclosure acts. The chief other fact which is striking in its enclosure history is that the county is divided by the chalk ridge which passes through the centre of the county, from north to south, and which reaches the coast at Cromer, into two parts of approximately equal area. The patches of colour which indicate enclosure by act of Parliament are scattered indifferently over the whole map of the county; but the significance of the colour varies. East Norfolk has all the

*Before 1793 31 parishes were enclosed by 22 acts, the area covered by 19 of which is stated, amounting altogether to 50,187 acres. The total area so enclosed was probably not less than 54,000 acres.

*There were also 80 Enclosure Acts for the enclosure of common, waste or pasture merely. In these also the area is stated for a small minority only.

aspect of a country of very early enclosure. The fields are small, the hedges are big and high, like Devonshire hedges, the roads are narrow and winding. The aspect recalls Kent's previously quoted words. "There is a considerable deal of common field land in Norfolk, though a much smaller proportion than in many other counties; for notwithstanding common rights for great cattle exist in all of them, and even sheepwalk privileges in many, yet the natural industry of the people is such, that whenever a person can get 5 or 6 acres together, he plants a white thorn hedge round it, and sets an oak at every rod distance, which is consented to by a kind of general courtesy from one neighbour to another." (Agriculture of Norfolk, 1st edition, p.22) The Parliamentary enclosure which took place in a parish where the neighbours had been showing this courtesy to one another consisted mainly in the extinction of common rights over enclosed land.

The making of hedges had proceeded to such an extent in East Norfolk by the end of the seventeenth century, that an anonymous author who brought out an annotated edition of Tusser's "Five hundred points of Husbandry" and "Champion and Severall," under the title "Tusser Redivivus," in the year 1710, explains the term "woodland" (a term which Tusser really used as a synonym for

"several" or enclosed land) to mean East Norfolk, saying that this district was so much enclosed in small fields, with fine trees in the hedges, that it was known as "the Woodlands."

At this time the western half of the county was still almost entirely open. Arthur Young wrote in 1771, "from 40 to 60 years ago, all the Northern and Western, and a part of the Eastern tracts of the County, were sheepwalks, let so low as from 6d to 1s6d and 2s an acre. Much of it was in this condition only 30 years ago. The great improvements have been made by reason of the following circumstances: (1) By inclosing without the assistance of Parliament.

(2) By a spirited use of marle and clay.

(3) By the introduction of an excellent course of crops.

(4) The cultivation of hand hoed turnips.

(5) Clover and ray grass

(6) Long leases

(7) By the County being divided chiefly into large farms.

Parliamentary inclosures are scarcely ever so complete and general as" (non-parliamentary enclosure) "in Norfolk" (Eastern Tour, Vol.II. p.150).

William Marshall supplies a confirmatory note. "Norfolk, it is probable, (speaking generally of the county) has not borne grain, in abundance, much above a century. During the passed century" (the

18th) "a principal part of it was fresh land, a newly discovered country, in regard to grain crops." (review of the Reports to the Board of Agriculture for the Eastern Department, p.314)

Enclosure in the western half of Norfolk, and along the central chalk ridge, in the eighteenth and nineteenth centuries, whether common field arable were included or not, meant the reverse of what it had meant in the first half of the sixteenth century - the conversion of land from sheeprun to arable land, and to highly cultivated land. Kent, in a second edition of his report of Norfolk, published in 1796, estimated that two thirds of the whole area of the county was then arable; and of the arable land three quarters was enclosed, one quarter in common field. In other words one half of the area of the county was enclosed arable, one sixth common field arable. The remainder he describes as follows:-

Meadows, parks, and upland pasture	126,692	acres
Unimproved commons	80,000	,,
Marsh lands	65,346	,,
Warrens and sheepwalks	63,346	,,

with small areas for woods, plantations, roads, lakes, rivers, and swamps. Whatever ancient common field arable had been enclosed before the beginning of the eighteenth century, and converted into pasture, was apparently re-converted into arable before the end.

THE SOUTHERN MIDLANDS.

MIDDLESEX.

I have found very little information with regard to the enclosure of Middlesex beyond that obtained from the Enclosure Acts. It is remarkable that these should cover so large a part (19.7%) of the area of the county.

Of 36 acts, covering 35,757 acres, 23, covering 30,000 acres, belong to the period after 1793. The Board of Agriculture reporters Thomas Baird and Peter Foot, tell us respectively (1) that there were about 50,000 acres under tillage in 1793 (Agriculture of Middlesex, p.7), and (2), "The Common Fields in the county of Middlesex, which are at present in a good course of husbandry, form a large proportion as to the number of acres when compared to the cultivated enclosures" (ibid p.73).

That the common fields were "in a good course of husbandry" very probably means that the exercise of common rights had been largely restricted, and it is not improbable that while some of the ancient common fields of Middlesex became converted into small dairy farms, others became market gardens, by means of a very moderate amount of interchanging of properties and holdings.

HERTFORDSHIRE.

The County of Hertford is rather remarkable for the extent of open feild land (common rights have so far decayed that one can hardly call it common field) persisting to the present day. Notes have already been given on Hitchin, Bygrave, Clothall, and Wallington. There were further no less than 17 enclosures under the act of 1845, a number only surpassed by Oxfordshire, and in a number of other parishes small remnants of common fields are indicated by the tithe maps.

But on the whole Hertfordshire was a county of early enclosure. When the Board of Agriculture survey was made, only 4 parishes and a part of Hitchin had undergone Parliamentary enclosure; but the reporter says, "There are several small common fields in this county; but these are mostly by agreement among the owners and occupiers, cultivated nearly in the same way as in the enclosed state" (D. Walker, Agriculture of Hertfordshire, p.49).

Walter Blyth in 1649 included "Hartford" with "Essex, Kent, Surrey, Sussex" &c. as enclosed counties (The English Improver, p.40)

"An insurrection in hertfordshire for the comens at Northall and Cheshunt," was according to Hales the first beginning of the Enclosure riots and rebellions in the reign of Edward VI.

It is somewhat remarkable that Hertford was in the 17th and 18th centuries so much more enclosed than the surrounding counties, than Middlesex as well as than Bedford and Cambridge, and even more enclosed than the part of Essex immediately adjoining.

Leland gives no account of the condition of the county with regard to enclosure; but as no earlier author than Blyth speaks of Hertford as an enclosed county, I am inclined to believe that its enclosure mainly took place in the sixteenth and in the first half of the seventeenth century. It is to be noticed that Hertford was excluded from the operation of the last (39 Elizabeth c.2) of the Depopulation Acts, requiring that all old arable land should continue under tillage and be cultivated according to the local custom.

BUCKINGHAM.

Buckingham is on the whole a county of late enclosure. A large proportion (34.2 per cent) of the area was enclosed by Acts of Parliament; two thirds of this enclosure belonging to the eighteenth, and one third to the nineteenth century.

The reporters to the Board of Agriculture, William James and Jacob Malcolm, supply a list of the parishes containing common

fields in 1794, with an approximate statement of the area. The majority of these parishes have, of course, undergone parliamentary enclosure since. By comparing their list with that of the Enclosure Acts, and with the summary of the tithe documents, we find that the following 17 parishes were enclosed between 1794 and the date of tithe commutation.

Astwood	Little Hampden	Medmenham
Buckland	Hedgerley	Great Missenden
Dinton	Horsendon	Little Missenden
Drayton Beauchamp	Great Horwood	Newton Longueville
Halton	Ickford	Quainton
Great Hampden	Marsh Gibbon	

The following five still had remains of common field at the time of tithe commutation, though the area was considerably reduced in each case.

	Common field Acreage	
	in 1794,	according to tithe map.
Burnham and Lower Boveney	1000 A.	525 A.
Chesham	300	66
Dorney	600	277
Eton	300	181
Chipping Wycombe	200	100

As so much gradual non-Parliamentary enclosure took place during the nineteenth century, it is to be supposed that the same process was also going on right through the eighteenth century.

Buckingham is traversed by the Chiltern Hills, and so is divided into two distinct regions. About half the county lies northwest of the Chilterns, on a sub-cretaceous formation, like Bedfordshire, with fertile soil, and villages thickly scattered. The remainder consists of the chalky downs, and the later formations, like most of Hertfordshire and Middlesex.

The enclosure of the south east portion was earlier than that of the north west part. Arthur Young in 1771 was much struck by the extent of the open fields in the latter part. The vale of Aylesbury,[†] he says, was good clay, and open field (Eastern Tour, p.18). From Aylesbury to Buckingham "nearly the whole country is open field, the soil among the richest I ever saw, black putrid clay" (p.19). "As for the landlords, what in the name of wonder is the reason of their not enclosing! All this vale would make as fine meadows as any in the world." (p.23) However about Hockston (Hoggeston) he saw many new enclosures (p.24). Hoggeston itself was never enclosed by Act, but several neighbouring villages had been enclosed by Acts passed previously to 1771.

Celia Fiennes passed through the same part of Buckinghamshire, about eighty years before. From Stony Stratford to Great Horwood,

[†] An act for the enclosure of the common field land of Aylesbury itself was passed in the same year.

she says, "this country is fruitfull, full of woods, Enclosures, and rich Ground. The little towns stand pretty thicke. You have many in view" (p.97). This does not imply anything more than very partial enclosure; for Celia Fiennes, accustomed to the complete absence of hedges of her own part of Wiltshire, always notices enclosure rather than the absence of enclosure. That many little towns should be in sight of one passing through a flat country, implies that it is open, except close to the villages.

Leland in 1536 came from Bedfordshire along the boundary between Herts and Bucks, and into the extreme south of Buckinghamshire, and found that enclosures had already begun.

From Dunstable to "Kergate," as we have seen, was "al by Chaumpaine a vj miles" (vol.1, fol.120). But "thens by Chiltern Hilles and woods and baren woody and ferne ground vij miles to Barkhanstede" (in Herts, near the Buckingham boundary, fol.121). "Thens I passid by Hilly, Woddy, and much baren ground to Cheynes (in Bucks) a v miles".....v miles good Pasture and Corne, v miles mory Ground, and 3 m. by sum enclosid and Woddy ground to Windelsore. From Windelsore by a 3 miles most be wood and enclosid, and 3 m. in faire open and levelle medow.....to Tamise.....Half a mile to Stanes Bridge" (fol.123).

On a later journey he came from Oxford, and entered Bucks at Thame "by some Hilly and after great Pasture Groundes, fruitfull of beanes a 10 m. to Querendon in the Vale of Alesbury. Thens 5 m. to Alesbury all champaine" (Vol.IV. 191 b). But from Hagmondesham (Amersham) to Uxbridge was "9 miles by goodly enclosid grounds," and the whole county is described in one luminous sentence, "Looke as the countrys of the Vale of Alesbury for the most part is clean barren of wood and is champaine, soe is all the Chilterne well woodid and full of Enclosures" (fol.193 a).

It seems quite clear then that the enclosure movement of the south east of Berkshire was ancient; that it moved up the long slope of the Chilterns from the Thames and Middlesex, but stopped at the open chalk downs which marked the summit of the range; and that the movement which effected the enclosure of the Vale of Aylesbury, and all north western Buckinghamshire, was part of the general enclosure movement of the midlands, spreading southwards from Leicester and Northampton, as we have seen it spread eastwards.

OXFORD.

Oxfordshire may be termed a sister county to Buckinghamshire; but by far the greater part of the county lies north west of the Chiltern Hills, which occupy the south east extremity. We find, as we should expect, that the history of the enclosure of Oxfordshire resembles that of Bedfordshire and of North West Buckinghamshire; 45.6 % of the area of Oxfordshire underwent Parliamentary enclosure compared with 46.0 % of Bedfordshire and 34.0 % of Bucks; in Oxford about 62 % of the total Parliamentary enclosure belonged to the eighteenth century, in Bedford 54 %, in Buckinghamshire 66 %. Oxford however is remarkable for the extent of the enclosure (18 Acts enclosing 25,578 acres) under the General Enclosure Act of 1845.

Richard Davis, the Board of Agriculture reporter, while he gives a very full statement of the methods of cultivating the common fields of the county, makes no statement with regard to their extent.

As in Buckinghamshire, partial enclosure, particularly in the immediate neighbourhood of the villages, had taken place before the eighteenth century. Celia Fiennes found "Oxford Envirin'd round with woods and Enclosure, yet not so neare as to annoy the

town which stands pleasant and Compact," and from the Malvern Hills she says "Oxford, Gloucestershire &c. appears in plaines, enclosures woods and rivers and many great hills" (p.33). By "plaines" stretches of common fields are to be understood.

Leland found no enclosure in Oxfordshire in any part he visited. He came from Reading and crossed the river to Caushem (Caversham). "Thens I rode a v miles and more al by great Wooddes. And thens by Chaumpaine hilly ground a 4 m. to Ewelme" (Vol.II. fol.5). "From Ewelme to Haseley a v m. by Chaumpaine Ground somewhat plentiful of corn, but most layid to Pasturage" (fol.7). "From Haseley to Chisilhampton by plaine ground fruteful of corne and Grasse, but baren of wood as al that Angle of Oxfordshire is, 3 miles. Thens to Drayton Village. Thens a mile to Derchester." (fol.10) "To Walingford 1½ m. by marvelous fair Champain" (fol.12). Here he again crossed the Thames into Berkshire; but later he entered the north west of the county, and found the district from Sutton to Banbury "all by champaine barren of wood" (Vol.IV, fol.163 b), and the first 12 miles of the road from Banbury to Warwick "by Champaine Groundes, fruitful of Corne and Grasse" (165 a). Similarly from Southam (in Warwickshire) to Banbury was "10 m. by champaine, noe wood but exceedinge good Pasture and corne," and from Banbury to Bercester (Bicester) was 10 or 11 miles of "champaine."

THE NORTH OF ENGLAND.

LINCOLN.

Lincoln and the East Riding of Yorkshire have a similar enclosure history. Each was largely enclosed by Acts of Parliament; in each nearly four fifths of the Parliamentary enclosure was effected in the eighteenth century; in each enclosure was not marked either by a general conversion of arable into pasture, as in Leicestershire, or by a general conversion of pasture into arable, as in Norfolk; in both a considerable proportion of the common field land before enclosure was worked on the two field system. As much as 40.1 per cent of the East Riding of Yorkshire is covered by the acts for enclosing common field parishes, and 29.3 per cent of Lincolnshire; but for the latter county there are also acts for enclosing great extents of commonable marshes; and including these and other acts for enclosing commons and wastes, about 55 per cent of Lincolnshire has undergone Parliamentary enclosure.

A good deal of non-Parliamentary enclosure took place during the nineteenth century. Thomas Stone, the Board of Agriculture reporter, estimates that there were in 1793 200,000 acres of commons, wastes, and unbanked salt marshes, and 268,000 acres of

common fields. He over-estimates the total area of the county so much, that to rectify his figures we have to deduct ten per cent - this leaves 421,000 acres of common fields and other commonable lands. There have been enclosed by Parliamentary action since 207,659 acres by acts for enclosing common field parishes, and about 74,000 acres by acts for enclosing other commonable lands; if we suppose there are 12,000 acres of common field and commons surviving, this accounts for 293,659 acres, and leaves about 127,000 acres unaccounted for - i.e. enclosed by non-Parliamentary process during the nineteenth century.

If the same proportion between the scope of the two methods be supposed to have held good during the earlier part of the period of Parliamentary enclosure, it would follow that at the beginning of that period (1730) Lincolnshire was about half enclosed and half open.

From the references to Lincolnshire by our tourists, one would expect to find a less degree of enclosure. Arthur Young, in 1768, that is after 53 enclosure acts for Lincolnshire had been passed, found the country from Stamford to Grimsthorpe mostly open (Northern Tour, p.77), from Grimsthorpe to Colsterworth chiefly open, Colsterworth to Grantham, enclosed on the right hand, open

open on the left (p.84), and from Grantham to Newark all open (p94). Celia Fiennes about 1695, following the same road, found no enclosures but a "fine champion country."

Leland's record is - "From Coly Weston to Grimesthorpe about an 8 Miles or 9, most by playn Ground, good of corne and pasture, but little wood" (Vol.I. fol.26). "From Grimesthorpe to Corby about a 3 Miles by Champayne Ground.....Thens to Boutheby a 3 Miles, and thereaboute is meately store of Wodde scaterid" (fol.27). "From Boutheby to Hayder al by Champaine ground, fertile of corne and grasse, 4 Miles. From Hayder to Sleaford a vj Miles al by Champaine grounde (fol.29). From Sleaforde to Ancaster a 4 Miles by Chaumpaine (fol.30). Ancaster to Temple Bruern al by Champaine of Ancaster Heth a 4 Miles..... From Temple Bruern to Lincoln 10 Miles by Champaine" (fol.32). "Lincoln to Torkesey parte by Marsh Ground, and part by other, byt very little wood, a 7 Miles. Torkesy to Marton Village about a mile by plaine sandy ground" (fol.35).

By comparing Celia Fiennes with Arthur Young, we have evidence of enclosure proceeding in the south west of Lincolnshire between 1695 and 1768, which is partly, but not entirely, accounted for by Parliamentary enclosure. The three descriptions give the impression that up to the beginning of Parliamentary enclosure Lincolnshire

was much less than half enclosed. It is however not difficult to reconcile this with the conclusion inferred from Thomas Stone's statement and the Enclosure Acts; for none of the three travellers touched more than the western part of the county. No doubt the eastern part was earlier enclosed. This is, indeed, indicated by the distribution of Parliamentary enclosure, as shown by the map.

THE EAST RIDING OF YORKSHIRE.

We have no estimate of the extent of common field land in the East Riding from the Board of Agriculture reporter; but Arthur Young in his Northern Tour describes the part between Sheffield and Goole and the East Riding as about half open and half enclosed (pp.172-210). He further says (p.178) that in the East Riding "Inclosures and turnpikes were carried on with great spirit during the late war" (i.e. the Seven Years' War). Nine acts were passed for the enclosure of 11 parishes during that war; but this can only have been a part of the spirited proceedings.

As in the case of Bedfordshire, when we allow for marshes along the Humber, and hillcountry on the Wolds, which never passed through the common field system, for the indubitable non-parliamentary enclosure proceeding side by side with parliamentary

enclosure, and particularly for the active enclosure spoken of by Arthur Young in the middle of the eighteenth century, there remains but little enclosure of common fields to be attributed to earlier centuries. Some such enclosure must be assigned to the sixteenth century. The Commission of 1517 enquired into nearly the whole Riding and found 1560 acres of arable land enclosed, 1545 acres of which were laid down to grass (W.S. Leadam, The Domesday of Inclosure

Leland also found some enclosure in the East Riding, which he traversed pretty completely:-

"From York to Kexby Bridge by Champaine v miles" (Vol.I fol.49) Thence he went to Leckenfield, a village a little to the north of Beverley, "And al this way betwixt York and the Parke of Lekenfeld is meately fruteful of Corn and Grass, but it hath little wood" (fol.49). He then went south to Hull and returned to Beverley: "from Kingeston to Beverle a vj Miles, a v by low pasture and Marsch Ground, and a Mile by enclosid and sumwhat woddy ground" (fol.57). Starting from Beverley again towards Goole he has "Beverle to Walkington Village a 2 Mile, one by enclosid, and another by chaumpaine good corne land. Walkington to North Cave Village 5 Miles by fair champain corn ground. Northcave to Scalby a 3 Miles al by low Marsch and Medow Ground" (fol.57).

"From Scalby to Hoveden (Howden) 4 M. scant one by enclosed Pasture and 3 by Morische and Fenny ground" (fol.58). "From Hoveden to Wresehill (Wressel) a 3 Miles al by low Medow and Pastureground, whereof Part is enclosed with Heggis" (fol.59). "From Wresehill to Fery about a Mile, most by Medow Ground, and so a xj Miles to York, whereof most parte was in sight Medow and Morisch Ground, and but meane corne, but toward York the soyle and corne were better" (fol.60).

We have here mention of a Park and of enclosed land in four different places, though in each of the four only for about a mile of the route.

THE NORTH AND WEST RIDINGS.

The North and West Ridings of Yorkshire were much earlier enclosed than the East Riding. This is the natural consequence of the fact that in early times they possessed a much smaller proportion of arable land, and, as I have shown in a previous chapter, the more pasture predominates, the less the common field arable is able to resist the tendency to enclosure. The difference between the proportions of the three Ridings covered by Enclosure Acts by which common fields were enclosed is striking, East Riding 40.1 per

cent, West Riding 11.6, North Riding 6.5. But this understates the case, for I include all acts whereby any arable common field at all is enclosed, and in the North and West Ridings many of these acts are for the enclosure of a great stretch of moor and a mere remnant of common field, and these unduly swell the total. Examples are an act in 1791 for the enclosure of 6000 acres of common, and 30 acres of "mesne inclosures," i.e. of intermixed tilled land which is separated from the surrounding common pasture by a hedge; an act in 1801 for the enclosure of 150 acres of common field and common meadow, and 4000 acres of common pasture at Kettlewell and Conistree; an act in 1815 for the enclosure of a wretched remnant of 9 acres of common field arable and 6330 acres of common. The existence of such remnants of common field arable bears witness to the gradual enclosure which would have entirely extinguished them a little later if the opportunity of the enclosure of the commons had not been seized to bring them also within the scope of the acts.

William Marshall's account of the enclosure of the Vale of Pickering has already been given. Arthur Young in 1768 describes the view from the road from Kirby Moorside to Cleveland as one of "extensive valleys cut into innumerable inclosures" (Northern Tour, Vol.II.p.93). Enclosure was the rule all the way from Driffield

northwards.

Celia Fiennes kept more to the West Riding. From Darlington to Richmond "I went through Lanes and Woods, an Enclosed country" (p.183). Richmond to Boroughbridge was for 5 or 4 miles through narrow lanes, then for 5 or 6 through common (p.184). From Knaresborough to Leeds "it was much in Lanes and uphill and Downhills, some little part was open common" (p.184). From Leeds to Eland "much in Enclosures" (p.185). About Eland "all the hills full of inclosures" (ibid). From Eland to Blackstone Edge "these parts have some resemblance to Darbyshire, only here are more woody places and inclosures" (p.186).

The earlier history of the enclosure of most of the West Riding and North Riding is summed up in the passage from Walter Blyth:- "Woodlands went before inclosure to be relieved by the Champion, and now become gallant corn countries.....West of Warwick, North of Worcester, Staffordshire, Shropshire, Derbyshire, and all the Countries thereabouts." (English Improver p.40) For while Celia Fiennes found so much enclosure, Eland found chiefly moor and forest, yet more enclosure than "Champaigne."

He came on his first journey from Scrooby in Notts to Doncaster. He observes, "Bawtre to Doncaster an vij Miles by a great

Plaine and Sandy ground caullid Blitherle" (Vol.I. fol 37). Round Doncaster is "Medow, Corn and sun wood'" but from "Tikhill to Cunesborow (Conisbrough) a 4 Miles by stony way and enclosid ground, (fol.39) and from "Dancaster to Heathfeld (Hatfield) by champayn sandy ground a 5 Miles", and here comes Hatfield Chase, the scene of Vermuiden's labours later. He returned to Doncaster and went north and found "The ground between Dancaster and Pontefract in sum places meately wooddid and enclosid Ground;" (fol.42) from "pontefract to S. Oswaldes by much enclosid and meately woddy ground a 3 Miles or more" (fol.44). From St. Oswalds to Sandon village, (a mile from Wakefield) "a 3 Miles by enclosid Ground" (fol.44). From Wakefield to Pontefract direct was "a vj miles parte by Enclosurep parte by Champaine." (fol.46) Thence to Leeds, he found first three miles of enclosed ground, then five miles of low meadow, and "good high plaine corne ground" (fol.46).

From Leeds to Tadcaster was apparently unenclosed, but from Tadcaster to York there was first 4 miles of enclosed ground, then four by "playn Champaine" (fol.48). "From York to Stockton yn the Moore a 3 Miles by low Pasture and moorisch Ground....Thens a 5 Miles by much lyke Ground.... a little beyond that as about half a M. is Whitewelle Village. Thereabout the Fieldes for a Miles space

were inclosid.....Thens a 2 M. by Fyrry. Thens to Malton a 3 Miles, and the ground is hilly there and daly and plentiful of Corne and Pasture (Vol. I. fol. 63). From Malton to Shirburne Village about an 8 miles by Champaine Ground. From Shirburne by Hilles to Semar. Thens a Mile by Meately plaine Ground, and so 2 Miles more in a vale enclosid with stepe Hilles on eeh side to Scardeburg. (fol. 66).

"Moste of the Ground from Scardeburg to Pykering was by Hille and Dale meate plentiful of Corn and Grasse but little wood in sight." (fol. 70). The vale of Pickering was open field land.

North west of York itself was the great forest of Galtres, ten miles through. (fol. 74) At Herperly Village beyond was "meately good corn ground, Pasture and Medow and sun Wooddes." (fol. 75).

Further south. "From Kirkeby Wisk to Northalverton a 4 Miles by Pasture and Corne Ground." (fol. 75).

Returning later from Durhan we have from Greta Bridge to Richmond, "Sun good corn and much More." (fol. 95). Richmond to Middleham, "al by mory Ground and little wood" but "Middleham to Gervax Abbay a 2 Miles most by enclsid Pastures." His route lay through Ripon, West Tanfield, Boroughbridge, to Knaresborough; he notes pasture, corn, wood, and moor. Then comes the great forest of Knaresborough, 20 miles long and 8 broad. Then he went south through Pontefraet

and Doncaster, finding after Doncaster "3 Mile al by Champain ground."
(fol. 105).

He came again into Yorkshire from Lancashire, and found by the Ouse near York "the ground was fair of Pasture, Corne and wood (Vol.V. fol. 91) and from "Shirburne to Pontfract 6 m. soile in sight plaine, wel cornid, but little wood" (ibid) and coming south, there is "woddy Grounds," and "soile riche of wood, Pasture, corne," but no mention of enclosure.

The great contrast between the description given by Gelia Fiennes and that given by Leland sufficiently confirms the statement of Walter Blyth; which we may amplify as follows. Enclosure made little progress in Yorkshire before the middle of the sixteenth century, but thenceforward it was pushed steadily on mainly by the tilling and enclosing of common wastes and pastures, and the clearing and cultivation of forests in the North and West Riding, and the common field arable also underwent division and gradual enclosure. That the Vale of Pickering in the North Riding and the district between Sheffield and Goole in the West Riding, being the parts where arable common fields most predominated, were the last of the cultivated districts to be enclosed; the Vale of Pickering being mainly enclosed by non-Parliamentary means in the first half of the eighteenth century; the South Yorkshire district being largely

enclosed by Acts of Parliament in the second half of the eighteenth and the beginning of the nineteenth century.

Lastly attention must be drawn to the great number of acts of Enclosure for Yorkshire enclosing common pasture or waste only.

Nottinghamshire.

Nottinghamshire may be said to consist of an ancient "champain" district, which has an enclosure history exactly similar to that of the neighbouring districts of Northamptonshire and Lincolnshire, and an ancient forest district of earlier enclosure.

The county as a whole has a percentage of Parliamentary enclosure, 32.7, which must be considered high when allowance is made for the fact that so much land must have been enclosed directly from the forest state without passing through the common field system. The two surviving examples of Common field parishes, Laxton and Eakring, have been before described; Bole also was till recently unenclosed.

The Board of Agriculture Reporter, Robert Lowe, attempted to give an account of the state of enclosure of the different parishes in 1793, but evidently found it beyond his powers to make the lists at all complete. But his list of unenclosed parishes enables us to give the following 9 parishes as enclosed without Parliamentary intervention since 1793:-

Askham	Saundby	South Wheatley
Kirklington	Treswell	Kneesall
Rampton	North Wheatley	Widmerpool

together with the hamlets of Oulton and Clipston.

And his list of recently enclosed parishes enables us to give the following nine parishes as enclosed without Parliamentary sanction shortly before 1793:-

Bingham	Shelton	Orston
Carcolston	Cotham	Sibthorpe
Selston	Kneeton	Thoroton

together with the hamlets of Aslacton, Newton Oldwork, and Cropwell Butler.

All these had been enclosed, he says, within the previous 20 years.

The fact that the extent of non-Parliamentary enclosure in Notts in the period from 1773 to 1793 is just equal according to this to that of the non-Parliamentary enclosure after 1793, is a slight clue to the probable extent of non-Parliamentary enclosure in the eighteenth century in other counties similarly circumstanced.

We should expect then to find the part of the county which was anciently tilled practically entirely open at the beginning of the eighteenth century. This is confirmed by the evidence, so far as it goes. Celia Fiennes says, "From Nottingham Castle I saw a prospect more than 20 mile about. The land is very rich and fruitful, so the Green meadows with the fine Corn #fields which seemed to bring forth in handfulls. They see most of Barley and have

great Encrease, there is all sorts of Graine besides, and plaines and Rivers and Great woods and Little Towns all in view." (p.56).

Leland was similarly struck with South Nottingham. Coming south from Rotherham he found "very woody Grounde." then "hethy." then "Corny and Paster." then "Ground very fruteful of Corne." (Vol. V. fol. 91, 92). But when he got past Nottingham the view made him burst into Latin, "After that I cam a little beyond Trent I saw all Champaine Grounde undecunque within sight, and very little wood but infinita frugum copia."

Derby

The enclosure history of Derbyshire closely resembles that of the West Riding of Yorkshire. A somewhat larger part (13.5 per cent) of it underwent enclosure by acts for the enclosure of common field arable in conjunction with other commonable land, and about 5 per cent more by acts for the enclosure of common pasture and waste. The common field arable is frequently called "mesne inclosures" (sometimes "mesne field") showing that the idea of a hedge was that it surrounded the corn crops to keep out beasts, not the pasture to keep them in. Celia Fiennes gives a general description of the county. "You see neither hedge nor tree but only low drye stone walls round

some ground Else its only hills and Dales as thick as you Can Imagine."
 (p.77) "All Darbyshire is but a world of peaked hills."

It will be remembered that it had by 1649 according to Blith become a gallant eorn ecuntry through enclosure. Leland passed it by.

Durham.

The history of the Enclosure of Durham is told by the Board of Agriculture Reporter in a sentence:- "In this county the lands, or common fields of townships, were for the most part inclosed soon after the Restoration.....The common fields are few in number and of small extent." (Joseph Granger, Agriculture of Durham, p.43.)

All other evidence simply confirms this statement. The Enclosure Acts for enclosing common fields are but 5 in number, and the most extensive of them covers only 800 acres, of which part only is common field. (The enclosure acts of the other type are numerous in comparison and extensive in scope, one covering 10,000, one 20,000, one 25,000 and one 28,000 acres.)

The statement too is confirmed by two contemporary authors, previously quoted, and by the records of Leland and Celia Fiennes. Celia Fiennes says that from Newcastle to Durham "the whole county looks like a fruitful woody place," (p. 178) and she compares it to the neighbourhood of Blackheath (p. 179) from which we must infer

some open common, but all the cultivated land in a state of enclosure.³¹¹

Leland traversed the whole county but found no enclosure. Nor does he describe any part of the county as "champaign" but merely as good corn, or grass, or moor, or mountain. It is, I think, safe to conclude that there were no extensive stretches of common field arable within view; but also, that enclosure had not yet begun.

Further there is an illuminating note from Arthur Young (1788), "Farms become large on entering Northumberland, after the small ones of Yorkshire and Durham." (Northern Tour, Vol. III. P. 91).

It has to be borne in mind that the disorder on the border checked the development of agriculture till the accession of James I, probably at least as far south as the North Riding of Yorkshire. With the gradual increase of population, and improvement of roads, cultivation spread over the wastes; first in Yorkshire, then in Durham, then in Northumberland. At first the agent was a peasant, carving a small farm for his own maintenance, later a landlord or farmer able to employ labourers and work a large farm.

That the enclosure of Northumberland took place later than that of Durham, and was the work of the eighteenth and nineteenth centuries, is on a priori grounds probable, and is further indicated by the fact that Celia Fiennes makes no mention of enclosure in her account of her ride from the Scottish border into Durham. A further reference to the enclosure of Northumberland will be made when we come to Cumberland.

THE SOUTH EAST OF ENGLAND.

Kent.

Kent is certainly a county of very ancient enclosure. This is clearly indicated by the fact that not a single act for the enclosure of common field has been passed by the whole county. It is also witnessed by a whole series of writers, ~~for~~ ^{from} Boys the Board of Agriculture Reporter, who says, "There are no Common Fields in Kent." * to the author of the "Discourse of the Commonwealth," "those countries which be most enclosed, as Essex, Kent, Devonshire."

But in Kent it would appear that if some investigator as careful as Vancouver had at a somewhat earlier date reported on the agriculture of Kent, he would have found some remains of arable common fields in the far eastern corner of the county. William Lambarde in the "Perambulation of Kent," 1570, says "The soile is for the most part bountifull, consisting indifferently of arable, pasture, meadow and woodland. howbeit of these wood occupieth the greatest portion even to this day, except it be toward the east, which coast is more champaigne than the residue."(p.3).

More than a hundred years later *Celia Fiennes* says "Canterbury to Dover was a good road and a sort of Champion Country." (p.103). It was open, it was mainly arable land, but it differed in some respect from the

* Agriculture of Kent (1796) p. 44.

champaign of the midlands; and again a hundred years later, William Marshall writes in 1798 of the Isle of Thanet, "The whole country lies open; excepting in the immediate environs of villages...The present productions, if we cut off the marsh lands, may be said to be arable crops." (Southern District Vol. II. p. 8.)

This was written, it will be noticed, just after Boys had written his statement that there were no common fields in Kent, a statement which can hardly be doubted. It is pretty clear that by the disuse of rights of common, and by the consolidation of scattered properties and holdings by mutual exchanges, the characteristics of common field had been abolished, while in consequence of there never having arisen any tendency to convert the arable land into pasture, no necessity for the expensive labour of making hedges arose. But I have no evidence to show at what date the open arable land ceased to be common field.

The question arises whether the common field system of the ordinary English type ever existed in this part of Kent; and here again there is no decisive evidence that I know of by which to answer the question. The fact that the similar question for Essex is answered in the affirmative by the Colchester common fields perhaps counts for something; and the Surrey common fields being at Croydon close to the County boundary, for a little more. At Eltham there is

an old charity called the Fifteen Penny Lands; only a few acres remain in the form of land, the rest having been sold and the proceeds invested; but there still remains an acre described as "Land in East Field, Dockland's Shot." Eltham was a royal manor, hence likely to have undergone any transition at a later date, and the arrangement of ancient common fields, particularly towards Eltham Common, seems clearly traceable. In Addington, an ecclesiastical manor, it seems also easy to trace the signs of ancient common, commonable meadow, and common fields.

The Weald.

The whole of the Weald of Kent, Surrey, and Sussex appears never to have passed through the common field system. This is indicated in the first place by the fact that there have been no enclosure acts for enclosing common fields. Secondly we have what may be termed the expert evidence of William Marshall, the shrewdest of all the eighteenth century agricultural writers, and the only one really interested in the origin and early history of the common field system. He says of the Maidstone District, "The entire district appears to have been inclosed from the forest or pasture state. I observed not a trace of common field lands." (Southern District, Vol I. p. 21). Of the Weald of Kent, "The whole is in a state of Inclosure, and

mostly divided by wide woodland belts, into well sized fields."

(Ibid. p. 345). Of the Weald of Sussex, ".....there being, I believe, no trace, at present, of common fields having ever gained an establishment." (Vol.II. p. 120). "The whole of the district (between Fulborough and Midhurst) under view is in a state of Inclosure; except a few small meathlets and commons; and except a small remnant of common field in the Maam soil." The Maam soil, he says, is a vein of land of peculiar nature at the foot of the chalk hills.

Finally, seeing that a considerable amount of common field survived in the part of Surrey north of the N. Downs, until the time of Parliamentary enclosure; and some of Sussex south of the South Downs; and in spite of this Blith speaks of Surrey and Sussex as enclosed counties, enclosure must at least have predominated in the Weald.

Celia Fiennes adds a confirmation. Sussex, she says, is "much in blind, dark lanes." (p. 32). This implies narrow roads, with well grown hedges, that is, ancient enclosure. For roads are everywhere broad in proportion as the industrial state at which enclosure takes place is advanced. Again from Calvery to Branklye, "the way is thro' Lanes, being an Enclosed Country for the most part, as is much of Sussex which joyns to Kent." (p.112). And the view from Boxhill was that of "a fruitfull vale full of inclosures and Woods." (p. 32).

North Surrey.

The part of Surrey which lies on the north slope of the North Downs, from the Kent boundary to the Bagshot sands, contained up till the time of Parliamentary enclosure, a considerable proportion of common field land, as may be seen by the appendix and the map. James and Malcolm, the reporters for Surrey, give a list of the chief common fields remaining in 1795, (*Agriculture of Surrey*, p. 43) from which we find that besides Merrow, enclosed about 1870, East and West Clandon, Ashted and Thorpe have been enclosed without acts since. In each of these four cases enclosure took place before the date of Tithe Commutation.

But even this part of Surrey must be considered as on the whole an early enclosed district; as much so, in fact, as the corresponding slope of the Chiltern hills, and the Hertfordshire hills on the other side of the Thames.

The Sea Coast of Sussex.

The Western part of the south slope of the Sussex downs has a few examples of common fields surviving to a late date, but they are fewer in number and smaller in area than on the north slope of the Surrey downs. William Marshall says, "In the Isle of Selsey I observed some common field land; also about Chichester in the

year 1791." (Southern District Vol. II. p. 230.)

Wessex.

Under the heading of Wessex I include the counties of Hampshire, Wiltshire, Berkshire and Dorset. There is a close resemblance between the enclosure history of each of these; while Gloucester is a connecting link between them and the midland counties on the one hand, and the south western on the other. It may be described as at present a country of very large farms, with a very large proportion of open down, the cultivated land itself remaining remarkably open, being divided in general into large rectangular fields by hedges which are frequently full of gaps. Rights of common here more than elsewhere have decayed irrespective of actual enclosure; and using the word enclosure in its broad sense, it may be said that in Wessex the process of enclosure has least of all taken visible shape either in the growing of hedges, or building of walls, or in the conversion of arable to pasture or pasture to arable, or in the scattering of the habitations of the inhabitants over the whole parish; but that it has most profoundly affected the social life of the villages. The case of Grimstone, in which the nine "livings" for generations held by about a dozen different copyholders, was converted into a single farm, and by no means an exceptionally large one, is typical of the

The name of the village is Grimstone.

fences on the sides next the lanes lying in a state of neglect. And, to the north of the Avon, the country for many miles every way, lies open, unless about villages and hamlets, and along the narrow bottoms of the watered valleys. To the eastward of Salisbury an attempt has been made at inclosure; the ruins of the hedges are still evident; broken banks with here and there a hawthorn. And similar instances are observable in other parts of the Downs.

"Are we to infer from hence, that chalk down lands are not proper to be kept in a state of inclosure? Or that where sheep are kept in flocks, and few cattle are kept, fences are not requisite? Or is the foliage of shrubs a natural and favorite food of sheep, and hence, in a country chiefly stocked with sheep, it is difficult to preserve a live hedge from destruction?"

"Ludgershall to Basingstoke. The country is wholly inclosed; excepting a few plots to the right; mostly in large square fields, doubtless from a state of open down; the hedges in general of a middle age; some instances of ^{recent} ~~vacant~~ inclosure.

"With respect to the present state of appropriation of this tract of country, * the mere traveller is liable to be deceived. From the more public roads, the whole appears to be in a state of

* i.e. the whole of the district he calls "the Western Chalk hills."

whole district. This aspect has been previously treated. What here has to be noticed is that these characteristics of Wessex enclosure make it more difficult to trace the progress, at least so far as the higher lands are concerned. If Celia Fiennes could revisit the neighbourhood of Amesbury and Stonehenge, she would probably again describe it as "all on the downs, a fine champion country." It is fortunate that we have the accounts of two such expert observers as Thomas Davies and William Marshall. They wrote practically at the same date, Marshall apparently in 1792, Davies in 1793; but as Marshall confines himself to the actual condition, while Davies deals with the past, he must here take precedence.

"The Western Chalk Hills.

"Basingstoke to Salisbury. The state of inclosure varies. To the Eastward the country is mostly inclosed, much of it in large, square, regular inclosures. More westward, it is entirely open; as are the tops of the higher hills throughout. Extensive views, with no other break, than what is given by corn or flocks, fallows or the sheep-fold.

Environs of Salisbury. To the Southward of the town there are some well sized, square fields, with good live hedges, (at least on three sides) apparently of forty or fifty years growth; yet, extraordinary as it is, many of these fields lie open to the roads ! the

divided property. But on a closer examination, much of it is found to be in a state of commonage. In the immediate environs of Salisbury, there are evident remains of a common field; lying in narrow strips, intermixed, in the south of England manner; and not far from it, a common cow pasture and a common meadow. About Mere" (on the Somerset border of Wiltshire) "I observed the same appearances. In the Valley of Amesbury much of the land remains, I understand, under similar circumstances, though they do not so evidently appear in the arable lands, which by the aggregation of estates, or of farms, or by exchanges among landlords and their tenants, lie mostly in well sized pieces. But the after entage,* whether of the stubbs or the meadows, is enjoyed in common. And the grass downs of the common field townships are in a state of common pasture the year round; being stinted by the arable lands." (Southern District, p. 306 &c.)

One fact to be noticed is that Hampshire was earlier enclosed than Wiltshire; which is in accordance with what one would have expected. Enclosure spread Westwards into Hampshire from Surrey and Sussex.

Davies I have previously quoted. "The greater part of this

* "After-entage." This is Marshall's variant of "average," showing his theory of the etymology of the word: a theory which might have been suggested to him by the quaint phrase common in Enclosure Acts, "The averages whereof are eaten and enjoyed by the proprietors according to a recognised stint."

county (Wiltshire) was formerly, and at no very remote period, in the hands of great proprietors. Almost every manor had its resident lord, who held part of the lands in demesne, and granted out the rest by copy or lease to under tenants, usually for three lives renewable. A state of commonage, and particularly of open common fields, was peculiarly favourable to this tenure. Inclosures naturally tend to its extinction.

"The North west of Wiltshire being much better adapted to inclosures and to subdivision of property than the south, was inclosed first; while the South-east or down district, has undergone few inclosures and still fewer subdivisions." (Agriculture of Wiltshire, p. 8).

We have previously seen that Cobbett, traversing that same South-east district of Wiltshire, found in 1825 the common field or "tenantry" system completely superseded by that of great farms. Parliamentary enclosure only partly effected the change; which appears to have been so complete in the space of a single generation, 1793 - 1825. The violent fluctuations in the price of grain during the great war, the wholesale ruin of farmers in 1815 and 1816, the abuse of the poor law peculiarly rampant in Wiltshire, by which the peasants who held such little holdings as we have observed in Ford-

ington and Stratton and Grimstone by lease or copy, were compelled to pay in their rates the wages of the labourers employed by the great farmers who were superseding them, and the decay of home industries to which Cobbett bears witness, all these were complementary parts of the social transition, each assisting all the others, and altogether converting the tiller of the soil from a peasant with a medieval status, a responsible member of a self-governing village community, into a pauperized half starved labourer.

Though North West Wiltshire was enclosed earlier than the South East, Berkshire was enclosed later than Wiltshire as a whole. This is indicated by the scope and distribution of enclosure acts. Parliamentary enclosure covers 26.9 per cent of Berkshire, 24.1 per cent of Wiltshire. Of the total 120,002 acres enclosed by Act in Berkshire, 42,651 A. was enclosed in the eighteenth century; 77,371 A. in the nineteenth. In Wiltshire the proportions are reversed; 126,060 A. were enclosed in the eighteenth century, 66,075 A. in the nineteenth.

Then non-Parliamentary enclosure in the nineteenth century was peculiarly active in Berkshire. William Pearce, the Board of Agriculture Surveyor, computed that in 1794 the common fields and downs occupied 220,000 acres, forests, wastes and commons 40,000, and the enclosed lands, including parks and woods, only 170,000 acres. (Agriculture Surveyor, 1794, p. 10.)

culture of Berkshire, p. 13). He further assures us that at least half of the arable land was in common fields. (p. 49). As rather less than 20 per cent of the total area of the county was enclosed by Acts at a later date, it would follow that about 30 per cent of its area was enclosed without acts after 1793; and from my own enquiries I can quite believe this conclusion is accurate. Enclosure under the general acts of 1836 and 1840 appears to have been especially extensive in Berkshire.

Dorset underwent enclosure at an earlier period. The percentage of Parliamentary enclosure is only 8.7, which is similar to that of Hampshire, 8.6; and there is no evidence of very extensive non-Parliamentary enclosure in the nineteenth century. Stevenson in 1812 reported, "There are but few uninclosed fields remaining." (Agriculture of Dorset, p. 134) and the earlier reporter Claridge, in 1794, said "Very few parishes in this county have of late years been enclosed." (Agriculture of Dorset, p. 46). In the intervening period only 14 acts enclosing 16 parishes were passed; Dorset must therefore have been mainly enclosed before the time of the American war; enclosure having no doubt spread eastwards from Devonshire, which was a very old enclosed county.

Celia Fiennes adds little to our information, except that she

says the Vale of the White Horse, in Berkshire "extends a vast way, a rich inclosed country" (p. 19), that there were "Good lands, meadows, woods and inclosures in the Isle of Purbeck (p.6), and that the country round "Stonidge," like that round Newtontony was "most champion and open, husbandry mostly corn and sheep." (p.19). But there is a significant passage in John Norden, which shows that the characteristic Wiltshire and Dorsetshire common-field management in 1600 prevailed over all four counties. "In Dorset, Wiltshire, Hampshire, Barkeshire, and other places champion, the farmers do much enrich their land indeed with the sheepfold." (Book V. P. 232)

Leland however is full of information. He came into Berkshire at Wallingford, and rode thence to Abingdon and to Oxford. The first touch of description is "About this Sinodune beginneth the fruteful Vale of White Horse - this Vale is not plentifulle of woodde." (Vol.II. fol. 14) This must be compared with Celia Fiennes' description of the same vale "a rich inclosed country." He next proceeded westwards along the southern side of the Thames. "From this place" (Hincoy hill, 1 mile from Oxford) the hilly ground was neatly wooddy for the space of a mile, and thens 10 miles al by Chaumpain, and sun Corne, but most pasture, to Farington." He crossed the river and entered Gloucestershire, but turning south entered Wiltshire, and found the 8 miles from Cirencester to Malnes-

bury "about a Mile on Furse then al by Champayne Ground, fruteful of corne and Grasse, but very little wood" (fol.26). To Chippenham "al the Ground on that side of the Ryver was Chaumpayne (fol. 28) but towards Bradford "the countre beginneth to wax woddy" (fol.30) and then he went west into Somerset, Devon and Cornwall. He came back into Dorset from Axmouth, and in the extreme Western part of Dorset gives no distinct description of the state of enclosure - it is "neately good ground" or "corne, pasture and wood;" but from Melbury to Frose was "vj miles stille by Champaine ground on an high rigge" (Vol.III. fol. 47). He came through Weymouth, and Poole, and specified neither enclosure nor chaspain, till he reaches the North west corner of the county; but from Hoston to Cranbourne is "al by Champain Ground having nother Closure nor Wood," and all the way to Salisbury continues "al by Champayne" (fol. 56). Again "all the way from Salisbury to Winchester is Champayne," but from Winchester to Southampton, while there is "lough drye feren Ground," "the most part of the Ground betwixt is enclosid and reasonably woddyd. (fol.74).

To Portsmouth enclosure predominated in the cultivated land. There is "much enclosid and Hethy Ground myxt with Ferne," (fol.79) and "the Ground within the Isle of Portsmouth is partely enclosid."

(fol. 82). Turning north there was some "playn Ground" before entering Bere forest, afterwards "enclosid Ground" to Bishops Waltham, and for three miles beyond; the remaining four to Winchester being "Champain." (fol. 83).

It is difficult to interpret such expressions as "neately well woddid" or "good Corne and sun Grasse." in terms of enclosure. But probably they imply (1) that there is not much actual enclosure by hedges, and (2) that there are no extensive arable common fields. Such descriptions would suit land passing directly from the condition of forest or moor into separate cultivation, but in which the cultivated patches were not as yet enclosed with hedges; or a district in which small arable common fields were surrounded by such later extensions of cultivation. But leaving Dorset in doubt, it is clear that enclosure was well begun in the South of Hampshire, while the country to the north was all open.

In the above journey Leland skirted the central chalk district; later he passed directly through it, going from Oxford through Abingdon, Lambourn, Marlborough and Devizes to Trowbridge. He passed the forests of Severnake and Blake, but all the cultivated land is described as "chanpayne." (Vol. VII, part 2, fol. 63-67).

To sum up, we find that in the South of Hampshire, the cultivated land was early enclosed, and also probably in the South and West of

Dorset, that enclosure gradually spread from the middle of the sixteenth century onwards into the rest of the four counties, the movement attacking the "champaign" district on three sides, on the east from Surrey, on the South from the early enclosed district between Winchester and Southampton and Portsmouth, and in the west from Devon and Somerset; the progress of enclosure appears to have been practically confined to Dorset and Hampshire in the seventeenth century; to have had the north west of Wiltshire for its chief scene in the greater part of the eighteenth century, and finally to have attacked south east Wiltshire and Berkshire, the former in the first quarter, the latter throughout the first half, of the nineteenth century.

Gloucester and Worcester.

The whole of Gloucester, with the exception of the Forest of Dean and its neighbourhood in the west, has scattered over it parishes enclosed by Acts of Parliament; and the enclosure so effected amounted to nearly a quarter (22.5 %) of the whole area of the county. The rich land in the Severn Valley was the latest enclosed district. William Marshall tells us that in 1788 "perhaps half the vale is undivided property." (Rural Economy of Gloucestershire, Vol. I. p. 16). As enclosure by Act of Parliament, and

doubtless also without acts, had been proceeding vigorously since 1726, it is probable that at the earlier date nearly the whole was in "a state of commonage." Of the Cotswold hills, Marshall says, "Thirty years ago (i.e. in 1759), this district lay almost entirely in an open state; namely in arable common fields, sheep walk, and cow-down. At present it may be said to be in a state of Inclosure, though some few townships yet remain open." (Ibid, Vol. II. p. 9.)

I have already pointed out that in Gloucestershire enclosure without Acts was specially easy, in consequence of the custom of holding land. The ancient custom of "copyhold by three lives renewable" had very generally been converted into "leasehold by three lives renewable," the difference being that the lord of the manor's option of accepting a new life became real instead of ^{nominal} optional. It was easy for a landlord who wished to enclose to convert each such lease as it fell in to one for a short period of years; and it was in this way, Marshall says, the enclosure of the Cotswold Hills was mainly effected.

The south west of Gloucestershire, towards Somerset, to a considerable extent shared in the early enclosure of that county; though for Somerset we have also to say that while the western half was like Devonshire, very early enclosed, the eastern half to a certain extent

shared in the comparatively late enclosure of Gloucestershire and the North West of Wiltshire, as the map shows.

Worcester similarly shows the transition between South Warwickshire, the enclosure history of which has been dealt with, and the counties on the Welsh border. Pomcrov reported in 1794 to the Board of Agriculture "The lands are in general inclosed; there are however some considerable tracts in open fields." About 45,000 acres have since been enclosed by acts for enclosing common fields *inter alia*; which is perhaps as large an area as the phrase "considerable tracts" is intended to describe. Just one sixth of the total area of the county is covered by the whole series of such acts, mainly in the eastern half of the county.

Leland's observations are as follows. He saw, approaching Lechlade on crossing the Thames from Faringdon, "In ripa ulteriori... greate Enclosures of stone walls." (Vol. II. fol. 22). He turned into Wiltshire, and came from Bradford into the neighbourhood of Bath, and East Somerset. Burton to South Cadbury, and thence to Sherborne, just over the Dorset boundary, was "fair and fruitful Champain," (fol. 47), but by another route back from Sherborne to South Cadbury, "the Pastures and Fieldes be much enclosed with Hogge Rows of Elmes." (fol. 50), and a little later he says that "most part of al Somersetshire is yn hegge rows enclosed" with elms. (fol. 55).

Some details are given later, Southtown to Midsummer Norton was "hilly and enclosed," but Midsummer Norton to Wells "champaigne." (Vol. VIII. fol. 5) but thence south to Munney Delawere "hilly and enclosed." (fol. 7). Midsummer Norton to Wells (near Frome) was champayn (Vol. VII, part 2, fol. 76 a). From Bath to Kelston (in Wilts) was champain (fol. 67 b) and the triangular district between Bristol, Bath and Chipping Sodbury about half enclosed and half "champaigne," and also the district on the other side of the Bristol Avon towards Frome in Somerset, the immediate neighbourhood of Frome being open. (Vol. VII, part 2, fol. 68 - 77).

Aulester (in Warwick) to Evesham was "2 Miles by woody and enclosed ground, and then a mile by Ground lesse enclosed.....Thence 4 miles by cleane Champion." (Vol. IV. fol. 160 b), and the "champion Ground" continued for 6 or 7 miles to Stanwey, on the Cheltenham road.

North west Worcester seems to have been generally enclosed. We have Bridgworth (in Shropshire) to Kidderminster "mostly enclosed ground," (Vol. IV, fol. 162 b) "Sewdly to Milton, Milton to Hertlebury, and hence to Worcester is all described as enclosed Ground, (163 b and 164 a), and so also the country between Worcester and Bromsgrove (165 a and 166 a).

We have then the North west half of Worcestershire enclosed by about 1540, and the southern extremity of Gloucestershire about half enclosed by that date. We have further the rest of Worcestershire sharing the enclosure experience of Warwick and Leicester, though probably at a somewhat earlier date, that is, undergoing enclosure mainly in the seventeenth and eighteenth centuries, though in the end the process dragged on and was only completed after the Act of 1845 was passed. We find the Cotswold Hills enclosed mainly between 1750 and 1780, the Severn Valley undergoing enclosure during this period, but only about half enclosed at the end of it, and enclosure continuing steadily to the very end of the nineteenth century, with Elmstone Hardwicke still remaining unenclosed, waiting for leases for lives to expire.

The Celtic Fringe.

The part of the country which remains to be considered is that in which the problem is complicated by the question whether the primitive village community was of the English or Celtic type. The remaining counties may be grouped under the titles West Wales, Strathclyde and the Welsh border.

We have previously seen that fluidity in the tenure of soil, which is one characteristic of the Celtic run-rig as compared with

the Anglo Saxon common field system, favours the separation of properties and holdings at the time when co-aration ceases to be practised; and, in consequence, to early enclosure without any special efforts of the type of an act of Parliament. But we have also seen that a prevailingly pastoral country tends to have its arable lands more easily and earlier enclosed than a prevailingly arable country. There are therefore two explanations available for the early enclosure of the whole western half of England and Wales.

First, however, the broad facts with regard to the history of enclosure must be made clear.

There are no acts specifically for enclosing common arable fields in Wales, nor any in which the phraseology of the preamble clearly indicates the existence in Wales of land possessing all three of the essential characteristics of English common field (1) intermixed ownership or occupation, (2) absence of adequate hedges or other obstacles to the passage of men and animals from one holding to another (3) common rights exercisable over the tilled land.

But there were in Wales open tilled fields in which properties and holdings were intermixed - that is, land possessing the first two characteristics. Several Welsh acts for enclosing commonable waste also enclose "intermixed lands." and one, (1843 c.14) is for

the enclosure in Llandudno and three neighbouring villages, of "Divers Commons, commonable lands and waste grounds, Heaths, Open and Common and other Fields and Waste lands, and other Common lands and Waste grounds, which lie intermixed in small parcels, and are inconveniently situated for the use and enjoyment of the several proprietors."

The following are the reports on the subject by the Board of Agriculture Reporter in 1793 and 1794:-

"Open or Common Fields are rarely met with in South Wales. It is a mode of cultivation only practised in a few instances, where ecclesiastical and private property are blended." (John Fox, Agriculture of Glamorgan, p. 41).

"The only tract like a common field is an extent of very productive barley land, reaching on the coast from Aberavon to Llanrhysted. This quarter is much intermixed, and chiefly in small holdings." (Thomas Lloyd, Agriculture of Cardigan, p. 29).

Carmarthen. "I do not know of any considerable extent of open common field in the county." (Charles Hassell, Agriculture of Carmarthen, p. 21)

Pembroke. "In the neighbourhood of St. David's considerable tracts of open field land are still remaining, which is chiefly

owing to the possessions of the church being intermixed with private property." (Charles Hassell, Agriculture of Pembroke, p.20).

Radnor. "Here are no Common Fields" (John Clerk, Agriculture of Radnor, p. 21)

Flint. "There are no common fields, or fields in run-rig, in this county, except between Flint and St. Asaph, and it is in intention to divide and inclose them." (George Kay, Agriculture of Flint, p.4).

Caernarvon. "Run-rig. There are no lands of this description that I could hear of, but there is a good deal of mixed property that might be exchanged." (George Kay, Agriculture of Caernarvon.)

There was in existence a mere remnant of open, intermixed, arable land, which one reporter evidently thinks ought to be described as run-rig, and not as common field. Though in many respects agricultural methods were of the most primitive type, yet enclosure was practically complete; in two out of the four counties in which open fields are stated to be surviving, the explanation of such an exceptional circumstance is given in the intermixture of church and lay property. This well corroborates the a priori argument that the Celtic type of village community easily yields to enclosure; and that a predominance of pasture over arable also facilitates early

enclosure of what arable there is.

We have now to fix with what accuracy we may, the time of the enclosure of the Western Counties, and then to search for evidence of variation in those counties, from the typical English village community.

Devon, Cornwall and West Somerset.

These counties were very early enclosed. There is so much earlier evidence that it seems superfluous to quote Celia Fiennes, but there are some suggestive touches in her description.

"I entered into Devonshire 5 miles off from Wellington, just on a high ridge of hills which discovers a vast prospect on Each side full of Inclosures and lesser hills which is the description of most part of the West. You could see large tracts of grounds full of Enclosures, good grass and corn beset with quicksetts and hedgerows." (p. 208). In very similar words she describes the views on the roads from Exeter to Chudleigh, and from Chudleigh to Ashburton.

"Devonshire is Much like Somersetshire, fruitfull countrys for corn, graseing, much for inclosures that makes the wayes very narrow, so as in some places a coach and waggons cannot pass. They are forced to carry their corn and carriags on horses backes with

frames of woods like pannycers on either side of the horse, so load it high and tye it with cords. This they do altogether the further westward they goe, for the wayes grow narrower and narrower up to the land's end." (p. 9). As Celia Fiennes rode into the far west of Cornwall, hers is the evidence of an eyewitness. She points to the explanation of the extreme narrowness for which Devonshire lanes are still noted - enclosure took place before the introduction of carts.

Devonshire is spoken of in the previously quoted passage in the "Discourse of the Commonwealth," about 1550, as, with Essex and Kent, one of the most enclosed counties. Ireland, about the year 1537 passed through North Devon into Cornwall, as far as Wadebridge and Bodmin, and back through South Devon. His statement that Somerset was much enclosed with hedgerows of elms, has already been quoted. In Devon and Cornwall he found no "champaine," but frequently "neatly good corne and grasse," on the other hand he frequently found enclosure.

After recording his arrival at Dunster, he says, "From Combane to the Sterte most part of the Shere is Hilly Ground, and nere the Shore is no Store of wood; that that is ys al in Hedge rowes of Enclosures." (Vol. II. fol. 63). There was enclosed ground between Lideford and Torrington (fol. 68); from Torrington to Launceston

was either "hilly and much enclosed," or "hilly and much morisch" (fol. 69), and also from Launceston to Bescastle. (fol. 72).

Entering South Devon, he remarks simply on the fertility of the soil, but remarks "The hole Ground bytwixt Torrebay and Exmouth booth sumwhat to the shore and especially inward is wel inclosed." (Vol. III, fol. 31).

In the year of Leland's visit, probably either 1537 or 1538, the cultivated lands of Devon, and Cornwall and Somerset were largely, but not entirely enclosed. In East Somerset alone did Leland find any land which he could describe as "champaine;" we may infer therefore that though no doubt there was a good deal of open field arable, probably still cultivated by co-aration, it existed in the form of comparatively small areas round villages and hamlets; nowhere, in Leland's route, extending over a considerable tract of country.

Carew, in his book on Cornwall, dated 1602, gives an account of the enclosure of that county. Of the memorial tenants, he says, "They fal everywhere from Commons to Inclosure and partake not of some Eastern Tenants envious dispositions, who will sooner prejudice their owne present thrift, by continuing this single mangle, than advance the Lordes expectant benefit, after their terme expired." (p.30)

This pregnant passage tells us -

(1) that the Enclosure of tilled land in Cornwall had been proceeding rapidly up to 1602 and was then nearly complete;

(2) that previous to enclosure the system of cultivation, whether it most resembled the English common field system, or Scotch run-rig, had for one of its features the intermixture of holdings; and for another some elements of collective ownership or management entitling it to the name "Commons;"

(3) that Carew's conception of a manorial tenant is not that of a freeholder, nor of a copyholder, but that of a leaseholder, whose term expires, the lord of the manor reaping the fruit, on the expiration of the lease, of any improvements the tenant may have made. He further explains that the system of leases for three lives was practically universal in Cornwall, not in the modern form in which any three lives may be named in the lease, but depending for its continuance on the lives of the lessee, his widow and his son. It is obvious that this condition of land tenure would be more favourable to early enclosure than copyhold.

Another passage in Carew bears witness to the practical completion of enclosure. Writing of the legal conditions under which tin miners pursued their enterprise, he says, "Their workes, both streame and Load, lie either in severall or in waistrell, that is, in enclosed grounds or in Commons (p. 13). This implies that Cornwall^{ish} land was either commonable waste, or

in separate exclusive ownership and occupation, and enclosed. One cannot draw the inference that there was absolutely no open field land, but merely that its extent was in comparison so small as to appear negligible in this connection to Carew.

Though it is not improbable that the enclosure of Cornwall took place at an earlier stage of agricultural evolution than that of Devonshire, it is somewhat improbable that it took place at an earlier date. It is a reasonable inference from the evidence that by the end of the sixteenth century the enclosure of Devon and Cornwall was practically complete. When it began is a different question.

The Charter of John by which all Devonshire except Dartmoor^t and Exmoor was deforested expressly forbids the making of hedges on these two forests. This is itself some evidence that enclosure of some sort, probably enclosure of waste, for the purpose of cultivation, was going on actively in the beginning of the thirteenth century.

Attention must here be drawn to an ancient custom in Devon and Cornwall surviving to the end of the eighteenth century. William Marshall gives an account of it, and shows its probable importance in determining the character of enclosure and of all the attendant circumstances in Devon and Cornwall.

"West Devonshire. This district has no traces of common fields. The cultivated lands are all enclosed, mostly in well sized enclosures; generally large in proportion to the sizes of farms. They have every appearance of having been formed from a state of common pasture; in which state, some considerable part of the District still remains; and what is observable, the better parts of these open commons have evidently been heretofore in a state of aration; lying in obvious ridges and furrows; with generally the remains of hedgebanks, corresponding with the ridges, and with faint traces of buildings.

"From these circumstances it is understood by some men of observation, that these lands have formerly been in a state of permanent inclosure, and have been thrown up again, to a state of commonage, through a decrease in the population of the country.

"But from observations made in different parts of Devonshire, these appearances which are common, perhaps, to every part of the county, would rather seem to have arisen out of a custom, peculiar perhaps to this part of the island, and which still remains in use, of lords of manors having the privileges of letting portions of the common lands, lying within their respective precincts, to tenants, for the purpose of taking one or more crops of corn, and then suffering the land to revert to a state of grass and commonage.

"In the infancy of society, and while the country remained in the forest state, this was a most rational and eligible way of proceeding. The rough sides of the dells and dingles, with which it abounds, were most fit for the production of wood; the flatter, better parts of the surface of the country were required for corn and pasturage; and how could a more ready way of procuring both have been fallen upon, than that of giving due portions of it to the industrious part of the inhabitants, to clear away the wood and adjust the surface, and after having reaped a few crops of corn to pay the expence of cultivation, to throw it up to grass, before it had become too much exhausted to prevent its becoming, in a few years, profitable sward? In this manner the county could be supplied progressively as population increased, with corn and pasturage, and the forests be converted, by degrees, into common pasture.

"The wild or unreclaimed lands being at length gone over in this way, some other source of arable crops would be requisite. Indeed, before this could take place, the pasture grounds would be disproportionate to the corn lands; and out of these circumstances, it is highly probable, arose the present Inclosures." (Rural Economy of the West of England, 1795, p. 31).

The same custom was observed in Cornwall by G.E. Morgan, the

Board of Agriculture Reporter. (Agriculture of Cornwall, p.46).

I believe this custom is the explanation of the huge size of the hedges which is frequently observable in Devonshire. A mound about eight feet high, and six or seven feet through, surmounted by a quickset hedge, is not uncommon. When a plot of land which had once been enclosed from the waste for cultivation, and then thrown into common pasture, with its hedges cast down, had recovered its fertility, it would naturally again be selected for enclosure and cultivation; the cast down rough stone wall, now overgrown with vegetation, would be made the foundation for a new hedge; and the same process might be repeated several times before final enclosure.

Braunton Great Field.

I have said above that it is reasonable to infer from the evidence that enclosure was practically complete in Devon and Cornwall by the end of the sixteenth century. It is not, however, absolutely complete to the present day; for Braunton Great Field remains uninclosed. Braunton is a little town of about two thousand inhabitants, situated between Ilfracombe and Barnstaple, near the sea coast. Braunton Field is said to have "as many acres as there are days in the year," each acre being a strip of land of about an acre in area. Properties and holdings are very much intermixed,

many of the holdings are very small and cultivated by their owners. Each "acre" is separated from the rest on each side by a balk of untilled land, growing grass, yarrow, hawkweed &c. just a foot wide. They are locally known as "launchers," which one associates with the Dorset name "lawns" for the strips of ploughed land, and the name "land-shares," in the Stratton Court rolls for the unploughed balks.

There is also always a path, or a broader balk, called an "edge," separating the different sets of acres, which elsewhere would be called "Shots" or "Furlongs," from one another.

No common rights exist at present, or have existed in living memory over either the unploughed balks, or the tillage lands themselves. But old villagers remember that long ago one half of the field was kept for wheat, and the other half for potatoes, clover &c.; in other words, that there used to be a common rule for the cultivation of the field. At present each occupant cultivates his strips just as he pleases. It is of course possible that this obsolete common rule was itself a survival from an older one, and that originally this field was cultivated on the two field system so prevalent in Lincolnshire; half under wheat, half fallow, the fallow being commonable all the year, and the wheat after harvest.

But on the other hand the villagers might in early times have had enough common pasture elsewhere to have felt no need to turn cattle into the arable Field, and so such common rights may never have arisen.

Braunton Field is noteworthy in that it shows that however the primitive village community of West Wales may have differed from that of Wessex, it must have had certain characteristics in common with it, by which open arable fields of intermixed occupation, were created in the neighbourhood of villages. Braunton cannot have been from the beginning an isolated example. The process of enclosure by the method Marshall describes went on around and outside these ancient tilled open fields.

Another interesting fact is revealed by the study of the Braunton map. Braunton Field has been much reduced in area; one can easily see that the adjoining lands were once part of the open field, for the hedges in the lands around are so placed as to form a continuation of the spider web lines of the "launchers" within the field. The average size of the enclosed fields outside the Great Field is indeed a little greater than of the separate lands within it, but there is an imperceptible gradation, beginning with the smallest "lands" in the Great Field which are nearest the village, on through those more remote, the nearer enclosed fields, and then

the more remote of them. Enclosure has been effected by simply enclosing the strips of arable land in the open field as they are. The fact that no common rights existed over the Field, supposing this always to have been the case, would have made such enclosure almost a matter of indifference to the other occupiers; and the motive, no doubt, would be the desire to lay the strip down in pasture. The whole field is known to the villagers as "the tillage land."

The Welsh Border.

The enclosure history of the counties along the Welsh border is somewhat similar to that of Devonshire. It took place early, partly in consequence of the predominance of pasture over arable, and partly under the influence of a custom of temporarily enclosing the waste and common pasture, similar to that in Devon and Cornwall.

The percentages of area of these counties enclosed by acts for enclosure of common field arable are, respectively,

Cheshire	0.5
Hereford	3.6
Monmouth	0.4
Shropshire	0.3
Staffordshire	2.8

The Board of Agriculture Reporter's statements on the common fields surviving in 1793 are that in Cheshire there was not so much as

1000 acres (Wedge, Agriculture of Cheshire, p.8); in Staffordshire little more than 1,000 acres; (Pitt, Agriculture of Staffordshir, p. 65) that Shropshire "does not contain much common field land" (J. Bishton, Agriculture of Shropshire, p.8); but that in Hereford some of the best lands of the county are common fields (Clark, Agriculture of Hereford, p. 69). Of Hereford, William Marshall gives a better account. "Herefordshire is an inclosed county. Some few remuants of common fields are seen in what is called the upper part of the county; but in general it appears to have been inclosed from the forest state; crooked fences and winding narrow lanes" (p. 224).

Celia Fiennes found from Nantwich to Chester "much Enclosures" (p. 147) but from Salford to Northwich, "I went a very pleasant roade, much in the downs, mostly common ground, some few Enclosures," Herefordshire "a country of Gardens and Orchards," with apple and pear trees thick in the hedgerows (p.33). Staffordshire "well wooded and full of Enclosures, Good Rich Ground, extremely differing from Derbyshire" (p. 89). This was her first impression, confirmed later. "Harteshill is so high that from the top of it you see near 20 miles round, and shows all the county which in this part of Staffordshire is full of woods and jnclosures and good lands, except the Knackwood" (p. 137). From "Nedwoodforest" .."you have a fine

prospect of the country, enclosed good lands"(p. 139). Also beyond Stafford towards Cheshire was mostly inclosures (p. 144) and from Stafford to Wolverhampton the journey was through lanes (p. 194).

Walter Blith includes Staffordshire and Shropshire as part of "the Woodlands, who before Enclosure, were wont to be relieved by the Fielden, with corn of all sorts. And now grown as gallant Corne countries as be in England" (The English Improver, 1649, p. 40) Evidence of early enclosure is supplied by Leland. About White Castle, which I take to be Bishop's Castle, in south west Shropshire "the Countrys is Champion" (Vol. IV. fol. 176 b) but from Hereford to Leominster was enclosed ground (176 b and 177 a), thence towards Ludlow "by goodly corne Ground, part by enclosed" (178 b), Bridgnorth to Kidderminster "most by enclosed Ground" (182 b) to Bewdly was by "a fayre Downe" but all the way thence to Milton (4 miles), Hertlebury (2 miles), Salop brook (5 miles), Worcester (3 miles), Wick (6 miles) and Bromsgrove (4 miles) each stage is said to be by enclosed ground (fol. 183 b - 186 a).

As for Monmouthshire, "The soyle of al Venteland" (Gwent, the country between the Wye and Usk) is of dark reddish Yerth ful of Slaty stones, and other greater of the same colour. The country is also somewhat mountaynous and well replenished with Woodes, also

fertile of Corne; but men there study more to Pastures, the which be wel inclosed," (Vol.5. fol. 5), and "Erchenfeld is full of Enclosures very (fruteful) of Corne and Wood" (fol. 9). Round Shrewsbury there is "ground plentiful of Corne, wood and pasture" (Vol. V, fol. 80), at Whitchurch "meately fruteful sandy ground" (fol. 81), and sandy ground on to Northwich (ibid).

Nowhere else in these counties is either "enclosure" or "champaigne" specified .

The evidence as to the existence of a custom of temporary enclosure of the waste, is supplied by Robert Plot's book on Staffordshire, published in 1686. "For the heathy land of this County, it is seldom enclosed: but when they intend it for tillage, which is never for above five years neither, and then it is throwne open to the Commons again" (p. 343). "Their gouty, moorish, peaty, cold black land, they husbande also much after the same manner as they doe the heathy lands in the Moore lands" (p.345).

Another passage brings into juxtaposition the more recent enclosures from forest or moor for the sake of tillage, and the ancient arable common fields. "Others again have placed the origin of mildewyng in making small inclosures, eorn not being so lyable to this evil in the common open fields." (p. 351).

It is reasonable to suppose that a custom found in Staffordshire and in Devon and Cornwall also prevailed in other countries, particularly in those along the Welsh border. It is some confirmation that Eden about a hundred years later found a similar custom still surviving in Sutton Coldfield, in Warwickshire, but near the Staffordshire boundary.

"The Poor here, besides the right of commonage, have this peculiar privilege, that every house-keeper may take in one acre of common, and plough it four years; and the fifth year he must sow it with clover and lay it to the common again; after which he may take another acre, and work it in the like manner. By this method, about 400 acres of common are kept constantly in tillage." (State of the Poor, Vol. III, p. 740, written probably in 1795).

The enclosure history of these five counties may be summed up in the statement that it probably proceeded very similarly to Enclosure in Devonshire, but at a somewhat later date; and that Enclosure was later towards the north. Monmouth, we see was "full of Enclosures" before 1540; Shropshire "partly enclosed" with some "Champion;" but though Leland passed through Cheshire, he does not mention enclosures and Celia Fiennes found the North of Cheshire mostly open as late as about 1697. In Hereford and Staffordshire

there was a large proportion of ancient arable land, and complete enclosure was consequently longer delayed, leaving an appreciable area to be enclosed by Acts of Parliament.

Strathelyde.

Lancashire had no common field enclosed by Act of Parliament. It is possible that its partial autonomy as a Palatine County may account for this; but, it must be noticed that the acts of enclosure for Lancashire for enclosing commonable waste, are numerous right through the period of Enclosure acts. Not, though Lancashire was an early enclosed county, can we explain the absence of enclosure acts by the assumption that the enclosure of tilled land was completed by the beginning of the eighteenth century, for some common field persisted to the end of that century.

John Holt, the Board of Agriculture Reporter, tells us "There are but few open, or common fields, at this time remaining; the inconvenience attending which, while they were in that state, have caused great exertions to accomplish a division, in order that every individual might cultivate his own lands, according to his own method; and that the lots of a few acres, in many places divided into small portions, and again separated at different distances; might be brought together into one point." (Agriculture

of Lancashire, p. 49) It would appear from this that the open fields of Lancashire, like Braunton great field, though uninclosed, and intermixed, and subject to some common rule for cultivation, were not subject to common rights. Any owner therefore, who by exchanges or by buying and selling, could get his lands together in a convenient plot, might enclose without trespassing on his neighbours' rights.

From Holt's statement we find that enclosure was nearly, but not quite, complete by 1793. It was certainly far advanced a hundred years earlier. Celia Fiennes rode from Prescot to Wigan, "seven long miles mostly through Lanes" (p. 153) from Gascoyne to Lancaster "mostly all along Lanes being an enclosed country" (p.157) From Blackstone Edge the view was of "a fruitfull valley full of inclosures" (p. 186). From Rochdale to Manchester, "the grounds were all enclosed with quicksetts" (p. 187).

Similarly Leland "Manchester to Morle I passid by enclosed Grounde partely pasturable, partely fruitful of corn" (Vol. V. fol. 83). "The Ground bytwixt Morle and Preston enclosed for Pasture and Cornes ... Likewyse is the soile bytwixt Preston and Garstan; but alway the moste parte of Enclosures be for Pasturages " (fol.84).

Cumberland and Westmoreland were later enclosed than Lancashire; and some few remnants of open arable field were dealt with by Acts. At Bolton in Westmoreland "certain open or common fields called Broad Ing Bartle and Star Ing" of 22 acres, at Soulby 60 acres of open field, and at Barton 130 acres, were enclosed by acts mainly passed for the sake of enclosing waste; and at Kirkby in Kendal "a common open field" of 105 acres was enclosed. There were five acts in Cumberland enclosing open fields; but only two say precisely how much. At Torpington 20 acres of field, and 700 acres of waste was enclosed; at Greystoke 240 acres of field and 3260 acres of waste.

But the enclosure of open field arable was proceeding very steadily through the eighteenth century; and a clear account of the process is furnished us by two keen observers.

Eden gives an account of the condition of the arable land in 7 Cumberland parishes, written either in December 1794 or Jan. 1795.

Gilcrux. About 400 acres of common field have been enclosed within the last fifty years. (State of the Poor, Vol. II, p. 76).

Hesket. no more than 200 acres have been enclosed within the last 50 years. A large part appears to have had its hedges planted a little before that period." (Ibid, p.81).

"Ainstable. Area 5120 acres of which 3480 are common.* About 400 acres have been enclosed in the common fields within the last fifty years.....The average rent of land is about 18s. per acre; but it is observable that here and in most parts of Cumberland, an extensive common right† is attached to most arable land. (p. 46).

"Croglin. The average rent of open fields is 8^u " 8 the acre, of inclosures 15s or 16s. About 100 acres of common field land have been enclosed within the last fifty years; but a great part of the arable land still remains in narrow crooked dales, or ranes, as they are called. (p. 37)

"Castle Carrock. The greatest part of this parish remains in dales or doles as they are called; which are strips of cultivated land belonging to different proprietors, separated from each other by ridges of grass land; about 100 acres may have been enclosed in the last fifty years." (p. 35).

"Cunrew. The land is cultivated in the old Cumberland manner; the grass ridges in the fields are from twenty to thirty feet wide; and some of them are 1000 feet in length. Grazing cattle often injured the crops." (p. 38).

"Warwick. "Almost the whole of the cultivated land (1120 acres) has been enclosed within the last fifty years. It formerly, although divided, lay in long strips, or narrow dales, separated from each

* i.e. ^{W^W} common pasture or waste

† i.e. over the neighbouring common pasture

other by ranes, or narrow ridges of land, which are left unploughed. In this manner a great deal, and perhaps the whole of the cultivated lands in Cumberland, was anciently disposed." (p. 32).

The other observer is the poet Wordsworth. In his book on the scenery of the Lake district, he quotes from West's Antiquities of Furness to show that in the troubled times between the union of the crowns of England and Scotland, holdings were let to groups of four tenants, each group dividing its tenement into four equal parts. "These divisions were not properly distinguished; the land remained mixed; each tenant had a share through all the arable and meadow land, and common of pasture over all the wastes ... The land being mixed and the several tenants united in equipping the plough, the absence of the fourth man" (who was called out for military service) "was no prejudice to the cultivation of his land, which was committed to the care of three." In High Furness "The Abbots of Furness enfranchised these pastoral vassals, and permitted them to enclose quillets to their houses, for which they paid encroachment rent."

Wordsworth then proceeds with the tale of enclosure. "The enclosures, formed by the tenantry, are for a long time confined to the homesteads, and the arable and meadow land of the fields is possessed in common fields; the several portions being marked out

by stones, bushes, or trees; while^{ch} portions, where the custom has survived, to this day are called dales, from the word deylen, to distribute; but while the valley was thus lying open, enclosures seem to have taken place upon the sides of the mountains; because the land there was not intermixed, and was of little comparative value; and therefore small opposition would be made to its being appropriated by those to whose habitations it was contiguous. Hence the singular appearance which the sides of many of these mountains exhibit, intersected, as they are, almost to the summit with stone walls. There" (in the meadows and lower grounds)" "where the increasing value of land, and the inconvenience suffered from intermixed plots of ground in common field, had induced each inhabitant to enclose his own, they were compelled to make fences of alders, willows, and other trees....but these last partitions do not seem to have been general till long past the pacification of the Borders, by the union of the two crowns." (Fourth Edition, p. 23).

The date of the enclosure of the intermixed arable and meadow land is thus fixed within certain broad limits. It did not begin till "long past the pacification of the Borders, by the union of the two crowns." It took some time to effect the pacification of the Borders, even after the accession of James I made it possible; "long past" that event is a vague date, but may very well bring us

at least as late as the date when the enclosure of the common fields of Durham is supposed to have begun, "soon after the Restoration." It is certain, further, from Eden's information, that enclosure was going on steadily right through the second half of the eighteenth century, but by no means complete in 1795. The high prices of the war period would have greatly stimulated the movement, for it is obvious that if rents were thereby doubled both for open and inclosed land, the gross profit of enclosing would also be doubled; the net gain probably more than doubled. When Wordsworth wrote, the open fields were apparently still fairly numerous, but they had become a mere survival.

The date of the enclosure of this district is, however, the least interesting of the inferences to be drawn.

We find that up to the union of the crowns ~~the~~ cultivation ~~of~~ was carried on by a system very closely resembling the "run-rig" of the Hebrides. Groups of four tenants combined together, and yoked their horses to a common plough, and equally divided the holding between them, each tenant having his equal share in all parts of the holding. We next find that on the decay of this co-
 aration, for a long period, varying in duration in different parishes, holdings remained intermixed, but it seems clear that as in the one surviving Devonshire open field, and probably as in Lancashire,

common rights were not exercised over the arable fields; though it might happen that besides the "ranes," the grassy balks between the strips of arable land, there might be considerable stretches of grass amidst the arable field which was used for a common pasture. Lastly, we find that open, intermixed arable land and meadows, having this history, passes into a state of enclosure where increase of population, agricultural progress and the increasing value of land make enclosure sufficiently profitable, by a gradual, piecemeal process, without the need for Act of Parliament, or reference to a Commission, or any combined resolution on the part of the lord and tenants of a manor.

It is because the process was late in Cumberland and Westmoreland and because it happened to interest three authors, West, Wordsworth, and Eden, who were not agriculturists, that the record of it for these two counties is available. All the indications suggest that Northumberland and Durham underwent a similar evolution; and all the preceding information with regard to the enclosure of Wales and much of the land immediately on the Welsh border, and of West Somerset, Devon and Cornwall, harmonises with the hypothesis that in these districts also, the process was fundamentally the same, though with local differences, due to a very much earlier pacification.

CHAPTER IV.

THE REGULAS OF ENCLOSURE.

The Results of Enclosure.

The scenery of England and Wales has been transformed by the enclosure of its lands, but the extent and results of the transformation vary. Here you have the landscape cut into little fields with great hedges, looking from an elevated point of view like a patchwork quilt; there the skimpy quickset hedges only slightly emphasize the natural sweeping lines of the hills; here you have narrow winding lanes, there broad, straight roads with margins of grass on either side; here you have compact villages in which almost all the habitations in the parish are clustered together; there farmhouses and cottages so scattered that were it not for the church, which seems to attract to its neighbourhood the inn and the smithy, there would be no recognisable village at all.

This diversity in the effect of enclosure on the face of the country is a symbol of the diversity of its effect upon the material, social, and moral conditions of the local peasantry, who, like the land itself, may be said to have undergone Enclosure.

Where, as in Devon and Cornwall, in Cumberland and Westmoreland, the division of intermixed arable and meadow land took place early and gradually, and in subordination to the reclamation of waste; that reclamation itself being carried on steadily and gradually, the

result was the creation of numberless small holdings and properties. A career was offered to the enterprising and laborious, and enterprise and industry grew accordingly, - "Devonshire myghty and Strong," says Leland; and the great part taken by Devonshire in the national struggles in the reign of Elizabeth, must be partly attributed to the reaction upon the character of the people of the conquest over the difficulties of bringing the rocky soil, woodland or moor, into cultivation; a conquest which made Devonshire husbandry famous for two generations, and "Devonshiring" a well known term for a particular method of preparing waste land for cultivation.

Perhaps the greatest evil of Acts for the Enclosure of waste in the past, was that they prevented such gradual reclamation and enclosure by peasant cultivators. At the present day the vital objection applies to enclosure of waste by any method that the area of such free open spaces is already sufficiently curtailed, that every remaining acre is becoming continually more precious, so that while public spirited people fight for their preservation in remote places, in the neighbourhood of towns, citizens tax themselves to add to their area.

The enclosure of arable common fields, and of all the commonable lands of whole parishes within what I have called the Parlia-

mentary Enclosure Belt is of immeasurably greater historical importance. The ethics of such enclosure has been the subject of fierce debate for centuries; now the process is practically complete, and it is possible to appraise its results.

We have observed that with regard to the immediate results, capable of being contemporaneously verified, there is no real controversy between the disputants; it is on the inferences to be drawn as to the more ultimate results on the nation as a whole, and in the judgement pronounced upon the desirability of such results, that the dispute turned. The more candid disputants on either side admit the vital points in their opponents' case; thus for example, no opponent of enclosure denied that it tended to raise rents; and, on the other hand, it was the greatest advocate of Enclosure who declared that "by nineteen out of twenty Enclosure Acts, the poor are injured."

The increase of rent was, of course, the motive of enclosure, and though there were exceptional cases in which the results were very disappointing to the promoters, as a rule the increase of rent was very great. Arthur Young gives the full financial details of twenty three acts for the enclosure of open field parishes in Lincolnshire. The total rents before enclosure amounted to £15,504; on an average they were nearly doubled, the increase of rent

obtained being £14,258, and the expenditure necessary to obtain this result was £48,217. Assuming that the money was borrowed at 8 per cent, there remained to the landowners a net profit of £11,363. These results were no doubt something above the average, but they were not exceptional. In Long Sutton the rent was raised from an average of 5s. per acre to between 30s. and 50s. per acre.

The increase of rent was not a concern purely of the land owning class. As the advocates of enclosure continually pointed out, the rent was a pretty accurate test of the net produce of the agriculture of the parish; it was roughly proportional to the amount of food grown but not consumed on the spot, and sent away to markets to feed urban consumers at a distance. It was upon this net produce, they pointed out, that the taxable resources of the country depended. It was argued that an addition to the population of the country which was all engaged in gaining its own subsistence from the soil, added neither to the number of soldiers who could be enlisted for war without paralysing industry, nor to the power of the state to equip and support an army. On the other hand a change by which a whole village of peasants who consumed nearly all the food they produced, was swept away and replaced by one or two highly rented farms, producing a less quantity of food, but sending much more to market, did supply the state with additional resources for the

maintenance of its forces.

Private interests helped these public advantages to be clearly visible. Money had to be borrowed to meet the heavy initial expenses of enclosure, and the banking system grew with the enclosure movement of the eighteenth century. And hence a secondary national gain. Increased opportunities for the remunerative investment of capital increased the supply of loanable capital, and made possible the enormous state loans by which the Napoleonic war was carried on. Lawyers, land surveyors, parliamentary agents and others, reaped a copious harvest; and further, London in particular, and other towns in varying measure, grew in wealth by ministering to the increased "effective demands" of the enriched aristocracy.

But the opponents of enclosure were concerned with the gross rather than the net produce of land, and, as we have seen, it can be proved from the testimony of the advocates of enclosure and of impartial witnesses, that over a great part of the midlands enclosure meant the conversion of arable to pasture, and local depopulation. The Board of Agriculture gives what may be considered an official estimate of the diminution of gross produce which would follow. An acre of common field arable might be expected to produce 3010 lbs.

William Pitt, Comparative Statement of food produced, Arable and grass land (1812).

of bread in a 3 years course, (that is 670 lbs. of bread per annum), and 35 lbs. of meat per annum. The same area enclosed and converted to pasture would produce 176 lbs. of mutton, or 120 lbs. of beef. If we split the difference between the production of beef and mutton, we have on the average 148 lbs. of meat produced. There is on enclosure a gain of 115 lbs. of meat against a loss of 670 lbs. of bread; supposing the food values of equal quantities of bread and meat to be equal, there is a loss of 557 lbs. out of a total produce of 705 lbs.

And yet, through a chain of causation which can now be clearly perceived, but which at the time was not evident, though locally there might be a loss of gross produce, there was a gain throughout the kingdom. The key to the position was the operation of the poor laws.

Enclosure of arable fields and open field parishes in the Parliamentary Enclosure Belt in many ways greatly affected the operation of the poor laws.

By increasing rents it made a given poor rate yield more. Further, the increase of rent reconciled the enclosing landowners to an increase in the poor-rate; more especially when it fell, not on them, but on their neighbours. For, as we have seen, the effect of enclosure in some parishes in a given neighbourhood was often to

drive the poor into the parishes which remained uninclosed; these bore the burden, while the others reaped the profits.

As we have seen enclosure, even when arable was not converted to pasturage, tended to ruin small owners and to eliminate small farmers, so that these had to join the ranks of agricultural labourers. The number of potential paupers was thus increased.

Destitution and recklessness among the labouring classes also increased. The common rights and small holdings of a few acres in the common fields, were, at best, as we have seen, exchanged for a sum of money, for which no investment offered itself, which therefore soon disappeared. With these small holdings disappeared also the hope of gradually taking more and more additional strips of land in the fields and the fear of losing the little already gained.

Early marriage was particularly encouraged by the change from the open field condition to enclosure. Before enclosure, the conditions of labour made the common field farmers who employed labourers desire young unmarried men and women who would live in the farm house; such farm servants postponed marriage till they had accumulated some savings, and could begin their married life with some resources, a cow for example, over and above their labour. After enclosure, the enriched farming class preferred to pay board wages, and the young labourer with nothing to gain by waiting, with

the assurance of poor law assistance if needed, naturally preferred to marry early.

Lastly, the disappearance of the yeoman class, and of the connecting links between the largest farmers and the day labourers naturally tended to make the careful local administration of the poor law more difficult; it even to a great extent destroyed the motive for economical administration. The open field parish retained some of the social vitality of a self governing community; men who had to concert together for the regulation of the fields, for the purchase of a parish bull, were more likely than the farmers of an enclosed parish to settle in concert questions of poor law relief in accordance with the interest of the parish as a whole.

This last point of connection between the enclosure and the poor law history of the country during the eighteenth century and the first part of the nineteenth is, however interesting in itself, apart from the present argument. The point here laid stress upon is that whatever hardships for labourers and others resulted from the enclosure of arable fields, they did not starve, they did not eat less bread, they might be rendered miserable, but they married earlier and reared larger families, somewhere or other. Poor law relief ensured their offering an "effective demand" for bread.

This effective demand compelled the increase of arable cultivation somewhere within the country; for foreign supplies were practically unavailable. The enclosure of waste for tillage and the enclosure of arable for pasture were economically inter-dependent.

The gross agricultural produce of the country as a whole was therefore increased by common field enclosure.

The effect upon urban industries was also great. The greater the local depopulation in rural districts produced by enclosure, the greater the supply of needy labourers of industrious habits and robust physique drafted to the growing industrial towns. Local depopulation was the usual result of Enclosure, as we have seen, in the Midlands and in Wiltshire, Berkshire, and parts of neighbouring counties. Where, as in Norfolk, and parts of Lincoln and Yorkshire, local depopulation did not ensue, there was a vast increase in the agricultural produce sent to market, and in consequence, in the manufactured commodities demanded. Enclosure tended to assist urban industry therefore by an increased labour supply, an increased market, and perhaps also, an increased supply of capital.

Summing up therefore the economic results of the whole mass of little village revolutions under examination, we find increased

population, increased production of all sorts of commodities, increased national resources for purposes of taxation and foreign war. The moral effects we find to have been increased misery and recklessness, showing itself in increased pauperism and drunkenness. An increase of the quantity of human life is attained at the expense of a degradation in its quality.

A P P E N D I X.

Abbreviations. A.F. Acres of Common Field Arable p. Parish
 A.P. Acres of Common Pasture m.l. mesne Inclosures
 A.M. Acres of Common Meadow y.l. Yard lands

* See Footnote

BEDFORD.

Date	Enclosure	Area enclosed	Date	Enclosure	Area enclosed
1742	Sutton	3200	1795	Crawley	1400
			..	Eaton Socon	4850
1760	Apsley Guise		..	Henlow	2000
1765	Felmersham		..	Milbrooke	600
..	Podington	2400	1798	Blunham	2695
1768	Tilsworth		..	Houghton Regis	4000
1769	Pavenham		..	Maulden	2000
..	Sundon		..	Marston Moretaine	
1770	Souldrop	500	..	Pertenhall	850
	350a F., 150a P.		..	Ridgmont	950
1774	Potton		1797	Bedford Campton with Shefford	400
1775	Lidlington		..	Chalgrove	1780
1776	Odell		..	Dunton	2200
1777	Tempsford	2000	..	Elstow	1080
1778	Little Berkford	1500	..	Harrold	3300
..	Bolnhurst	953	..	Southill	2600
1780	Northill and Sandy		..	Toddington and Carlton	2800
1783	Turvey		1798	Sandy	
			1800	Over and Nether Dean	1570
			..	Farndish	672
1793	Milton Bryant	1400	..	Tilbrooke	1380
..	Riseley	2000	1801	Little Staughton	1000
1794	Shelton	1000	..	Wrestlingworth	1860
1795	Bedford	1450			
					55470
		15803			

* Indicates that the area enclosed is not stated in acres in the Act, but in yard-lands, oxgangs or other such unity, or otherwise has been estimated from data supplied by the act. 1

Date	Enclosure	Area enclosed	Date	Enclosure	Area enclosed
------	-----------	---------------	------	-----------	---------------

1802	Cardington	3000	1820	Great Barford	
..	Everton cum Tetworth	420	..	Greenhurst, Upper and	
..	Kempston	2600		Lower, and Upper	
..	Shillington and			Stondon	
	Holwell		1827	Langford	1700
1803	Keysoe	1700	1832	Clifton	1400
..	Milton Ernest	1350	1834	Colmworth	1600
..	Oakley	1450	1836	Wootton	
1804	Arlsey		..	Stepingley	300a P. & c 400
..	Astwick	600	1837	Cranfield	
1805	Thurleigh	1480			

27810

1806	Haughton Conquest	1500	To 1801		55470
------	-------------------	------	---------	--	-------

..	Eversholt	130			
..	Flitwick	1000			
1807	Salford	500			

83280

1808	Clophill				
..	Harlington	700			
1809	Flitton cum Silsoe				
	and Pulloxhill				

..	Ravensden	1000			
..	Barton in the Clay				

Enclosed under the General
Enclosure Act, 1845.

			Date of act	Date of award	Parish	Area A
..	Sharnbrook					
..	Wilshamstead					
1810	Roxton	3000	*	1851	Stotfold	2030
1811	Wymington	700	1847	1852	Goldington	1040
..	Wilden	1600	1855	1858	Streatley and	
1812	Biddenham				Sharpenhoe	1662
..	Stagsden			1860	Eton Bray	1860
1814	Potton			1861	Totternhoe	1717

8300

BERKSHIRE

Date	Enclosure	Area enclosed	Date	Enclosure	Area enclosed
1724	liberty of Sonning Sunninghill c., Bayworth, 5 F's, 3 P's $\frac{1}{2}$ Commons*	1190	1793	Aston Upthorpe	
1743	Aston Tirrold 12 F's		1794	Compton Beauchamp	
..	Early (F. only	423	..	Shilton	
1746	Inkpen		1795	Walton and Boreshill	
			1798	Longcote	
1758	Upton 57 yl.	1800	1799	Remenham	
1761	Hinton 60 yl. F and 320a P.	* 2420	1800	Sparsholt and Westcote	
1764	Haversham Berks	844	1801	Little Coxwell	
1770	Ashbury		..	Denchworth	700
1771	East Garston		..	Lyford	508
..	Hampstead Norreys		..	Letcomb Regis and Bassett	
	750 a F., 700 a P.	1450	..	Sutton Courtney and Sutton Wick	
1772	Great Faringdon		..	East Hendred	<u>13,651</u>
..	52 yl. F., 100 a M.	1660	1802	Buckland	2074
..	Upper Letcombe and Childrey		..	West Challow	403
1776	Eastbury and Blagrove		..	Harwell	
..	Ferry Hinksey		..	Kennington	
1777	Farnborough		..	Up Lamborne	
..	Uffington, Balking, Woolston, Kingston, Lisle, Fawler		1803	Chipping Lamborne and Blagrove	
1778	Bockhampton		..	East Hanney	
1779	Elcot	338	..	Waltham St. Lawrence	700
..	Speen		..	Wantage and Grove	2400
1785	Bray	320	1804	Charney	950
1783	Stanford 80 yl.	2000	..	Upton	
1788	Little Faringdon (part of Langford)		1806	Kingston Bagpuize	855
			1807	Shottesbrook and White Waltham	
			..	Hurst 700 a F., 300 a P.	1300
			1808	Aston Upthorpe and Aston Tirrold	

Ardington &c.		1816	Sonning	2500
Langford		1818	South Moreton	
Basildon	110	1821	Easthamstead	2250
Englefield 327 a F.		1825	West Ilsley	1270
38 a P.	363	..	Marcham	700
Milton	663	1827	Ruscombe	
Tong Wittenham		1828	Appleton	1500
Chieveley	600 400			<u>42,652</u>
Enborne, Hamstead Marshall, Inkpen & Kintbury	1400			To 1801. <u>13,651</u>
Chaddleworth				<u>56,303</u>

ENCLOSED UNDER THE GENERAL
ENCLOSURE ACT, 1845.

		Date of act	Date of a- ward	Parish	Area
Hungerford	780				
Thatcham Borough, Hen- wick and Greenham	825	*	1849	Newbury (E. & W. Fields)	212
Brightwell		*	1849	North Moreton	1025
Beenham and Padworth	574	*	1851	Cholsey	2100
Fyfield	1100	*	1853	East Lockinge	970
Sulhamstead and Meales			1851	Shinfield	512
Tilehurst 600 a F., 600 a P.	1200	1851	1858	St. Giles Reading	242
Woohampton	1995	1860	1868	Charlton in Wantage	1280
Drayton		1860	1863	Steventon	1373
West Compton	2000				
Ashall	1500				<u>7,604</u>
Great Shefford and West Shefford	520				
Chieveley	400				
Wytham	620	1852	1855	Bampton & Shilton	2730
Bray above		*	1856	Purley, Sulham & Whitechurch	300
Cumner and South Hincksey	3000				
Streatley					
Welford	1400				<u>1,515</u>
Wargrave and Wearfield	2000				
Boxford	1500				
Marcham					
Sandhurst	3400				

BUCKINGHAMSHIRE.

Enclosure	Area enclosed	Date	Enclosure	Area enclosed
Ashenden 900 a F.	* 1300	1773	Tingewick and Radcliffe cum Chackmore	
Wotton Underwood				
1168 a F., 500 P.	1668	1774	Dunton	629
Shipton (Winslow c. Shipton p.) F. only	640	..	Stoke Hammond	
		..	Twyford and Charndon	1900
		..	Waddesdon 49 yl.	*1715
	<u>3608</u>	1776	Hartwell and Stone all F.	1740
		1777	Ludgershall one F., 53 yl.	1800
		..	Wendover	
Swanburne 77 yl.	* 2695	1778	Hardwicke	1200
Shenley Brookend	960	..	Hitcham	
Westbury	3000	..	Hanslop	1900
Westcote	1500	..	North Marston	2000
Little Horwood	960	1779	Bierton and Hallecot	
Winslow (Winslow cum Shipton P.)	1400	..	Taplow	
Olney	1600			<u>30599</u>
Shalstone 28yl. F., 530 a P.	1370	1781	Preston Bisset	1000
Loughton		1782	Calverton, and west side of Stony Stratford	
Woughton on the Green				
Cublington 25 yl.	* 875	1788	Bradwell	1000
Grendon Underwood 37 yl.	1295	..	Wavendon	2000
Simpson		1789	Bourton and Watchfield	
Stoke Goldington	1000	1790	Bowbrickhill and Penny Stratford	2000
Aylesbury all F.		1791	Little Woolston	
	<u>16455</u>			<u>38599</u>
Great Brickhill	1260	1793	Castlethorpe	
Whitchurch		1794	Akeley cum Stockholt 15 yl.	* 455
North Crawley		..	Newport Pagnell	900
Soulbury and Hollington		..	Wendover	2000
	<u>21,323</u>			<u>43,562</u>

BUCKINGHAMSHIRE (2)

	43562			
Aston Abbotts	650	1803	Great Kimble, Little Kimble and Elleborough	2500
Padbury 60 yl.	2415	1805	Chearsley	917
Steeple Claydon, 80½ yl.	2817	1806	Saunderton	1200
Little Brickhill	600	1807	Newport Pagnell	900
Grandborough	1100	1808	Upton and Chalvey	752
Sherington	1600	1809	Langley Marsh	
Great Woolstone	300	..	Bledlow	4000
Adstock 47 yl.	1645	..	Maraworth	1200
Drayton Parslow		1810	Datchett	
Thornborough 62 yl.	2170	..	Stoke Pogis	
Wing	3402	..	Bletchley	2200
Wingrave with Rowsham	2400	1810	Newton Blossosville	
Stoke Mandeville	1000	..	Slapton and Horton	
Ebberton	1300	1811	Stewkley	3000
Weston Turville, 1000 A.P. and W.	1000	1813	Turweston	
Horton		1814	Aston Clinton	2000
Singleborough		..	Mursley	
Walton	1200	1815	Amersham	690
Wraisbury		1820	Little Marlow	450
Iver 617 A.P.		..	Princes Risborough	2600
473 A.W.		1821	Farnham Royal	
1172 A.P.	2462	..	Ivinghoe	
Lavendon and Brayfield		1822	Clifton Reynes	450
Needon	1700	..	Towersey	988
Maldenorton and Buckingham		1824	Long Crendon	2500
		1830	Haddenham	2045
	<u>71,323</u>	..	Menks Risborough	
				<u>33000</u>
Donnington	900		To 1601	71323
Moulsoe	1600			<u> </u>
Woburn	800			104413
				<u> </u>

BUCKINGHAMSHIRE (3)

Enclosed under the General Enclosure Act, 1845.

Date of act	Date of award	Parish	Area
1850	1855	Penn	1078
..	..	Hitchendon or Hughendon	488
1852	..	Great Marlow	606
1853	1856	Pitstone	1140
..	1857	Cheddington and Ivinghoe	1350
1856	1865	Eddlesborough	2350
			<hr/> 7014 <hr/>

CAMBRIDGE

Enclosure	Area enclosed	Date	Enclosure	Area enclosed
Abington Pigotts	1000	1802	St. Giles, Cambridge	1200
Knapwell	1100	..	Gravelley	1500
Weston Colville	1970	..	Horningsea (with old	
Barrington	2500		enclosures)	1450
Great Wilbraham (with		1804	Manea in Ely	900
old enclosures)	2300	1805	Snalewell	
Little Wilbraham	1800	..	Swaffham Prior	
Harston, Hauxton, Little		1808	Dullingham	
Shefford and Newton		..	Fulbourn	
Long stow (with old		..	Cherry Hinton	
enclosures)	1400	..	Kirtling and Ashley cum	
Swaffham Bulbeck (with			Silverley	3000
old enclosures)	4000	1807	Barnwell	
Carlton cum Willingham		..	Landbeach	
(with old enclosures)	1500	..	Steeple Morden	
Grantchester and Coton		1808	Girton	
Pampisford	3000	..	Harlton	1100
Connington	1500	1809	Bourn	
Elsworth	3000	..	Chatteris	
Guilden Morden	2500	..	Dry Drayton	
Milton	1550	..	Fordham	
Great Abington	1500	..	West Wrattling	
Little Abington	1350	..	Whittlesford	2000
Balsham	4000	1810	Hastingfield	
Bassingbourne	3500	..	Ickleton	
Bottisham	4000	..	Kinston	
Histon and Impington		..	Teversham	
Trumpington	2000			
	<u>45330</u>			<u>13,500</u>

CAMBRIDGE (2)

	13500			
Brinkley		1838	Linton	3732
Croxton	1330	,,	Fitcham	
Great and Little Eversdon		,,	Chesterton	
Lanstanton All Saints		1839	Pen Drayton	
Shepreth	1300	,,	Stow cum Guy	
Stapleford	1400	,,	Welbourn	
Toft		,,	Barton	
West Whitcham		,,	Camberton	
			Campton (with old en- closures)	1100
Great Gransdon			Whittlesea	
Langstanton St. Michael		1840	Whitlow	
Moldreth, Welbourn and Whaddor		,,	Wicken	
Little Shelford	1300	1841	Chovelley	
Wood Ditton		,,	Camlingay	
Wetheringale		1842	Coltonham	
Kennet		1843	Madingley	
Burwell		1845	Waldmire	2111
Stretchworth				
Papworth Everard				
Hinton				35005
Duxford	2000			45230
Doddington & Sovenny	200			
Boxton	1500			79115
Littleton	1600			
Jensthorpe	900			
Caxton	1500			
Oakington				
Great Shelford				
Stretton				
Hardwick		*	1854	1370
Orwell		1840	,,	747
Sutton		1838	,,	442
Swavesey		1857	,,	1041
		1847	1838	780
		1855	1837	217
		1838	1838	1037
		1864	1865	1490
		1805	1830	1174

CHESTER.

Date	Enclosure	Area enclosed
1805	St. Mary on the Hill (certain pullets of intermixed lands)	126
1814	Verdon and Arkeden	3200
		<hr/>
		3326
		<hr/>

CUMBERLAND

Date	Enclosure	Area enclosed
1772	Great and Little Stanton, Newbiggin and Great Bloncow	
1770	Irthington 3600 A. waste and divers open fields	4000
1813	Greystoke 340 A.P.	3500
1814	Horpentow 20 A.P., 700 A. waste	720
1825	Deerhow	480
		<hr/> 8700
		2175

DERBYSHIRE.

Enclosure	Area enclosed	Date	Enclosure	Area enclosed
				12956
Scarsliffe and Palterton 800 A.P., 420 A.P.	970	1780	Findern	500
Weston cum Mesbris and Saxley		..	Hilton 400 A.P. 600 A.P.	1000
Mackworth		1782	Sandiacre	682
Ashton upon Trent	1500	1783	Soilstone	500
Elvaston and Thulston		1785	Kelbrooke	500
Draycett		1786	Weston upon Trent	1500
Scropton		1787	Barrow upon Trent	1000
Tideswell	1000	..	Little Eaton	900
Ashford and Sheldon (Bakewell P.)		..	Kelbourne and King's Horton	2500
Long Eaton 131 exgangs	1600	..	Savley (see above)	750
Hartshorn		1786	Parwick	1000
Repton		..	Spondon	1000
Willington	1300	1789	Marston upon Dove, Hatton, Horn and Hornhay	830
Littleover	1200	..	Osmaston next Derby	
Hernanton next Derby	700		270 P.	* 500
Fairfield 860 A.P.	* 1000	1790	Mickleover	* 800
Stapenhill and Winhill 400 A.P., 180 A.P.	580	1793	Taddington and Priestoliff	1600
Stretton, Hordington, Bend end and Braunston, 600 A.P., 610 A.P.	1210	1794	Ilkeston	760
Ookbrook	700	1795	Barlborough 250 A.P., 650 A.P.	900
Church Broughton 180 A.P., 100 A.P.	280	..	Eakington 200 A.P. & Meane Inclosures, 1070 A.P.	1270
Killsmarsh 60 A.P.		1797	Strall	1600
350 A.P.	410	1798	Hartington	12000
Tibshelf 42 A.P., 404 A.P.	446	1		
Bolsover and Clown				
	<hr/> 12956			<hr/> 45028

DERBYSHIRE (2)

Alvaston and Boulton	1200	1814	Brampton (m.I.)	3000
Chellaston	700	1815	Yculgreave (mesne or intermixt lands)	1180
Brassington and Brad- bourne	4000	1816	Homesfield	3000
Great Hacklow (mesne fields)	400	1817	Hollington	280
Little Hacklow 400 A.P.	1818	1818	Horbury 100 A.P.	300
and mesne fields	600	1820	Snisby	550
Chelmorton and Flagg	1300	1821	Whittington	284
Bakewell and Over Hadden	2800	1824	Snelston	160
Hops, Bradwell and Thornhill	1400	1834	Kirk Langley 110 A.P., 180 A.P.	230
Wheaton and Tideswell (mesne Inclosures)	4000			<hr/> 40675
Nuthersage	10000			
Dronfield (m.I.)	5000			
Elton and Winster	500			<hr/>
Gt. & Little Langstone & Wardlow (m.I.)	1500			91703
Beeley	2000			<hr/>
Whitwell	950			
Breadsall	1461			

DORSET.

Enclosure	Area enclosed	Date	Enclosure	Area enclosed
Buckland Newton 500 A.c.F.,		1808	Winterborne Waste	777
600 c.	1600	1800	Abbotsbury	1500
West Stafford c. Froome		..	Compton Vallance	
Bellet	600	..	Gillingham & Motcombe	500
Langton Herring		..	West Melbury	
Portesham	1800	..	Pinperne	
Winfrith Newburgh	2254	..	Plush	359
West Knighton	1000	..	Great Washbourne	
Winborne Minster	3000	1810	Litten Cheney	780
Podington		..	Walditch 187 A.F.	
Tolpuddle			9 A.F.	198
Preston & South Poyntz		1811	Shapwick	1160
Hanley		1812	Gussage St. Michael	1100
Hinton Martel & Guessuage		1814	Tarrant Keinton, all F	189
all Saints		1815	Dawlish	400
Wyke Regis		1818	Loders	450
Bradford Peverell		1819	Broad Sydling and Up	
Charlton Marshall	2200		Sydling	
Winterborne Strickland	1050	1820	Chilfrome	900
Turnwood (= Turnwatt)	800	1824	Bincombe	1300
		..	Tarrant Hinton	2000
		1830	Charminster	700
	13704	1831	Maiden Weston	800
		..	Piddle Hinton	1800
		1834	Upway	320
		1836	Godmanstone	
Chickerill				
Spotisbury	1000			
Beaminster 200 A.F.				
235 A.P.	525			20426
Broadmaine	900			
Hampreston			To 1801	13704
Corfe Mullen 200 A.F.&c.				
1500 A.Heath	1700			
Cattistock	1200			34130

DORSET (2)

ENCLOSED UNDER THE GENERAL ENCLOSURE ACT, 1845.

Date of act	Date of award	Parish	Area
1851	1853	Compton Abbas	704
*	1854	Askerswell	655
1855	1857	West Lulworth	834
1857	1860	Ashmore	635
1861	1863	Winterborne Steepleton	558
1866	1866	Warnwell	620
			<hr/>
			3766
			<hr/> <hr/>

DURHAM

Date	Enclosure	Area enclosed
1761	Norham Infields 437 A., moor 1500 A.	1937
1769	Wolsingham	200
1782	Bolton	800
1783	Barnard Castle	800
1794	Crawcrook	700
1814	Gateshead	200
		<hr/> 4637 <hr/>

ESSEX.

Date	Enclosure	Area enclosed
1785	Great Parndon 227 A.P. 124 A.P.	351
1801	Great Chesterford	1200
..	Little Chesterford	600
..	Hadstock	1400
..	Littlebury	3000
		<hr/>
		6551
		<hr/>
1807	Chrichill	1500
1811	Great and Little Chichill	2500
1812	Saffron Walden	
1814	Heydon	
1820	Farnham	240
1824	Wendon Lefts and Emdon	1950
1838	Berden, Kanerden, Stansted Mountfichet	
		<hr/>
		6190
	To 1801	6551
		<hr/>
		12741
		<hr/> <hr/>

ESSEX (2)

ENCLOSED UNDER THE GENERAL ENCLOSURE ACT, 1845.

Date of act	Date of award	Parish	Area
1846	1850	Walthamstow	108
*	1851	Henham	630
1847	..	Hotteswell	204
*	..	Langley	380
*	1853	Haverhill	258
*	..	Wicken Bonhunt	292
1855	1860	Boydton	265
1856	1861	Newport	815
1856	..	Clavering	750
1866	1869	Widdington	220

GLOUCESTER.

Date	Enclosure	Area enclosed
1726	Little Rissington	
1727	Cherrington 3 common fields, 1800 A.	2200
1729	Wick Rissington 58 yl.	* 2000
1731	Prestbury	
..	Upper & Lower Slaughter 87 yl.	* 2645
1739	Shipton, Moyle and Dovel all P.	800
1744	Westonbirt 2 P.s	350
1753	Eastlechnartin 53½ yl.	* 1663
..	Quennington	* 3000
1755	Hawling P.	651
1759	Little Barrington 42 yl. P., 600 A.P.	* 1860
..	Preston upon Stower 25½ yl.	* 900
1761	Snowshil 500 A.P., 18 A.M., 1100 A.P.	1618
1763	Childswickham 63 yl.	* 2005
1765	Donnington (Stow on the Wold p.)	
1766	Haselton	658
..	Hatherop 900 A.P., 150 A.P.	1116
..	Maugersbury	
1767	Eibury 3000 A.P., 300 A.P.	3300
..	Willersey 36 yl.	* 1260
1769	Aspney Holyrood and Ashbrock	2080
..	Bleddington 52 yl.	* 1820
..	Coin St. Aldwin's 1650 A.P., 100 A.P.	2050
1770	Notgrove	1200
1771	Aston Subedge 31 yl. P., 150 A.P.	* 1235
..	Preston and Stratton	3000
1772	Eastleach Tourville 1574 A.P., 877 A.P.	2451
..	Kemerton 38 yl.	* 1200
..	Quinton 36½ yl.	* 1372
1773	Bcurton on the Water	
..	Beckford	2500
..	Longmarston 43 yl.	* 1505
		<hr/>
		47226
		<hr/>

GLOUCESTER (2)

Enclosure	Area	Date	Enclosure	Area
	47228			
Ozenton	1000	1724	Little Compton	
Staunton	700	..	Corse	
Addlestrop	920	..	Elmore Brockworth & North	
Claydon all F.	1061		Gerney	
Tedenham 32 yl. F.	* 960	..	Longborough	1453
Dorsington 40 yl.	900	..	Old Godbury & Little God-	
Gondicote 28 yl.	* 910		bury	800
Duntisborne Abbots		1785	Cold Aston	1600
Shirburne & Windrush		..	Hazfield	
Chapel Honeyburn 32 yl.	* 1120	..	Trinley	
Frampton & Hayley	1500	1798	Avre	
Leckhampton & Cheltenham		..	Barnwood, Matson, Wotton	
Mannton 53 yl.	* 1655	1787	Ashelworth	
Siddington St. Peter & St. Mary	534	..	Cola St. Dennis	
Ablington	1000	1728	Horton	611
Buckland	2000	1786	Guiting Power	
Clifford Chambers	400		Berrington, Broad Campden & Westington	
Mayseyhampton	1000	..	Kempsford & Dryffield	
Salperton	1354	1800	Welford	
Shenington 1500 A.F.	* 1800	..	Arlington	
Eastrington	2500	1801	Cheltenham	
Winstow (Winstone)	770	..	Down Ampney, Lutton & Eisey	1242
Oddington	1000	..	Slimbridge, Can & Coaley	
Lover Swell				<u>78045</u>
Broadwell				
Redmarton & Coates		1802	Churcham	
Shipton, Whittington & Dowdeswell		1803	Chedworth & Compton Abdale	6200
Turkdean		..	Staverton with Bodington	
Aldsworth		..	Beverstone	2200
Marshore	1800	1804	Sutton	1120
		..	Temple Guiting	
				<u>9520</u>

GLoucester (3)

Enclosure	Area	Date	Enclosure	Area
	9520			
Iredington		1818	Hawkesbury	
Gotherington		..	Morton Vallance & Standish	
Norton		1819	Bitton 70 A.F., 100 A.P.	200
Downhatherley		1821	Bourton on the Hill & More-	
Pannington			ton in the Marsh	3000
Stanley Pontlarge		1822	Didmorton & Oldbury on the	
Alderton			Hill	
South Cerney		1830	Cheltenham	430
Deerhurst and Lye		..	Stanley St. Leonards and	
Tewkesbury			Bastington	170
Alvington		1832	Thornbury	514
Stanway		1833	Elkstone	260
Fiddington		1834	Duntsbourne House	400
Aston upon Garrant &		1836	Quedgley	00
Pannington Horedowns		..	Wickwar, Crockhall & Tort-	
Greet & Sudely (in Winch-			werth 90 A.F.	
comb parish)			000 A.P.	000
Haresfield		1836	Frotherne & Saul 380 A.F.	
Longney			100 A.M.&P.	480
Pebworth (with old enclo-		..	Berkeley	700
tures)	2000	1841	Olveston	180
Wormington				
Ebrington & Hitecat				
Frampton upon Severn &				30016
Slisbridge			To 1801	78045
Great Rissington	1600			
Withington				
Hempstead, Barnwood &				00201
Upton St. Lawrence	* 200			
Sevenhampton				
Winchcomb				
Wiserden				

GLUCESTER (4)

ENCLOSED UNDER THE GENERAL ENCLOSURE ACT, 1845.

Date of act	Date of award	Parish	Area
*	1851	Tibberton	222
*	1852	Westbury on Severn	855
1851	1853	Marshfield	260
1850	1854	Weston Subedge	879
1855	1862	Dynock	296
1864	1867	Sandhurst, Norton & Welton	506
1865	1869	Stinchcombe	205
1866	1871	Minsterworth	400
..	1876	Coaley	154
..	..	Can	186
1893	1890	Upton St. Leonards	534
			<hr/>
			4410
			<hr/>

HAMPSHIRE.

Enclosure	Area	Date	Enclosure	Area
Andover		1797	Whitchurch	
Chawton 7 P.s & the Common		1798	Welstead & Benworth	400
Dunnet 1200 A.F., 500 A.P.	1790	..	Rockbourne & Wichbury	
East Woodhay & Hellington		1798	Easton	
1000 A.F., 300 A.P.	1300			<u>15450</u>
Barton Stacey 1807 A.F., 678 A.P.	2507	1802	West Aston & Middleton	750
Earlstone	488	1803	Kilmiston	
Bishop's Waltham	205	1804	Romsey Extra	
Folkesworth	510	1805	Row Alresford 326 A.F., 84 A.P.	410
Fletton				600
Abbott's Ann	1259	1806	Monkton	
Gratley		1807	Ringwood	
Leckford Abbots		1808	Porchester	1050
Highclere or Burghclere		1810	Eling and Fawley	
Kingscote	1690	1812	Charlton, Oatherington, Clanfield, Blendworth & Idsworth	2500
Andover			Ovington	
Upper Clatford		..	Wimboring, Widley Gosham, and Hilsea	600
Basingstoke		..	Weyhill and Appleshaw	680
Upper Wallop, Harsbourn Fryers and Tuffton		..	Echinswell	500
Headbourn Worthy	1400	1813	Harbridge	
Broughton	2700	1817	Portsea	170
Odiham, Northwarrborough, Hillside, Rye & Stapely		..	Preston Candover and Nutley	1800
Dibden		1820	Ellingham & Ilsley	
Monk Sherburne	700	1822	Christchurch and Milton	
Shipton		1825	Tangley 266 A.F., 10 A.P.	290
Crawley and Bishop's Sutton		1827	Sherborne St. John	1000
Houghton		1829	Kingsclere	2300
Juarley		1842		
Upton Gray				
Easing & Mappledorwell				
Mitchelmarsh, Braishfield & Asbridge				<u>12850</u>
Nether Wallop			To 1801	15450
				<u>28315</u>

HAMPSHIRE (2)

ENCLOSED UNDER THE GENERAL ENCLOSURE ACT, 1845.

Date of act	Date of award	Parish	Area
*	1852	Chale	128
1849	1857	Binsted	990
1856	1859	Riton (Isle of Wight)	449
1861	1866	(Easton common fields) Freshwater	37
			<u>1512</u>

HEREFORD.

Date	Enclosure	Area enclosed
1772	Wigmore 600 A.F., 60 A.P.	660
1795	Marle Wolton and Kinaston	1000
1796	Tarrington	450
1796	Yarshill, Weston Beggard, Dornington w. Bartestree, Stoke Edith with Westhide	1350
..	Leintwardine and Burrington	
1801	Frome, Much Cowarne and Evisbeash 250 A.F., 100 A.M.	410
		<hr/>
		3020
		<hr/>
1802	Bodenham	2000
1807	Byford	
..	Marden, Sutton and Withington	
1808	Bredwardine and Dorston	
..	Bishopston and Mansell Leay	
..	Mordiford	
..	Shobden, Aynestry and Lingen	900
1810	Steepleton	
..	Wigmore	
1811	Allesmore	
..	Eardisland	
..	Kingston	270
1813	Glehonger	
..	Much Cowarn	
..	Stretton, Grandscote and Bishops Frome	
..	Eastnor 180 A.P.	* 220
..	Ledbury 50 A.F., 60 A.P.	140
1814	Norton Canon	
..	Aynestrey and Kingaland	340
..	Puttenham	
		<hr/>
		3870
		<hr/>
	To 1801	3020
		<hr/>
		7760
		<hr/>

HEREFORD (2)

ENCLOSED UNDER THE GENERAL ENCLOSURE ACT, 1845.

Date of not	Date of award	Parish	Area
*	1854	Bonbury	105
*	1858	Ullingswick	200
1858	1862	(Lyde fields) Pipe & Lyce	

HERTFORD.

Date	Enclosure	Area enclosed
1766	Nexton 1527 A.F.	* 2000
..	Walsworth (Hitchin par.)	1000
1768	Lilley and Offley	
1776	Ickleford	
1785	Kelshall (with old enclosures)	2233
1788	Horton	1850
1797	King's Walden	500
..	Tring	
..	Weston	1100
1798	Kensworth	1200
1799	Cheahunt 1555 A.F., 1188 A.F.	2741
..	St. John and All Saints Hertford	
1801	Aldenham	500
..	Barkway and Reed	7000
..	Hertingfordbury	400
		<u>20524</u>
1802	Hinxworth	1264
1806	Cottered	
1807	Offley	
1809	Barley	1700
1810	Codicote, Welwyn and Knebworth	
1811	Pirton	
..	Wymondby and Ippolitts	
1812	Braughing	1300
1813	Westmill	400
1814	Great Hornsod	500
1820	Bishop's Stortford	300
1828	Anstey	1200
1830	Standon	1400
		<u>8464</u>
	To 1801	<u>20524</u>
		<u>28988</u>

HERTFORD (2)

ENCLOSED UNDER THE GENERAL ENCLOSURE ACT, 1845.

Date of act	Date of award	Parish	Area
*	1850	Walkern	540
*	1852	Bengeo, Saecabe & Stapleford	410
*	1853	Great & Little Munden	860
*	1853	Suckland	795
*	1854	Stevenage	558
* 1852	1855	Watford field	70
*	..	Hoddesden	800
*	1858	Widford	320
1853	1858	Wortley	232
1856	..	Aston, Bennington & Little Munden	1280
*	1859	Little Hadham	214
1857	1863	Ashwell	2474
..	1864	Little Hornead and Layston	450
1862	1867	Datchworth and Knebworth	181
1868	1868	Throoking	108
1863	..	Albury	305
1866	..	Aspedon	376
		Layston and Widdial	784
			10775

HUNTINGDON.

Enclosure	Area	Date	Enclosure	Area
Overton Longville and Botolph's Bridge		1801	Hemingford Grey and Abbetts	3000
Laighton Bromeswold	1515	..	Old Hurst	1000
Yaxley		..	St. Ives	1400
Stoneley	1000	..	Stagground and Forest	1522
St. Neots	300			<u>50147</u>
Hartford	1400	1802	Denton	1000
Brampton	2500	..	Fenstanton	2200
King's Ripton	1100	1803	Godmanchester	4600
Wolley	1000	1804	Brington (with old enclosures)	
Houghton cum Witten	2500			1250
Little Stukely		..	Saltree	2700
Ellington	1500	..	Great Staughton	900
Easton		1805	Cherryorton, Waterville and Alwalton	
Graffham		..	Stilton	1200
Spaldwick with Upton		1806	Offord Darcy	1000
Elton	3000	1807	Stibbington cum Wadesford & Gibson	565
Barham	800	..	Great Staughton and Graffham	2000
Little Catworth		1808	Swineshead	900
Havely	2000	..	Waresley & Gwillingay (with old enclosures)	2000
Broughton	1800	1809	Glatton with Holme	1300
Winwick	1800	..	Woodstone	500
Great Catworth	2000	1811	Great Paxton & Toseland	2100
Wornditch	700	1812	Little Paxton	720
Warboys	4500	..	Upton	900
Woodhurst, Somersham, and Pidley with Fenton		1813	Bluntisham w. Earith & Colne	3000
2025 A.P. *	3000	..	Buckdon	1500
Diddington	1100	..	Stukely	2000
Eynesbury	2000	1815	Yelling (wale your lands)	1600
Scuthoe	1100	1830	Wistow	1300
Molesworth	1000	1833	Abbotsley	
Bythorn	1200	1843	Great Grassden	3000
Holywell and Needingworth	3000	1844	Bury	200
Offord Cluny	1100	..	Rampsey	230
Covington				<u>30384</u>
			To 1801	<u>50147</u>
				<u>80511</u>

HUNTINGDON (2)

ENCLOSED UNDER THE GENERAL ENCLOSURE ACT, 1845.

Date of act	Date of award	Parish	Area
*	1852	Keystone	520
1848	1853	Upwood and Ramsey	1000
1864	1869	Great Gidding	1735
			<hr/>
			3855
			<hr/>

LEICESTER.

Enclosure	Area	Date	Enclosure	Area
				40276
Horninghole	916	1764	Husband's Bosworth 98 yl.	4000
Little & Great Gleybrooke	430	..	St. Margaret's, Leicester	
Langton			34 yl.	* 1190
Morton juxta Triocross	1744	..	Sharnford	48½ yl. 1400
Harborow 30 yl.	*1060	..	Stoney Stanton	46½ yl. 1400
Knighton 48 yl.	*1680	..	Wartnaby	700
Wineswold	*1440	..	Whetston	49½ yl. * 1733
Great Glen 32½ yl.	1000	..	Great Wigstone	
Breedon	1538	1765	Burton Overy	1600
Belgrave 34 yl.	1000	..	Grioston	1000
Desford and Peckleton	1010	..	Houghton on the Hill	1800
Evington and Stoughton	1000	..	North Kilworth 80 yl.	1800
Hoton	1100	..	Gealford	2000
Loughborough C P's & P.		1766	Braunston	1500
Gadby 71 yl.	1800	..	Blaby 36½ yl.	1200
Sibley	2200	..	Croxton	2100
Barrow upon Sear	2250	..	Countesthorpe 38 yl.	1400
Frisby upon the Wreak	1500	..	Lubenham 31 yl.	900
Hoby	1000	..	Rateliffe Culey	560
Hinckly	2000	..	Waltham in the Wolds	2000
Metton Howbray	2000	1767	Aileston	1200
Somerby	1400	..	Cosby 52½ yl.	* 1637
Seagrave		1768	Ashby de la Zouch	1040
Ashfordby	1600	..	Little Shepney 24 yl.	500
Ansty	1100	1768	Eaton	37½ yl. 1800
Abkettleby	900	..	Flockney 47½ yl.	* 1654
Bearsby	1600	..	Markfield	380
Belgrave & Barkby	1600	..	Sheekston 26 yl.	* 980
Hungerton	800	..	Thurstone 23½ yl.	750
Quorndon	1020	1770	Bottesford, Eastthorpe & Her-	
Billesdon	2500		nanton, 200½ oxgangs	4300
Nether Broughton	900	..	Boxton	1500
	40276			64560

LEICESTER (2)

	84560			131870
Halloughton	3000	1779	Knight Thorpe	450
Norton 25 yl.	685	..	Leire 31½ yl.	370
Batby all F.	850	..	Stanton under Barden	600
Ravenstone	250	..	Kibworth and Smeeton Wea-	
Saddington	1500		terby 148 yl.	3000
Appleby	1000	1780	Stonesby	1100
Kirkby Mallory	780	..	Swinford	1400
Keyham (Rothley p.)	900	1781	Cropton	380
Kilby and Newton Harcourt		..	Mountsorrell 300 A.P.	* 450
76 yl.	2000	..	Rothley	1200
Sproxtton 49 yl.	2000	1782	Orton on the Hill	1000
Saltby 54 yl.	2400	1783	Tugby	1150
Gumley	1145	1785	Osgathorpe	200
Skeffington	1200	1786	Bitterwell	1600
Stapleford	300	1786	Humberstone	1400
Knaptoft 48 yl.	1050	..	Mousley	1100
Hucklescote & Donnington		1786	Groby	500
on the Heath	500	..	Hemington	1000
Batcliffe upon Wreak 23 yl.	800	..	Harston	* 600
Bruntingthorpe 44 yl.	1200	..	Thrussington 47 yl.	*1645
Great Bowden 36 yl.	2000	1788	Harby	
Gilmorton 44½ yl.	2200	..	Lutterworth 68 yl.	1400
Shepshead	2000	1791	East & West Langton, &c.	
System and Barkly	1800		152 yl.	* 5320
Wykeham & Candwell 30½ yl.	750	1792	Redsile	
Earl Shilton	1500	..	Strathern	
Kimscoate & Knaptoft. 64 yl.	2600	..	Walton in the Wolds 52½ yl.	1500
Sapeote	1300	1793	Wanborough	2200
Long Whatton	600	..	Slawston	1400
Castle Donnington 1400 A.P.		1794	Arnesby	1200
260 A.M., 310 A.P.	2300	..	Barseby & South Croxton	
Kegworth	3000		82 yl.	* 2870
Barkby	1800	..	Diseworth	1030
Croft	850	..	Sutton Cheney	
Claxton or Long Clawson		..	Thornton & Bagworth	920
100 oxgangs	* 3360	1796	Dunton Bassett	750
	<u>131870</u>			<u>171285</u>

LEICESTER (3)

1786	Twyford	171285
..	Walcott	800
1787	Knipton	1000
1788	Swithland	350
..	Thurcaston	745
1789	Nether Seal	* 1000
		<u>175280</u>
1802	Breedon on the Hill	1200
1803	Sibson	740
..	Thringstone and Pegg's Green	* 100
1804	Bringhamst. Great Easton and Drayton	3500
..	Leicester 480 A.F. 110 A.M.	600
1806	Rigby (to confirm Inclosure made in 1682)	
1806	Glenfield	700
1810	Great Sheehey	
..	Newbold Verdon and Newbold Heath (little F.)	900
1812	Belton	400
1823	Congerston	900
1825	Glooston and Crance	950
1842	Hedburn	
		<u>9580</u>
	To 1801	<u>175280</u>
		<u>185170</u>

LINCOLN.

Enclosure	Area	Date	Enclosure	Area
				38530
Bisceathorpe		1765	Aukborough	2000
Woollesthorpe 12 oxgangs	240	..	Branston 2000 A.F.	*2500
Stallingborough 2160 A.F.		..	Kettlethorpe 840 A.F.	
770 W.			835 A.P.	1635
700 A.P.	3842	..	R. and G. Cookerington	1500
Dunaly (Dunsby)	* 1500	..	Keelby and Stallingbrough	2000
Wythas on the Hill		..	Kerton & Kettlethorpe	
one F.	1370		970 A.F., 400 A.P.	1370
Normanton 150 oxgangs	* 3000	..	Rothwell	2700
Baumber or Banburgh	2048	..	Tetford	
Stragglethorpe F.	287	1768	Bourn	2450
Hareby	451	..	Barnelby on the Wolds	
Coleby		..	Bickar	2300
Fillingham 2000 A.F.		..	Cosby	1527
800 A.P.	2800	..	Grinoldby	1700
Harnston 1734 A.F. & W.		..	Keddington	400
794 A.P.	2523	..	Kettlethorp	645
Barrowby	2000	..	Sootherne and Sudbrooke	2800
Wintringham		1767	East Barkwith	1200
Glentham 1800 A.F.,		..	Donnington	3100
770 A.P.	2570	..	Newton	1000
Pilham	525	..	Scamblesby	2100
Wellingore	3100	..	Wootton	3000
Betherby	1269	1766	Billingsborough & Birtherpe	2700
Heckington	4000	..	Horton	1400
Horbling	2600	..	Threockingham	500
Haughton in the Marsh	1500	..	Toynson Supra	1100
Stainton in the Hole		..	Willoughton	2000
(with old enclosures)	1900	1769	Atterby, Saitterby &	
Scarby	1200	..	Waddingham	3000
		..	Barnolby le Beck	1200
		..	Beckensham & Sutton	
	38530			69847

LINCOLN (2)

	89847		150482
Claypole		1773 Haltham & Raughton	2000
North Hickham		.. Horsington	1500
Ingham	2000	.. East Keal	500
Sudbrooke (Ancaster par.)	1200	.. Toynton All Saints & St.	
South Willingham	1800	.. Peter	1000
Waltham	2250	.. Thorpe on the hill	1700
Benniworth	2200	.. Whitton	1200
Great Carlton	2000	.. West Willoughby 34 oxgangs	
Matton	1180	.. and large common	*1000
Havenby	2800	1774 Ibstock	1200
Seawby	2500	.. Ludborough	
Waddington 185 oxgangs	3500	.. Ownby	1800
Winterton 2000 A.P.		1774 Fosterhamworth	3000
360 A.M.		.. Spridlington	2400
1000 A.P.	3360	.. Timberland	2500
Westborough cum Doddington		.. Wilsford	2400
Welton (nr. Leath)		.. West Keal	1000
West Ashby	3000	.. Wroct	700
Boothby Graffoe	1600	1775 Bulletby	2000
Bishop Norton	1700	.. Quadring 70 A.F. &..	
South Reston	500	2400 A. for	2470
Hammeringham	1000	1776 Asterby & Goulesby	2000
West Halton		.. Gunby & North Witham	1650
Moorby & Wilksby	1000	.. North & South Killingholme	5000
Great Paunton	*3000	.. Noston	4500
Middle Raisin	4000	.. Raithby nr. Spilsby	800
Stainby	1560	.. Upton 1430 A.F., 1150 A.P.	2580
Los Toynton	375	.. Walby 970 A.F.	*1200
Welton	3000	.. Nettleham	3000
Brinthill	800	1777 Drempton	1000
Gexhill	7000	.. Candlesby	800
Hemingby	2800	.. Hatherne	1300
Hackonby	2000	.. Kirnington	1800
Helpringham	3000	.. Leadenham	3000
		.. Metheringham	5000
	<u>150482</u>		<u>213842</u>

LINCOLN (3)

	104, 12, 213, 242		282,790
South Winstead	1700	1794 Bottisford & Yaldrethorpe	1750
South Starton	1500	,, Faldingworth	2400
Surfleet 1240 A. fen, 300 A. P. &c	1540	,, South Kelsey	3200
Haekthorne	2660	,, Martin	550
Ruskington	3000	,, Skillington	1950
Thimbleby	1200	,, New Sleaford & Holdingham	2000
Ansotts	1300	,, South Witham	1646
Brattleby	1050	1795 Grantham	1688
Huttoft 1200 A. P., 670 A. P.	1870	,, Hagworthingham	800
Market Raisin	725	,, Londonthorpe	680
Willingham	1500	,, Osmournby, Nexton and Scott Willoughby	1600
Lighburn	1215	,, Owmby	580
Bennington upon Baine	1600	,, Ropsley and Little Hamby	4000
Sanwick	2240	,, Scartho	1200
Dorrington	1800	,, Swarby	1000
Swaby and Belleau	1500	1796 Caistor	390
North and South Rauceby	5450	,, Hibaldstowe	3800
Denton	2650	,, Luddington and Garthorpe	1200
Morranby next Spittal	1700	,, Screddington	2800
Hettleton	3600	,, North and South Stoke	1200
Ludford	2400	,, Tattershall, Thorpe and Kirkby super Bane	
Remswell	2220	1797 Barrow	4700
Tealby	2600	,, Blankney and Scopwick	3850
Hffington	2600	,, Greatford	850
Feed Enderby	600	,, Grayfield and Corby	
Welton in the Marsh		1798 Messingham and East Butter- wick	5000
Allington	200	,, Mavis Enderby	800
Barton upon Humber	5770	1800 Barholm	950
Covenham	1600	,, Braceborough	1110
Dunston	1230	,, Wrayly cum Brigg	2450
Greetham	1000	1801 Belchford	2300
Kirton in Lindsey	4600	,, Little Bytham and Ormby	1500
Althorpe	380	,, West Deeping & Tallington	2000
Long Bennington & Poston	3860		
	<hr/>		<hr/>
	282,790	168	15 342,714

LINCOLN (4)

	342,714			42,684
South Ferriby	1500	1806	Easton	1000
East Halton	2500	,,	East Kirkby	375
Langtoft and Baston	2100	,,	Market Deeping and Deeping St James	2000
Sotby	1000	1807	Crosby	
Scremby	550	,,	Ashby de la Laund	1500
Ashby	1830	,,	Waith	
Louth	1854	,,	Yarburgh	900
	175 15	1808	Scotter	4500
	354,048	1809	Croston	1300
		,,	Friskney	
Kelby, Aiseby and Oseby	2500	1810	Boston (with old enclo- sures)	1338
Thuriby 1100A.F, 1100A fen	2200	,,	Fishtoft 2795 A.F, and old enclosure, 95 A.F.	2690
Coningsby	1750	,,	Sibsey	
Saxelby	1300	,,	Witcall	2700
Burton and West Halton	1400	,,	Leverton 410 A. F. & M., 135 A.F.	545
Boultham	636	,,	Leake	
Kirkby cum Osgodby	1350	1811	Ashby juxta Partney	500
Rippingale & Kirkby Under- wood, 2150 A.F, 2032A.fen	4182	,,	Cabourne	2700
West Rasen	1240	,,	Little Ponton (with old enclosures)	1080
Salesby with Thoresthorpe	680	,,	Thrusthorpe and Hannah cum Hagnaby	540
Castle Bytham	2500	1815	Crowle	
Horncastle	1000	,,	Haburgh	2500
Lincoln	1500	,,	North Kelsey	3000
Stowe, Sturton & Bransly	2000	,,	Witham on the Hill	2400
Carlby and Aunby	1280	1814	Thorseway	2600
Fulbeck	1300	1815	Benington	
Great and Little Gonerby and Manthorpe	4000	,,	Grasby	500
Hogsthorpe & Mumby cum Chapel	2590	,,	Manby	500
Skellingthorpe	2000	1817	Fulstrow	1900
Anderby	730			
Colsterworth	3500			
Mareham on the Hill	656			
Masten				
Grallow	3550			
	42,684			80,852

LINCOLN (5)

		80,852
1818	Skirbeck	
..	Welsthorpe	800
..	Ulceby with Potherington	1026
1819	Alvingham	1300
..	Cumberworth	580
..	Firsby	
1824	Ulceby	3500
1825	Appleby	950
1826	Earlethorpe	390
1827	Great Grimsby	1000
1842	Clea	

90,398
354,048

444,446

Enclosed under the General Enclosure Act, 1845.

Date of act	Date of award	Parish	Area
1855	1856	North Cotes	530 A.

LINCOLN AND RUTLAND

1871	1875	Stamford and Tinwell	
		total area 1821 A, in Lincoln	811
			<hr/> 1331

MIDDLESEX.

Date	Enclosure	Area enclosed
1774	Laleham	
1780	Ickenham	
1789	Stanwell	3000 A.
1795	Hillingdon and Cowley	3 F's.
1799	Teddington	883
1800	Edmonton	1251
..	Hanworth, Feltham and Sunbury	
	1500 A. F., 1700 A. F.	5200
1801	Enfield	3540
		<hr/>
	5, 3,	11,854
		<hr/>
1803	Harrow	
1804	Ruislip	
1805	Harnondsworth	1100
1809	Uxelford or Ashford	1200
..	Hayes	2000
1811	Hampton	
1812	Hillingdon	1400
1813	Greenford	640
..	Hanwell	350
..	Great Stanmore	all F. 216
..	East Roding	1100
..	Isleworth, Heston and Trichonham	2470
1815	Willesden	560
1818	Cranford	395
1819	Harlington	820
1824	West Drayton	
1825	Northolt	

12,351

11,854

24,105

Enclosed under the General Enclosure Act, 1845.

Date of act	Date of award	Parish	Area
1848	1851	Littleton	625

MONMOUTH

Date	Enclosure	Area
1776	Ifton	780

Enclosed under the General Enclosure Act,
1845.

Date of act	Date of award	Parish	Area
1852	1854	Undy	138
1852	1854	Caldicot	243
1858	1859	Mager	142
			<hr/>
			513

1,293

NORFOLK.

Enclosure	Area	Date	Enclosure	Area
				57,637
Brancaſter	2350	1794	Little Dunham 1300 A.F.,	
Swanton, Morley & Worthing	1400		400 A.F.	1700
Litcham	600	..	Shouldham & Garboiſe Thorpe	5570
Snottiſham (half year incloſures)	5000	..	Thornham	
Carlton Forehoe and Kimberley		1795	Bintry and Twyford	
Sherborn	1600	..	Great Hoekham	
Hilborowe 2600 Infields and Outfields	3020	..	East Lexham and Great Dunham	
Pincham	2450	..	Sedgeford	
Roudham		1796	Northwold	
Beetley, Great Bittering and Graſſenhall	1130	..	Reymerſtone, Letton, Cranworth & South Barrow	
Barton Bendish	4370	..	Sherington	
Tottington 1710 A. F., 1300 A. P.	3010	1797	Acle	
Heeting	4450	..	Saham Toney	
Little Creaſſingham 300 A.F., 467 A.F.	767	1798	Hetherſett	
Carlton Rode	3000	1799	North Ellingham	
Dersingham	2000	..	Hevingham and Marſham, 297 A.F., 1400 A.F.	1697
Grinſton	4000	..	Keninghall	
Foulden	3000	..	Ranſworth	
Heatcham	4000	..	Shropham	
Salthouſe and Kelling	1490	1800	Upton and Fiſhley	
Tottenhill & Weſt Briggs	1400	..	Canſton	
Great Ringſtead	3000	..	Ferſford, Horſham and Newton St. Faith's	
Aſhill 900 A.F., 1000 A.F.	1900	..	Ovington	
Fiſhwell		..	Ludham	
Marham	3700	1801	Alburgh and Wortwell	
Stiffkey and Morſton		..	Blowfield and Henblington	
		..	Boughton	
		..	Great & Little Creaſſingham	
		..	East Harling	
		..	Happiſburgh and Leſſingham	
	57,637			66,604

NORFOLK (2)

	66,604			
Helme Hale & West Bradenham	3900	1		18,450
Mattishall	1100	1806	Little Snoring	
Thorpe Abbots		"	Sparham and Billingford	
Salton and Carbrooke		"	Fymondham	
Burgh and Billockby		"	Wormegay	
Downham Market, Wimbochan and Bexwell		1807	Stalham	
Hickling		"	Martham	
Petter Higham	300	"	Repps with Bastwick and Eccles near the Sea	
South Walsham		"	Holt and Letheringsett	
	<hr/>			
	71,904			
	<hr/>			
Ellingham, Broome, Kirby Cane and Geldestone		1808	Cley next the Sea	
Filby		"	Claxton and Rockland	
Gooderstone	3000	"	Pulmodeston, Stibbard & Ryburgh	
East Tuddenham		"	Keatishead	
Catfield and Sutton		"	Tretshall	
Bunham		"	North Walsham & Felzingham	
Aslacton		"	Sawdwell and Ling	
Whitwell and Hackford	225	"	Bodham	
Brigham		"	Gaywood and Mintlyn	
Crimplesham	2000	"	Wicklewood	1500
Sporle and Falgrave		"	Walsingham & Houghton next Walsingham	
Thetford		1809	Barton Turf	
Taborne		"	Bunwell	
Brunstead		"	North Creake	
Briningham, Stody and Brinton		"	Fornsett	
Great and Little Fransham and North Pickenham		"	Sherringham	
West Newton		"	Strumshaw & Burlingham	
Palling		"	Swanton, Abbot, Lamas & Buxton	
Scoulton		"	Thurlton, Haddiscoe & Thorpe next Haddiscoe	
Winterton, East and West Somerton		1810	Gayton	
Methwold	7375	"	Hensby	
Hackford	850	"	Hardley and Langley	
Feasenham and Wellingham		"	Thurton	
Criston		"	Great Flunstead & Postwick	
Moundford	1000	"	Thorne	
	<hr/>	"	Yaxham, Westfield, Thinbergh & Garvestone	
	18,450			19,950

NORFOLK (3)

	19,950			20,200
11 Bathley		1813 Hardingham		
.. Drayton, Banburgh and Hellesden		.. Rollesby		
.. Gressenthall and Great Bittering		.. Stow Bedon		
.. Mattishall Bergh		1814 Saldey		200
.. Great Snoring		.. Skeyton, Burgh next Aylesham and Tottington		
.. Welborne		.. Wendling		
.. Barnham Broome & Bickerstone		.. East Bradenham		
.. Fundenhall & Ashwelthorpe		.. Foxley		
.. Scarning, Hoe, Worthing and Dillington		.. Hockrold cum Wilton		
12 Earsham, Ditchingham & Edenham		.. Middleton		
.. Honingham	160	1815 Hindringham		
.. Witten Baston, Edingthorpe and Paston		.. Langham		
.. Attleburgh		.. Hecton		
.. Congham c.3 Brandon Farva or Little Brand		.. South Runcton and Holme		
.. Caston		.. Smallburgh		
.. Deopham		.. Stoke, Wretton, Vereham and Winnold		
.. Hempstead		.. Thompson		
.. Horsey		1816 Larling		
.. Rockland		1817 Hempnall		
.. Mysingset Stanfield and Horningtoft		1818 Great Melton		
.. Barford		1818 East Rudham, West Rainton and Helhoughton		
13 Croxton		1820 Blo' Norton		
.. Morley		.. Blakeney, Wiverton and Glandford		
.. Seething, Kirkstead, Mundham and Sisland		.. Holme next the Sea		
.. Tasburgh		.. Tibenham and Moulton		
.. Framplingham		1821 Little Barningham and Calthorpe		* 60
.. Woodton	90	1825 Hockering and Merton		400
.. Feltwell		.. Weston		
.. Geist		1827 Thursford and Kettlestone		
		1828 Balaugh, Scottow, Little Hautbois & Hoveton St. Peter		
	----- 20,200			----- 20,860

NORFOLK (4)

		20,860
1829	North Elmham	
..	Gunthorpe	90
..	Sculthorpe	
1836	West Runcton	
1837	Ashby and Hellington	
1839	West Beckham and Alby	
1840	Carboldisham 226 A. P., 10 A. M., 680 A. P.	916
..	Freethorpe, Linpenhoe and Reedham	100
1841	Bedingham	
..	Elsing	
1842	Ormesby and Scratby	
		<hr/>
		21,966
		<hr/>
		71,004
		<hr/>
		93,870

Enclosed under the General Enclosure Act, 1845.

Date of act	date of award	Parish	Area
*	1851	Feltwell	860
1849	1852	Brandiston, Haverland and Swannington	490
*	1854	Heacham	213
1857	1860	Cossey	810
1859	1863	Docking	4640
1863	1869	Swaffham	5160
			<hr/>
			12,173

NORTHAMPTON.

Enclosure	Area	Date	Enclosure	Area
1737 Grafton 4 common fields 272 A., 1 common	318		1764 West Hadden 48 yl.	1680
1738 Chipping Warden 63½ yl.	1964		„ Ledgers Ashby 32½ yl.	1146
1743 Great Brington	4000		„ Newnham 48½ yl.	1580
1745 Faxton 25½ yl.	1170		„ Warksworth 55½ yl.	1700
1749 Jakerley and Wittering			1765 Long Buckby	3800
1750 Nether Heyford, Stow with Nine Churches and Sing- brooke, 30 yl. P.	*1365		„ Denford	yl. 1450
1751 Farthingstone 47½ yl.	*1662		„ Hardingstone and Cotton 79½	2783
1753 Drayton 42½ yl.	*1487		„ Spratton	3200
1753 Hinton 30 yl.	*1050		„ Syresham 61 yl.	*2135
1754 Melton 72 yl.	*2520		„ Trywell	1000
1755 Norton by Daventry 35½ yl.	901		„ Mellingborough 80 yl. P.	4000
1756 Boughton & Pitford 85½ yl.	*2093		1766 Great Doddington 56 yl.	1960
1758 Upper and Lower Boddington	3000		„ Hinton in the Hedges, all P.	1330
„ Helmdon 70 yl.	1550		„ Harleston 20½ yl.	1000
„ Woodford 50½ yl.	*1067		„ Kingsthorpe	1743
1759 Ecton 103 yl.	*3605		„ Thonford or Fenford 33 yl.	750
„ Slapton 38 yl.	*1330		1767 Arthingworth	1400
1760 Blakesley 64 yl.	2000		„ Cosgrave 1700 A.P., 130 A.P.	1830
„ Jest Farndon 20 yl.	*700		„ Old or Would 49 yl.	2000
„ Marston St. Lawrence 43 yl.	1680		„ Great Oxendon	1300
„ Sulgrave 71 yl.	*2485		1769 Knuston	
1761 Eydon 28 yl.	*980		„ Middleton Cheney, upper and lower, 41 yl.	*1435
„ Norton Finkney 42 yl. P., 1200 A.P.	*2460		1770 Denton	700
„ Wappenham 50 yl.	*1820		1771 Earl's Barton	2400
1762 Towcester Wood, Burcott and Caldecott	2000		„ Loxick	1150
1763 Woodford	2000		„ Fattishall, Eastcote, Astcote and Darlescote	2500
1764 Everdon 43½ yl.	1950		„ Slipton	560
„ Guilsborough, Coton and Nortoft 20½ yl.	1537		„ Teeton or Weston 58½ yl. P., 1600 A.P.	*3647
			„ Watford and Murcott	1250
			1772 Astrop 77 yl.	*2695
			„ Aldwinckle	2000
			„ Charlton 59 yl.	1000
	40,374			58, 2, 105,498

NORTHAMPTON (3)

		58, 2, 105, 498			163, 096
1772	Denshager	900	1778	Braybrooke	1500
"	Moulton	2600	"	Barby	2200
"	Thorpe Achurch	1500	"	Byfield and Jestrup	2500
1775	East Hadden	1530	"	Floore	1800
"	Irchester, Jellingborough and Great Doddington		"	Harpole	1800
1774	Doddington	800	"	Isham	1400
"	Harringworth	1600	"	Maidford 28 yl	700
"	Hollidon	1500	"	Northampton Fields	840
"	Hollowell	425	"	Rushden	3500
"	Staverton	2400	"	Footon 50 yl.	1800
"	Warrington	3000	1779	Bugbrooke	1500
1775	Braunston	2300	"	Badby	1500
"	Cranford 22½ yl.	*787	"	Little Bowden 51 yl.	1350
"	Pottersbury and Cosgrave		"	Evenly	1200
"	Scaldwell	1000	"	Kislingbury 80½ yl.	1700
1776	Clipston and Newbold 84 yl	2900	"	Milton, Malsor & Collingtree 70½ yl	2000
"	Crick	3000	"	Woodend	600
"	Duston	1500	1780	Brixworth 102½ yl	2700
"	Desborough	1890	"	East Parndon 45 yl.	1400
"	Halgrave	1850	"	Piffield	1100
"	Needon Beck	1700	"	Grendon	1600
"	Yelvertoft	2000	"	Thrapstone	1060
"	Yardley Hastings	1630	1781	Little Harrowden 48½ yl.	1500
1777	Grafton Underwood	1200	1782	Great & Little Crexton 30½ yl	1200
"	Holcot	1300	"	Fiddington and Hackleton	1500
"	Killesby 36½ yl.	2300	1786	Broughton	
"	Mears Ashby	1400	1788	Wollaston 89 yl.	3760
"	Thorpe Malsor	600	1790	Folebrooke	1400
"	Tansor	1300	1792	Aynho 45 yl.	*1575
"	Welford	1800	"	Great and Little Weldon	2400
"	Whitton, Norton & Brockhall	1060	1793	Orston and Thorston	2200
"	Massington, Yarwell, Ape- thorpe and Woodnerston	3800	"	Madenhoe	675
1778	Bulwick	1400	1794	Lampport & Hanging Houghton	539
"	Titchmarsh	3000	1795	St. Martin Stamford Baron	600
"	Great Billing 48½ yl.	*1697	"	Ravensthorpe	1400
			1796	Ufford with Ashton & Bainton	2700
			"	Whitfield	
		163, 096			126, 6, 219, 303

NORTHAMPTON (3)

126, 6,	219,303			40,955
Raunds	4700	1809	Marey with Deepingate, North-	
Whittlebury	670		borough, Glington w. Peakirk Elton	
Besest	2268		and Helpstone	
Wilbarston 60 yl.	1300	1811	St. John Peterborough	
Queen's Horton & Duncott	1400	1812	Cold Higham w. Grimscoate	
Grasthorpe	350		and Foteote	1150
Barnack with Pilgate	2500	..	Rothwell (with old enclosrs)	3200
Islip	1300	1813	Calterstock cum Glapthorn	1500
Norton Bromsheld	820	..	Marston Trussell (with old	
Chelston cum Caldecott	1700		enclosures)	1200
Silby 29 yl.	1000	1814	Quinton	504
	<u>337,211</u>	1815	Cottingham cum Middleton	1750
		1817	Easton on the Hill	3000
Daventry	1600	1819	Aldrington	680
Hargrave	1350	..	Faulerspury with Heathencote	3500
Hannington	800	1820	Eye	800
Neston by Welland and		..	Naseby	* 2000
Sutton Bassett 70 yl.	*2450	1823	Abthorpe	280
Great Addington	1100	1827	Little Houghton, Brafield in	
Braddon	700		the Green and Cocknoe	2500
Burton Latimer	3000	1829	Brackley	1318
Ferrington & Walton	2450	..	Corby	1035
Kettering	2300	1830	Little Addington	1160
King's Sutton	1200	1834	Stanwick	1275
Cranford St. John	897	1838	Higham Ferrers	
Thingden or Finedon	3000	1839	Ringstead	
Ashley	1200	1840	Stoke Bruern and Shuttlechanger	
Oundle and Ashton	2600	1841	Barnack w. Pilgate & Southorpe	
Croughton 1854yl.	*1890	..	Collyreston	
Warkton, Little Oakley				66,807
and Luddington	2418			<u>237,211</u>
Weekly and Goddington	2160			
Blisworth	1500			<u>304,018</u>
Irthlingborough	3500			
Orlinsbury	1300			
Longthorpe (w. old enclosrs)	1240			
Rothersthorpe	1200			
King's Cliffe	1100			
	<u>40,955</u>			

Enclosed under the General
Enclosure Act, 1845.

1864	1867	Lutton	754	754
1895	1898	Castor & Aileswerth	3500	
1901	—	Sutton		450

4,704

NORTHUMBERLAND.

Date	Enclosure	Area enclosed
1740	Gannerton Ingrounds 1300 A., Out 1000 A.	2300
1757	West Matfen 1250 A. F., 50 A.F.	1300
1776	Corbridge	5300
1784	Elrington	757
		<hr style="width: 100%; border: 0.5px solid black;"/>
		9,657
		<hr style="width: 100%; border: 0.5px solid black;"/>
1804	Simonburn 40 A.F. and M., 3000 A.F.	3040
1809	Simonburn 300 A.F., 5000 A.F.	5300
1812	Ovingham	2951
1844	Haltwhistle Common 1360 A, also certain lands called Rig or Dale lands	1400
		<hr style="width: 100%; border: 0.5px solid black;"/>
		12,691
		9,657
		<hr style="width: 100%; border: 0.5px solid black;"/>
		22,348

NOTTINGHAM (2)

	42,	16,	30,823		
1792	Lambley	60 A.F,	600 A.F.	660	1802 Blyth and Harworth
"	Syerston			500	" Cropwell
"	Gedling, Stoke, Bardolph and Carlton			4300	" Runskill and Screoby
1793	Granby and Sutton				" Walkeringham
"	Willoughby on the Wolds			1700	1803 Dunham & Bagnal 900 A.F, 200 A.M, 330 A.F.
1795	Caunton			823	" Sutton upon Trent
"	North Leverton and Habbiesthorpe			1400	" Tollerton
"	South Leverton			1600	1804 Alverton
"	East Stoke and Elston			2500	" Gotham
"	Upton			1384	1805 Plumtree
"	Woodborough			1000	1806 Beeston
1796	Gateford and Shireoaks				1807 Barnby
"	Gringley on the Hill			3000	" Elton
"	Saunton (?Shelton)			800	1808 Gamston
"	Weston			1230	" West Markham
1797	Bunny			1000	" Strelley and Bilborough
1798	Keysworth			1500	1809 Eaton
"	Great Leke			3000	1810 East Markham
1799	Harworth			1300	1814 Headdon cum Upton
"	Tuxford			1700	1818 Warsop 344 A.F, 1400 A.F (M.I.)
1800	Normanton upon Trent			750	1819 East Drayton
"	Ordsall 200 A.F, 210 A. M. and F.			410	1821 Kolesby, Kirton & Egmonton
"	Sysall			1100	1822 Sturton & Littleborough 455A.F 900 *
"	Newark upon Trent			400	1826 Norwell (M.I.)
					17, 7, 18, 596
					110, 680
					<hr/>
					64, 18, 112, 880
					<hr/>
					151, 476
					<hr/>

Enclosed under the General Enclosure Act, 1845.

Date of act	Date of award	Parish	Area
*	1851	Girton (South Searle parish)	584
1849	1852	Oxton	1140
1849	1854	Mansfield Woodhouse	1545
			<hr/>
			3,269
			<hr/>

OXFORD.

Date	Enclosure	Area	Date	Enclosure	Area
					56,555
1730	Mixbury	3400	1773	Broad Sibford or South Gower and Burdrup	3000
1757	Burchester	1000		Stanton Harcourt	
	Fiddington 33 y1.P., 400 A.P.	+1060	1774	Copredy	1550
1758	Northleigh 53 y1.F, 600 P.*	3160	1775	Burcott (Dorchester par.) 53½ y1.	*1137
1759	Keithrop & Wickham 60½ y1.*	3109		Broadwell and Pilkins	
1761	Ferringford 33½ y1.	980		Brize Norton	
	Wardington, Williamscott and Coten 108 y1.	5000		Great Rolewright 70 y1.	*3450
1763	Merton N. only	740		Upper and Lower Badmarten 81 y1. (one field)	3000
1765	Merley & Mernton 104 y1.	2000	1776	Alkeston one F, 58 y1.	1000
	Somerton 48½ y1.	1800		Blackthorn 30½ y1.	1850
	Shutford	900	1777	Great and Little Bourton one F.	1500
1766	Adderbury 156½ y1.	+5477		Stanton St. John 50 y1.	*1750
	Bladon 16 y1.	*560	1779	Bucknell	300
	Steeple Aston 41 y1.	1435		Dean	
	Great Tes 79 y1.	+2765		Idbury	1070
1767	Chesterton 63 y1.	*2170	1780	Stratton Audley and Covers- field 57½ y1.	2300
	Kencott 731 A.P, 353 A.P.	965	1783	Hansell	*2000
	Sandford 65 5/8 y1.	*2307	1787	Coggs	
1768	Shipton upon Charwell	1100		Coring	
1769	Chipping Norton and Salford 185½ y1	+6570		Sarsden, Churchill, Lynchan, Merriscourt & Pinescourt	4140
	Scotton 40 y1.	*1400	1788	Little Faringdon	
1770	Balckbourton 41½ y1.	*1450	1789	Sibford Ferris 41 y1.	900
	Westwell 59 y1. F, 400 A.P.	1300	1791	Oddington	
1771	Swalcliffe	1000	1792	South Leigh	
1772	Eswell 37 y1.	1400	1793	Little Barford	
	Handborough 51 y1.	*1785		Burcester King's End	1300
	Heath 30½ y1.	800		Dunstow	
1773	Burford	300			
	Hook Norton and Southton 110½ y1.	5000			
		<hr/>			<hr/>
		56,555		45, 11,	34,154

OXFORD (3)

	45; 11; 84, 154		
1793	Nilcomb one F, 56½ y1.	1695	
„	Stoke Lyne and Fewcott		
„	Little Tew all F, 40½ y1	1315	
1794	Burford		
„	Southwaxington		
1795	Westcot Barton and Middle Barton	84 y1.	3940
„	Wigginton	57½ y1.	1312
1796	Alvescott		
„	Hampton Foyle		
1797	Mollington	40½ y1.	2150
1798	Kelmscott		
1799	Bloxham		
„	Cassington and Worton		
„	Ensham		1000
„	Wendlebury		1160
„	Whitchurch		
1801	Drayton		270
„	Lower Heyford and Calcot		1700
„	Headington		
„	Stonesfield		
			<hr/>
			36,596
			<hr/>
1802	Baldwin Brightwell		977
„	Swerford		1200
„	Spelsbury		
1803	Broughton		600
„	Froxton and Balscot		
1804	Islip		660
„	Shuttington		
1805	Shirburn OBC A.F, 361 A.F.		1161
1807	Fritwell		1000
„	Beddington & Great Barford		
1808	Watlington		
1809	Wootton Bassett		100
			<hr/>
			39,664
			36,596
			<hr/>
			130,660
			<hr/>

OXFORD (5)

Enclosed under the General Enclosure Act, 1845.

Date of act	Date of award	Parish	Area
1846	1849	Milton (Shipton under Wychwood parish)	1960
*	1849	Fencot & Murrct (Charlton upon Otmoor par.)	1005
1849	1852	Fyrton	640
1850	1852	Shipton under Wychwood	1710
1848	1853	Warborough	1520
1849	1853	Standlake, Brighthampton and Hardwicke	2860
1849	1853	Gosley	1000
1850	1853	Southstoke cum Woodcote	1765
1848	1854	Chinnor	1000
1848	1854	Cottisford and Hethe	1310
1854	1856	South Weston	470
*	1858	Charlton field (Charlton upon Otmoor)	595
1855	1858	Horsepath	900
1859	1861	Drayton	900
1859	1861	Dorchester	1000
1859	1862	Ramsden	485
1852	1863	Bensington, Bersiek Salome and part of Evelme	2450
1860	1864	Cheekendon	590
			22,063

BERKSHIRE and OXFORD.

See above.	2 Acts, for Oxford 1515 A.	1,515
		23,578

RUTLAND.

Date	Enclosure	Area	Date	Enclosure	Area
1756	Egloton or Edgeton P.	844	1795	Bridge Casterton	1770
"	Tinwell	1013	"	Bisbrooke and Seaton	
1758	Edith Weston 33 yl.	1200	1798	Little Casterton	700
1759	Thistleton	1580	1799	Byddington with Caldecott and Uppingham.	3750
1762	Whissondine		1800	Exton and Cottesmore	3700
1763	Greetham 44 yl.	2200	"	Ryhall with Bolmesthorpe	2500
1768	Ketton 2200 A.F., 800 A.F. 3000		1801	Braunston	1500
1770	Uppingham (part of the common fields)	600			
1772	Barleythorpe (Oakham parish) 25 yl.	1000			33,857
"	Manton 30 yl.	1300	1803	Market Orton	800
"	Ring 40 yl.	*1400	1820	Oakham	1200
1773	Freston 28 yl.	1100			2,700
1793	Normanton	500		To 1801	33,857
1794	Belton	300			
"	Empringham	3700			36,557

Enclosed under the General Enclosure Act, 1845.

Date of Act	Date of Award	Parish	Area
1852	1854	Thorp by Water (Seaton parish)	610
1855	1858	Seaton	1505
1873	1881	Barrowden	1025
1870	1881	North Luffenham	1620
1878	1880	South Luffenham	1074
			6,834

LINCOLN and SHERWOOD
See above. 1 Act, in Rutland

810
7,644

SHEROPSHIRE.

Date	Enclosure	Area enclosed
1771	Donington	340
1772	Much Wenlock	630
1785	Kinnerley and Helverley	
1793	Idsall or Shiffnal	700
		<hr style="width: 100%; border: 0.5px solid black;"/>
		1,670
		<hr style="width: 100%; border: 0.5px solid black;"/>
1807	Knockin (in 3 parishes, 6 townships)	640
1816	Bucknell and Clungunford	
1819	Stanton Lacy and Bronfield	500
		<hr style="width: 100%; border: 0.5px solid black;"/>
		1,140
		<hr style="width: 100%; border: 0.5px solid black;"/>
	To 1801	1,670
		<hr style="width: 100%; border: 0.5px solid black;"/>
		2,810
		<hr style="width: 100%; border: 0.5px solid black;"/>

SOMERSET.

Enclosure	Area	Date	Enclosure	Area
East Canoll or Queen				2,865
Canoll	650	1809	Congresbury, Week St.	
Tintinhull			Laurence and Fuxton	820
Cheddar 4000 A.P., 400 A.P.	4400	..	Long Sutton	
Woolavington 460 A.P.,		1810	Weston super Mare	993
250 A.P.	690	1811	Cheddar, Priddy and Rodney	
Aller 380 A.P., 570 A.P.	950		Stoke	1100
Higham and Huish Episcopi		1812	Charlton Morethorne	313
1000 A.P., 840 A.P.	1840	..	Milborne Port	800
Huish Episcopi		1813	Long Ashton 690 A.P.	*1000
1100 A.P., 230 A.P.	1330	..	Uphill 40 A.P., 340 A.P.	380
Moorlinch 450 A.P., 175 A.P.	605	..	Wraxall, Nailsea and Burton	
Othery 550 A.P., 600 A.P.	1150		1617 A.P.	*2000
Somerton & Compton Dundon		1814	Berkeley and Standerwick	300
Chilton	620	..	Moorlinch	350
Catcott 350 A.P., 550 A.P.	900	..	Portishead	
Caddington	2000	1818	Martock	278
Middlesey	1100	1819	Martock in Muchelney	596
Hantspill, Cannington, Stock-			A.P., 426 A.M., 2 A.P.	1024
land Bristol & Stogursey		1826	Chilthorne Domes 50 A.P.,	
			130 A.P.	200
	16,325	..	West Lyndford	400
		1830	Kingsbury Episcopi	
Fitney 600 A.P., 500 A.P.	900		300 A.P., 400 A.P.	700
North Ferrott	220	..	Weston Zoyland and Middle-	
Lilstock	210		zey, all P.	500
Kings	260	1836	South Petherton all P.	600
Keinton Mandefield		1837	Clayton	
Alford	250			
Martock	1025			
	2,865		To 1801	14,625
				16,225
				30,848

STAFFORD.

Date	Enclosure	Area
1765	Elford	1500
1770	Comberford and Wigginton	3000
1773	Whitgreave	1087
1783	Allstonefield 160 A.P., 300 A.P.	460
1792	Great and Little Saredon and Great Tylley	
1794	Abbotts Bromley 100 A.P., 900 A.P.	1000
1798	Stone all P.	400
1799	Pattingham and Fatshull	2500
1800	Stafford	470
„	Castlechurch	120
1801	West Bromwich	387
		<hr/> 10,934 <hr/>
1806	Knightley, Mill Meese, Standon	400
1807	Basford	359
1808	Checkley	500
1809	High Offley	142
1811	Caverswall	
1812	Barton under Needleswood, Tatonhill, Yoxall, Hocarcross, Nethertown and Hampstead Ridware	
1813	Upper Elkstone	400
1814	Penkridge, Cannock, Berkwick, Tiddesley	
1816	Newcastle under Lyne, Trentham, Wood- stanton, Stoke upon Trent, 600 A.P., 100 A.P.	700
1834	Allstonefield	3500
		<hr/> 6,001
	To 1801	10,934
		<hr/> 16,935 <hr/>

SUFFOLK.

6,350

1756	Ixworth 1 c.P. and other common land	1500	1811	Great Maddinglefield cum Chilton & Great Oinard	
1772	Cavenham	1100	1812	Lidgate	
1776	Coney Weston	1500	"	Ousdon	
1794	Tuddenham	3500	"	Great Wratting	
1796	Little Barton		1813	Chevington and Chedburgh	
1797	Barmingham		"	Great Horningsheath and Westley	
1798	Stanton		"	Icklingham	
1799	Honington		"	St. Mary in Newmarket	
"	Werlington		"	Bougham	
1801	Risby and Fornham All Saints		"	Cheystead	* 100
		<hr/>			
		6,400	1814	Bury St. Edmunds	
		<hr/>	"	Burrington	458
1802	Great Barton		"	Nettingham & Sungay Trinity	
"	Lakenham	300	1815	Frockenham	
1803	Ixworth and Thurston (P.in Thurston only, L.in Ixworth)		"	Richingham Superior and In- ferior and Hinderley	
1804	Iken	100	1816	Dalham	966
1806	Treston		1817	Briswell	
"	Great Thurlow	350	"	Fornham	
1807	Exning		1818	Eholmetham	
"	Herringswell		1823	Wentford	
"	Mildenhall	*	1827	Newton	350
"	Brandon 2800 A. Sarron	4000	1829	Cardwell 400 A.I.	* 500
1809	Bradwell, Belton & Writton	1000	1833	Lakenheath	1153
"	Gorton, Hopton & Corleston	300	1838	Gozeley	
1811	Great Bradley	600	1839	Houlton	5000
		<hr/>			
		6,350			13,350
				No 1201	6,400
					<hr/>
					19,750

Enclosed under the General Enclosure Act, 1845.

*	1843	Stuston	42
1848	1853	Barrow	1330
*	1854	Withersfield	600
1854	1857	Haverhill No. 2	504
1876	1880	Grford	46
			<hr/>
			2,490

SURREY.

1779	Cobham		570
1797	Croydon	750 A. F., 2200 A.P.	2950
1800	Byfleet and Weybridge		
..	Walton upon Thames		
1801	Wey		1200
..	Fetcham		620
			5,140
1802	West Horsley	400 A. F.	800
1803	Sutton next Woking		412
1805	Pyrford and Chertsey		
1806	Cheame		1760
1807	Thorpe		800
1808	Chertsey		2000
..	Kingston upon Thames & Inworth	50 A. F.	1350
1809	Sutton		
1812	Brockham and East Bletchworth		
..	Beddington with Bandon	500 A.P.	1000
..	Windsorham	156 A.F., 4000 A.P.	4156
1814	Egham		
1815	East and West Moulsey		700
1818	Long Ditton		400
1821	Great Bookham		700
1827	Bookham		
			14,078
	To 1801		5,140
			19,218

Enclosed under the General Enclosure Act, 1845.

Date of act	Date of award	Parish	Area
1850	1853	Carshalton and Waddington	1200
1855	1856	Barnes	24
1859	1863	Leatherhead	858
1865	1869	Epsom	414
1902	(Not by Enclosure Act)	Ham	300
			2,796

SUSSEX.

Date	Enclosure	
1799	Houghton and South Stoke	900 A. P. *1400
1803	Lancing	730
..	Buxington	all P. 360
1804	Goring	307
..	Tottington	all P. 163
1805	Broadwater	779
1809	Angmering	234
..	Chidham	
..	Warningcamp	
1810	Amberley	2000
..	Tellescomb	454 A. P, 236 A. P. 690
1812	Foling	all P. 170
..	West Thorney	960
1813	Eartham	1500
..	Warninghurst, Ashington and Chaukton	
1818	Westbourne	800
1819	Chidham, Westbourne and Warblington	320
..	Selsey	535 A.F, 134 A.F. 689
1821	Bosham and Funtington	300 A.F, 530 A.F. 830
..	Tangmere	200
1826	Felpham	400
1830	Kingston near Lewes and Ilford	2405
1841	Bury	
		<hr/> 13,537
	To 1801	1,400
		<hr/> 14,937 <hr/>

Enclosed under the General Enclosure Act, 1845.

Date of act	Date of award	Parish	Area
	1849	Oving	178
1868	1871	Hunston	78
			<hr/> 248 <hr/>

WARWICK.

Enclosure	Area	Date	Enclosure	Area
				36,420
Bobenhall	1000	1760	Barford	49½ yl * 1753
Lillington		,,	Southam	50 yl. 2200
Walsbourne Hastings		1761	Exhall	11 yl. * 365
Bishop's Tachbroke	688	,,	Failton	28½ yl. * 1008
Kuneston and Attleborough		,,	Ryton	
76 yl.	* 2670	1762	Princethorpe	14½ yl.P. 1000
Little Kinneton	46½ yl. * 1617	1764	Atherstone	24 yl. 650
Sarston	400	,,	Chilvers Coton	1100
Westbourne Hastings and		1765	Bourton	20 yl. 1300
Norbold Pacy	40 yl. 1400	,,	Granburrow	24½ yl. * 997
Failton	all F. 900	,,	Snitterfield	17½ yl. * 621
Stichall	600	1766	Bidford	25½ yl. * 822
Brinklow	1700	,,	Haseler	45 yl. 1400
Aston Cantlow	116½ yl. 4067	,,	Ruyton (Bulkington parish)	
Welfamcoat	1690			10 yl. 700
Wilmerton	16½ yl. * 569	1767	Cubbington	31 yl. * 1085
Churchover	32 yl. * 1120	,,	Wixford and Exhall	69 yl. * 2415
Great Harborow	27 yl. * 945	1768	Lexington Priors	990
Kenilworth	1100	1769	Killey	13 yl. * 455
Clifton upon Dunsmore		,,	Bedworth	16½ yl. 500
20 yl.	* 700	1770	Aulcester	185 A.P., 450 A.P. 635
Radway	36½ yl. * 1277	,,	Bulkington	1600
Sow	1400	1771	Alveston	56½ yl. * 2091
Lexley	18½ yl. * 647	,,	Butlers Marston	32½ yl. * 1137
Merton Morrell	35 yl. * 1225	,,	Knightcot and Northend	
Priors Hardwick	23 yl. * 770			32½ yl. * 1147
Prior's Marston	72 yl. 3800	,,	Monk's Kirby	18½ yl. * 647
Welfamcoat	44 yl. 1800	,,	Folesworth	24 yl. * 840
Geydon	42 yl. * 1470	,,	Strotton on the Pass	
Wilncote	4 F's			45 yl.P., 300 A.P. * 1550
Henington	39 yl. * 1365	1772	Little Kington, Combroke and	
Willoughby	36 yl. 1500		Breckhampton	19½ yl. * 682
	<hr/>			<hr/>
	36,420			66,090

WARRICK (2)

		66,000			110,228
St. Nicholas		1650	1796 Tysoe	151 yl.	3000
Shilton	15 5/8 yl.	*547	1797 Oxhill	42 yl.	* 1470
Rugby	42 yl.	1500	1799 Sherborne		1050
Foleshill			1801 Aston	171 A.F & M, 1000A.F.	1171
Halford	34 yl.	*1190			
Stratford upon Avon	50 yl.	1600			116,919
Long Itchington & Bascote			1802 Birbury and Marton		
67 yl.		2000			1750
Lea Marston and Dunton		770	.. Saltley and Washwood		300
Wootton Wawen		1900	.. Whatcote		
Barton & Martleleeve	30 yl.	*1050	1803 Kinwarton		420
Warmington one F, 46 yl.		1200	1805 Cherrington		
Weston under Methley			.. Milverton		
Fenny Compton		2200	.. Whichford, Ascott & Soverton		2600
Napton upon the hill	96 yl.	3000	.. Hampton in Arden		600
Shuckburgh Fields	36 yl.	880	1806 Folesworth and Grendon		450
Aven Dassett		1200	1807 Norton Lindsey		600
Brinton & Drayton	59 yl.	1700	1811 Long Compton		2300
Coleshill	900 A.F, 1000 A.F.	1000	1812 Grafton		
Harbury	120 yl.	3600	1813 Solihull & Hampton in Arden		
Ilmington	52 yl.	*1820	1817 Leek, Wootton		1000
Burton Hastings		600	.. Stuilley		
Lower Brailes	3000 A.F.&c.	* 3600	1818 Erickonhill, Little Packington		
Meriden	103 A.F, 226 A.F.	320	and Biddington		
Shottery	36 1/2 yl.	1600	1824 Dutton Goldfield		
Stockton		1320	1825 Kether Whitacre		400
Shottiswell	51 yl.	1200	1826 Wolverton		470
Lower Fillarton	57 1/2 yl.	* 1900	1831 Claverdon		60
Upper Satington & Fullready					
72 yl.		* 2500			10,950
Weston Regis & Clifton			To 1801		116,919
Campsville		600			
Ratley		900			127,869
		110,228			

Enclosed under the General Enclosure Act, 1846.

1847	1851	Whitnash	1000
1856	1860	Coventry	275
1867	1870	Crinscott and Whinstone (Whitchurch par.)	1170
			<hr/>
			5,055

WESTMORELAND.

Date	Enclosure	Area
1808	Bolton (certain open or common fields called Broad Ing Bartle and Star Ings, 32 A., waste, 540 A.)	562
1810	Soulby 90 A.P., 1300 A.P.	1390
1811	Kirkby in Kendal a common open field	105
1819	Barten 130 A.P., 1050 A.P.	1180
		----- 3,237 -----

WILTSHIRE.

Compton Bassett	1 P.		1786	Berwick St. John	
Staunton		800	1788	Netherhaven	3300
Sherston Magna	all P.	1000	1789	Berwick St. James and	
Sadbury	2 P's			Fisherton Anger	1650
Broad Blunsden		* 700	,,	Urchfont and Beachingstoke	
Reddington			1790	Great & Little Bedwin, Freshute	
Ashen Keynes	70 A P, 176 A M, 490 A.P.	736	,,	Doverill Longbridge, Hussey and Monkton Deverill	
Endford		1010	1792	Avebury	
Kemble and Pool		1500	,,	Knocke	
Milton			,,	Ogbourne St. George	
Titchcombe	450 A P, 395 A P	845	1793	Durnford	
Southcott, Kennell Down, Yerkdown and Pewsey			,,	Keevil, Idmaston, Fittleton and Chisenbury	
Liddington and Madbourn			,,	Roundway, Bedbox, Chiltoo and Bishop's Cannings	
	650 A P, 427 A P	1066	1795	Foulton	
Ashton Keynes			,,	Stratton St Margaret	
Karl Stoke		1737	,,	Winterborne Earls and Allington	
Market Lavington			,,	Wroughton	
Ramsbury, Whitten, Eastridge and Baydon			1796	Wroughton and Uffcot	
Coates			1797	Allcannings and Allington	
Highworth			,,	Great and Little Chiverill	
Ogbourn St Andrews			,,	Easterton	
Fatsey			1798	Shroton	
Chisledon	1230 A P, 12 A P	1242	,,	Sutton Veny	
Milston & Brigherston			,,	Upton and Milton	880
Mildenhall		* 800	1799	Gare	
Hanborough			,,	Furton	
Charlton			,,	Stratford under the Castle and Milford	
Warminster and Corsley		4000	1800	Cherton	
Chicklade			,,	Shalbourne	
Kingston Deverill		2500	1801	Charlton	
Stanton St Quintin			,,	Manningford Bruce	
Haytesbury		5700	,,	Wilsford	
Netherhampton, Odstock &c.					
Celorne Down	1305 A P, 238 P	1545			
Poffint, Swallow Clift, Ebs- borne Wake, Broadchalk, Bower- chalk, Alvedoston, Bishopston and Fifield					30,949

WILTSHIRE (2)

Cocobe Bisset		1814	Codford St. Peter	
West Crinstead & White Parish		,,	Broadchalk and Chilmark	3577
Uphaven	3350	,,	Cricklade	
Wilsford	800	,,	Chirton	
Westbury 3900 A F, 1200 A F.	5100	,,	Exford	
Upton Scudamere		,,	Overton	
Aldbourn		,,	Sutton Mandeville 375 A F,	
Exford, Fifield, Cocobe, Long-			170 A F	545
street & East Chisenbury		1815	Bishop's Cannings	
Norton Bavant		,,	Chitterne	5784
Somerford Keynes	500	,,	Upton Lovell (w. old encls)	1500
Great Somerford 900 A F, 48 F	948	1816	Crudwell	
Mere	5000	,,	Downton and Britford	
Bishopstrow and Warrinster		,,	Everley	
Codford St. Peter	600	,,	Roads and Ashton	2300
Bishopston		1818	Serwick St Leonards	1100
Chilton Foliat	400	,,	Damerham South	
West Kington	950	,,	Froxfield and Milton	
Orcheston St George & Elston		,,	Laverstock	1211
400 A F, 130 A F	530	1819	Durrington & Figheldeane	
Stockton	1500	,,	Malmesbury (St Paul par.)	
Barford St Martin, South Mar-		,,	Rodberne Cheney	
ton and Baverstock	2425	1820	Cherhill, Calne, Calstone, Wel-	
Pitton and Farley	1500		lington & Compton Bassett	
Winterbern, Stoke & Stapleford		1821	Broad Hinton & Cliffe Fypard	350*
Bidderstone & Slaughterford	393	1822	Dinton	
Tilehead		1825	Milton, Burcomb, Netherhampton	
Martin	350		and Fugglestone	
Nettleton	921	1827	Haz	
Calne, Calstone, Wellington		1828	Boyton (with old enclosures)	2300
and Blackland		1833	Steeple Langford	1000
Steeple Ashton				
Wintebourne Moncton	955			
				<hr/>
				45,849
			To 1801	30,949
				<hr/>
				76,798.

WILTSHIRE (3)

Enclosed under the General Enclosure Act, 1845.

Date of act	Date of award	Parish	Area
1848	1851	Winterborne Dauntsey	440
*	1853	Maddington	862
1852	1853	Winterborne Gunner	551
1852	1855	Maddington (Nemanton Fields and Tenantry Down)	554
1863	1866	Steeple Langford	983
1865	1867	Denhead St. Mary	535
			<hr/>
			3,925

WORCESTER (2)

Enclosed under the General Enclosure Act, 1845.

Date of act	Date of award	Parish	Area
1847	1850	Harbold on Stour	957
*	1852	Holland	55
*	1854	Norton juxta Kempsey (east field)	70
1855	1860	Berrov	300
1856	1863	Upton on Severn and Ripple	880
1861	1865	Armscote (Tredington parish)	954
1863	1868	Blackwell " "	793

4,000

YORKSHIRE, WEST RIDING.

Date	Enclosure	Area enclosed
1729	Thurnscoe	500
1757	Bishopthorpe 200 A P, 50 A M, 400 A P	650
1759	Belton upon Dearne	1000
1760	Advicke in the Street	1000
..	Calton	
1762	Rotherham 750 A M, 220 A P	* 1720
1765	Kirkhamerton 400 A P	* 600
..	Kimberworth (Rotherham parish)	105
..	Wadworth	2000
1766	Marston 950 A P, 750 A P	1700
1767	North Auston and Todwick	1100
..	Adlingfleet, Fockerby and Haldenby 450 A P, 700 A P	1150
1768	Hook	1000
1769	Laughton en Le Morthen 1100 A P, 360 A P	1460
..	Sutton 63 oxgangs	700
1770	Sherburn, Lennerton, Burkstone Ash, Church Fen- ton, Little Penton and Biggin	3013
..	Great Useburne 480 A P, 300 A P	970
1772	Ackworth	
..	Clareton with Coneystrop and Allerton with Flaxby	480
..	Bellifoot 165 A P, 1100 A P	1265
..	Snaith and Wellington 1650 A P, 922 A P	2572
1773	Arnthorpe	
..	Arkendale 377 A P, 250 A P	627
..	Drax all P	150
..	Snaith and Covick	1160
..	Skipton and Hildwick	2329
..		2000
1774	Acombe and Holgate	
..	Barnmarsh 450 A P, 200 A P	1250
1775	Bigton (Kirkby Overblow par.) 2000 A P, 30 A M	2030
1776	Cawood and Wistow	2000
1777	Barnsley 280 A P, 500 A P	780
..	Cantley, Brampton, Bassacar and High Ellers	2700
..	Monkbretton 70 A P, 300 A P	370
..	Thornton 844 A P, 307 A P	1151
		<hr/>
		39,438

YORKSHIRE, WEST RIDING (2)

			39432
1777	Thornor	370 A F, 500 A F	870
1778	Dinnington	610 A F, 203 A F	813
1780	Kighley	80 A F, 5000 A F	5080
..	Hessley and Kirk Braswith	220 A F, 730 A F	950
1783	North Deighton		546
1784	Hextrepe with Balby and Long Sandall		1600
1786	Moor Monkton	590 A F, 690 A F	1080
..	Nethley	500 A F, 300 A F	800
..	Little Smeaton & Stubbs Walden	440 A F, 718 F.	1158
1787	Spofforth		500
..	Grasse	77 A F, 595 A F	662
1788	Featherstone	230 A F, 450 A F	680
..	Knapton	5 F's	230
1789	Thorpe	26 A F, 700 A F	726
1790	Burton Leonard		273
1791	Sheffield Mesne Enclosures	30 A, 6000 A F.	6030
..	Tadcaster		
1792	Monk Fryston		650
..	Tockwith		900
1793	Brotherton	286 A F	500
..	South Milford and Lumby		1370
..	Wakefield, Stanley, Wrenthorpe, Alvesthorpe and Thorns		2300
1794	Hoyland		
..	Rufforth		770
1795	Checkheaton		210
1796	Bervick in Elmet		2500
..	Hambleton		
..	Kimberworth	220 A F, 250 A F	470
..	Mirfield	60 A F, 500 A F	560
1797	Bolton Percy		1300
..	Dalton	300 A F, 150 A F	450
..	Hillan		
..	Pontefract		
1798	Ulley	220 A F, 100 A F	320
1799	Brayton, Thorpe Willoughby, Burton and Gateforth		
..	Hirst Courtney		
..	Long Preston	15 F's, 150 A, 400 A F	550

74,080

YORKSHIRE, WEST RIDING (3)

			74,080
1799	Sandall Magna, Walton and Crigglestone		759
..	Kirkheaton		400
1800	Carlton and Camblesforth		
..	Danby with Clayton West (mesne inclosures)		
..	Kearly cum Hetherby		
..	Martin with Graffton		400
..	Womersley		
..	High and Low Egbrough, Sherwood, Hatgreen and Tranmore		500
1801	Staveley		
..	Skelton		600
..	Little Useburn		
..	Whizley		
..	Little Heston	1200 A.F., 300 A.F.	1500
..	Kettlewell and Conistree	150 A F & H, 4000 A F.	4150
			<hr/>
			82,389
			<hr/>
1802	Crofton		475
..	Keyland Swaine		
1803	Barnby upon Dunn	600 A F, 604 A F	1204
..	Hemsworth		800
..	Clifford	300 A F, 460 A F	760
..	Halifax (Elland cum Greetland)	116 A F, 600 A F	716
..	Kippax		890
..	Shadwell	80 A F, 580 A F	660
1804	Normanton and Woodhouse	330 A F, 260 A F	590
1805	Thresfield and Skirethorns, and Burnsall		1690
1806	Kirk Sandall	100 A F, 95 A F	195
..	Skelton		
1807	Halifax		1900
..	Bishop Monckton	670 A F, 150 A M, 300 A F	1120
..	South Kirkby and South Elmsall		600
..	Ossett (Dewsbury)	250 A F, 350 A F	580
..	Low Dunsforth		630
..	Bramham	680 A F, 650 A F	1330
1808	Aldbrough	580 A F, 396 A M & F	976
..	Kirk Smeaton		900
1809	Altofts	290 A F, 470 A F	760
..	Cudworth	54 A F & mesne inclosures, 190 A F	244
..	Rorbury	260 A F, 100 A F	360
..	Furston Jackling	100 A F, 70 A F	170
..	Rothwell with Royds & Oulton with Woodlesford		450
..	Cadeby	500 A F & M, 180 A F	680
1810	Badsforth	(mesne inclosures)	
..	Garforth	520 A F, 280 A F	800
			<hr/>
			10,478

YORKSHIRE, WEST RIDING (4)

19,478

1810	Gouthorpe	(with old enclosures)	500
..	Thorp Adlin		540
..	Wath upon Dearne	(mesne inclosures)	
..	Rossington	1313 A F, 1070 A F	1585
1811	Askham Bryan		660
..	Ratfield, Thorne and Fishlake (N.D.)		1755
..	Langside	30 A F, 4000 A. waste	4050
..	Ecclesfield	(very little F)	14000
1812	Darrington		
1813	Fairburn		830
..	Askham Richard		330
1814	Collingham	200 A F, 230 A F	430
..	Wath upon Dearne & Rotherham	180 A F, 80 A F	360
..	Campsall, Norton and Askern		2860
..	Frickley cum Clayton		440
1814	Wickersley	340 A F, 200 A F	540
1815	Brodsworth		
..	Brampton and Swinton		1370
..	Burnsal	9 A F, 6530 A F	6539
1816	Arncliffe and Hawkeswick	80 A F & M, 1800 A F	1880
..	Arncliffe and Kettlewell		3000
..	Thorpe Arch and Walton		
1817	Monkfryston		390
1818	Snaith		1000
1819	Barnbrough	800 A F, 373 A F	1073
..	Peniston	50 A F & M. I., 370 A F	420
1827	Arksey		1800
1828	Kirkburton and Almonbury	300 A F, 18000 A F	18300
..	Ennesborough and Farnham	78 A F, 466 A F	544
..	Moor Monkton		600
..	Whitgift		1000
1831	Ferry Fryston		830
1855	Ulleskelf		711
1857	Rothwell	300 A F, 80 A F	380

88,453

To 1801

82,389

Enclosed under the General Enclosure Act, 1845.

170,842

*	1849 Clapham	592	1854 1858 Sutton (Campsall)	553
1855	1856 Conisbrough	592	1859 1861 Mexborough	par. 1365
				1,626

YORKSHIRE, EAST RIDING.

Date	Enclosure	Area
1731	Catwike 2 C P's and open pastures, 88 oxgangs	* 1760
1740	Berholm 3 Fields &c	* 1600
1741	Great and Little Driffield 190 oxgangs	* 6600
1746	Kelfield 400 A F	* 600
1755	Hunburnholme	
..	Stillingfleet 40 oxgangs	* 600
1757	Pulford 330 A F, 450 A F	780
..	Pecklington 6 P's, M and F	
1758	Ottringham	* 2400
..	Skirpenbeck 99 oxgangs	* 1980
1761	Barton Pidses (Holderness)	1800
1762	Sproatley .. 119 ..	* 2380
..	Dringhee, Upton and Brough (Holderness) 71 oxgangs	1420
1763	Marfleet (Holderness) 24 oxgangs	* 480
..	Sutton .. 740 A F, 3400 A F.	4140
1764	Aldbrough .. 80½ oxgangs	* 1610
..	North Cave	1400
..	Sudcoates (Drypool) 94 nobles, 1 1/6 gates, 1 foot F	
..	Skipsea 88 oxgangs	* 1760
..	Sheffling (Holderness)	1440
1765	Benton (Bempton next Flamborough) 80 oxgangs	* 1600
..	Brantingham and Thorpe 300 A F, 300 A F	1200
..	Everingham 740 A F, 650 A M and F	1590
..	Ellerker 75 oxgangs	1800
..	Flamborough	3000
..	Ulrome (or Curram) (Holderness)	1200
1766	Bessingby	1080
..	Beeford	3000
..	Brigham (Foston par.) 43½ oxgangs	* 730
..	Cottingham	3000
..	Naburn 350 A F, 340 A F	690
..	Fattrington (Holderness)	3500
1767	South Burton (Burton Agnes)	3800
..	Huggate 131 oxgangs	* 2620
1768	Bridlington	3500
..	Burton Fleming 168 ..	3000
..	Hotham 120 A F, 1500 A F	2700
..	Welch in Holderness	
..	Willington	2300

YORKSHIRE, EAST RIDING (3)

1769	Atterwick in Holderness		1200
..	Aeloms		1060
..	Bishop Wilton		3800
..	Elvington		800
..	Rutton Cranswick		3000
..	Lelley in Holderness	32½ oxgangs	800
..	Kafferton and Mansford	3000 A F, 1200 A F	4200
..	Poppleton (W.R.) and Scagglethorpe (E.R.)	900 A F, 900 A F	1800
..	Sancton	1200 A F, 80 A M, 350 A F	1610
..	Thwing		4000
..	Wheldrake	500 A F, 180 A M, 1500 A F	2180
..	Toulthorpe		681
1770	Great Cowden (Holderness)	54½ oxgangs	1100
..	Easington		1300
..	West Heslerton and Yeddingham	80 oxgangs	1600
..	East Heslerton		1200
..	East Newton (Holderness)		600
1771	Butterwick	2 F's	
..	Kilham on the Wolds		7000
..	Lockington and Ayde	1800 A F, 250 A F	2050
..	Lisset	400 A F, 600 A F	1000
..	Helton		1000
..	Long Reston and Arnold		1600
1772	Siggleshorpe (Holderness)	65½ oxgangs	1000
..	Helton		1500
..	Would Newton		2000
1773	East Cottingwith	400 A F, 560 A F	960
..	Everthorpe	42 oxgangs	500
..	Harpham	1400 A F, 600 A F	2000
..	Holme upon Spalding Moor	1473 A F, 265 A M	7000
..	Market Weighton	4800 A F, 2500 A M	6700
..	Freston in Holderness	100 oxgangs	4500
..	Sheckling cum Burstwick		850
1774	Bainton		3700
..	Garton		4050
..	Rudstone		4000
1775	Goodmanham	3000 A F, 100 A F	3100
1776	Bilton		770
..	Poston		800
..	Sutton upon Derwent		708

YORKSHIRE, EAST RIDING (3)

1777	Boynston		2000
..	Bugthorpe	640 A F, 810 A F	950
..	Barnby upon the Moor		2800
..	North and South Newbald		6000
..	Tunstall (Holderness)		800
..	Melbourne & Storthwaite	300 A F, 300M, 1800F	2400
1778	North Dalton		1700
1780	Thornton	800 A F	1000
1783	Reas in Holderness		1521
1785	South Cave		2500
..	Kilwick	86 oxgangs, 650 A F, 250 A F	900
1788	Filey		620
1789	Coniston in Holderness		500
1792	North Grimston	75 oxgangs	660
1793	Hollyn and Withernsea		1800
..	Specton		1800
..	Skidby		600
..	Southam in Kirkburn		1200
1794	Elloughton, Brough and Walby		3600
..	Lund		3300
..	Tibthorpe		3000
..	Warter		7500
..	Walkington		3000
1795	Holme upon the Wolds		1450
1796	West Ella, Kirk Ella and Eilerby		1600
1797	Settrington		1100
1800	Helmspton and Hollyn cum Withernsea		900
..	Hunmanby and Perdon		
1801	North Frodingham		2500
..	Hornsea		2500
..	Langtoft upon the Wolds		3300
..	Molscroft		700
..	Ruston Parva		900
..	Seaverthorpe		8300
..	Willerby		1500
			<hr/>
			227,000
			<hr/>
1802	Ellerton (Ellerton Priory)		1040
..	Folkton and East and West Flotmanby		1800
..	Keyningham (Holderness)		1350
..	Withernsick		1500
..	Sewerby and Marton		2000

YORKSHIRE, EAST RIDING (4)

1803	Gaxton, Potter Brompton and Binnington	3800
..	Middleton 2000 A F, 1800 A F	3800
..	Jetwang and Finber	2820
1805	Bytham and Canerton	1300
..	Huttons Ambo	2500
1806	Elsternwick	875
..	Owthorn	650
1809	North Duffield	
1810	West Gattingswith and Thorganby	
..	Fridaythorpe	2000
1811	Faghill	402
..	Righton	1600
..	Osgodby	500
1813	Eastrington	
1814	Hayton 1150 A F, 450 A F	1600
1816	Londesborough	
1818	Etton 2000 A F, 600 A M & F	2600
1819	Barnston 160 A F, 130 A F	290
1820	Hemingbrough (South Duffield township)	
1822	South Dalton (with old enclosures)	1800
1823	North Burton	1920
..	Ferriby and Kirk Ella	3350
1830	Blacktoft, Eastington & South Cave all F	430
1832	Bubwith	1700
1833	Great Gwindale	650
1843	Hemingbrough	
1844	Brandes Burton	

	42,277
To 1801	227,009
	<hr/> 269,286 <hr/>

Enclosed under the General Enclosure Act, 1845.

Date of act	Date of award	Parish	Area
*	1849	Mappleton	1060
*	1851	Cottam (Langtoft par.)	2515
1878	1880	Riccall	1297
1901		Skipwith	321
			<hr/> 5,193 <hr/>

YORKSHIRE, NORTH RIDING.

Date	Enclosure	Area enclosed
1748	Faceby in Cleveland 700 A F, 900 A F	1600
1755	Marsh and Redear F	1400
..	Slingsby	
1756	Sutton upon the Forest 1300 A F	3000
..	Warthill 40 oxgangs	800
1758	Brompton and Sawden 8 F's & c	
1759	East Coatham 400 A F, 400 A F	800
1766	Stillington	1400
1768	East Ayton	1337
1769	Ebberston	1200
..	Harby	1640
..	Sheriff Hutton & West Lilling 633 A F, 937 A F	1670
1770	Upper Bunsforth and Braxton 500 A F, 100 A F	600
1771	Scalby and Throzenby or Newby 2000 A F	4000
1773	Wilton (Killerburn par.)	700
1774	Swinton (Appleton par.)	700
1776	Anotherby	
..	Lyth	
..	Stonegrave, Westness and Kunnington	1110
1777	Bulmer	
1784	Lockton	
1786	Wykham and Buxton	2000
1787	Lastingham	
1788	Kirkbymoorside, Padmoor and Gillamoore	
1789	Cold Kirkby	
1790	Hutton Bushnell, 700 A F, 170 A M, 1250 1250 A F. 2130	
..	Linton 50 A F, 480 A F	530
1791	Norton in the Clay	800
1793	West Tanfield 80 A F, 500 A F	580
1794	Old Malton 2 F's, one 416 A, other 14 A	1600
..	Skelton 75 oxgangs, F, 300 A F	1100
1798	Sowerby	1100
1800	Tholthorpe and L Flawith	1570
		31,757
1802	Flixton	2600
..	Richmond 344 A F, 1340 A F	1684
1803	Wilton, Lazenby, Lackenby and West Coatham	1100

YORKSHIRE, NORTH RIDING (2)

1806	Kirkdale and Hensley	950
1807	Alne	600
..	Hunton about 40 A F	730
1808	Easingwold	500
1809	Helparby	
..	Skelton	
||	Allerston	14000
1810	Gilling in Richmondshire	300
..	Tollerton	
1811	Westerdale all P	190
..	Lune, Holwick and Ronaldkirk 302 A F	6840
1812	Kerton upon Ouse and Shipton	
1815	Melsonby	
1833	Bedale	

32,751
31,757
64,508

To 1861

Enclosed under the General Enclosure Act, 1845.

Date of act	Date of award	Parish	Area
* 1864	1853 1870	Hinderwell Leake	894 140
			1,034

Appendix II.

GENERAL LEGISLATION AFFECTING ENCLOSURE.

—:0:—

Statute of Merton (1235, c.4)

Enabled lords of manors, on leaving sufficient pasture for their tenants on the waste, to enclose the residue. Tenants to prevent enclosure must prove that they have not sufficient pasture, or means of ingress and egress, and proceed by Assize of Novel Disseisin.

Statute of Westminster, (1285, c. 46)

Enabled lords of manors in which the waste was used as a common pasture by other manors, to enclose against their neighbours, when no specific grant of a right of common pasture had been made. It also provided against the creation of new common rights. "By occasion of a Windmill, Sheepecote, Dairy, enlarging of a court necessary, or Courtelage, from henceforth no man shall be grieved by Assize of Novel Disseisin for Common of Pasture." If after enclosure under this act the hedges are pulled down, the neighbouring townships may be distrained upon for damages.

ACTS FOR THE PROTECTION OF FORESTS.

21 Edward IV (1482 c. 7)

In a forest subject to common rights after a wood has been felled the land may be enclosed for seven years to protect the young timber.

35 Henry VIII (1544) c. 17.

Where woods are subject to common rights, lords of manors may enclose one fourth of the wood for seven years, and fell the timber, leaving 12 young trees per acre standing. Meanwhile the lord of the manor surrenders his common rights upon the remaining three fourths. Kent, Surrey and Sussex were excluded from the operation of the act.

13 Elizabeth c. 25.

This makes the preceding act perpetual.

ACTS OF DEPOPULATION.

The preamble of the first of this series of acts, though well known, is here quoted in part.

4 Henry VII. (1489) c. 19.

"Our King and Sovereign Lord.....remembreth that....great inconveniences do daily increase by desolation and pulling downe, and wilfull waste of houses and townes within this Realme, and laying to Pasture Lands, which customably have been used in tillage, whereby

idlenesse, which is the ground and beginning of all mischiefes, daily doth encrease. For where in some townes two hundred persons were occupied and lived by their lawfull labours, now there are occupied two or three heardmen, and the residue fall into idlenesse, the husbandrie, which is one of the greatest commodities of this Realme is greatly decayed, Churches destroyed, the service of God withdrawen, the bodies there buried, not prayed for...."

To check these evils all occupiers of 20 acres and upwards of land that had been tilled in the previous three years, are required to maintain tillage, under pain of forfeiting to the lord of the manor one half of the profits of such land.

6 Henry VIII (1515) c.5.

This was a temporary act, in principle identical with the one passed in the following session.

7 Henry VIII. c.1.

This act applied only to parishes "whereof the more part was or were used and occupied to tillage and husbandry." In such places "If any person shall decay a Town, a Hamlet, or House of Husbandry, or convert Tillage into Pasture" and have not "within j. yeere next after such wylfull decaye reedefyed and made ageyn mete and convenient for people to dwell and inhabyte the same, and have use, and therein to exercyse husbandry and tyllage" he forfeits one half of

his land to the lord of the manor, until the offence is reformed.
Land converted to pasture must again be tilled "after the maner and
usage of the countrey where the seyd land lyeth."

This act was followed by the Inquisition of 1517.

ACTS FOR RESTRAINING SHEEP FARMING.

25 Henry VIII (1534) c. 13.

This is an act to deal with the economic cause of depopulating
enclosures.

"Sundry persons have of late daily studied how to gather into
few hands great multitude of Farms and great Plenty of Cattle, and
in especial Sheep, putting such land as they can get to Pasture, and
not to tillage, whereby they have not only pulled down Churches and
Towns and inhanced the old Rates....so that poor men are not able to
meddle with it.....it is thought that the great occasions that
moveth and provoketh those greedy and covetous people.....is only
the great Profit that cometh of Sheep."

It is said that "some have 24,000, some 20,000, some 10,000,
some 6,000, some 5,000 and some more, some less."

It is enacted that with certain exceptions no one may keep more
than 2,000 sheep under a penalty of 3^s 4^d per sheep per annum, half

of the fine going to the crown, half to the informer. No man, further, may take more than two faras, and these must not be in the same parish.

DEPOPULATION ACTS.

27 Henry VIII (1536) c.22.

This act recites 4 Henry VII c. 19, the first of the Depopulation Acts; and states that it had been enforced only in lands held immediately of the King. Now "the King shall have the Moiety of the Profits of those lands already converted for Tillage to Pasture sithence three years before Ann. 4 H 7 until the Owner hath builded up a convenient House to inhabit, and converted the same Pasture to Tillage again; and also take the Moiety of the issues of those lands hereafter to be converted, if the immediate Lord do it not within one year," until the owners have built a Tenement for every 50, 40 or 30 acres, and have reconverted the pasture to tillage. Again it is stipulated that the land shall be tilled "according to the nature of the soil and the course of Husbandry used in the country where any such lands do be."

27 Henry VIII (1536) c. 28.

Persons to whom monastic lands had been granted by Henry VIII are required to maintain yearly as much of the land in tillage and

husbandry as had commonly been so used within the preceding 20 years, under a penalty of £6.13.4 per month.

CONFIRMATION OF STATUTE OF MERTON.

3 & 4 Edward VI (1550) c.3.

This act sites and confirms the Statutes of Merton and Westminster and facilitates the recovery of damages for breaking down the hedges erected to enclose wastes.

DEPOPULATION ACTS.

5 & 6 Edward VI (1552) c. 5

This Act requires that so much land be tilled yearly in any parish as had been tilled at any time since the accession of Henry VIII, under a penalty of 5/- per acre per annum.

Four Commissioners were to be appointed to enquire into the conversion of arable into pasture.

The Act did not apply to

- (1) land that had been pasture for 40 years.
- (2) waste ground, common downs, fens, moors, marshes.
- (3) lawful warren.
- (4) woodland converted into pasture.
- (5) land in deer parks
- (6) salt marshes and inundated land.
- (7) land enclosed by licence of the King or his predecessor.

2 & 3 Philip and Mary, c.2.

This cites and confirms the original Depopulation Act of 4 Henry VII and makes it apply to all houses with 20 acres of land, whether the land is in tillage or not.

Commissioners to be appointed to enquire into all grounds converted into pasture since St. George's day, in the 20th year of Henry VIII, to see to the re-edifying of houses, and the reconversion of pasture into tillage. The exceptions permitted are where lands have been enclosed by the King's licence, and by discretion of the Commissioners in cases where no public benefit, but individual hardship would ensue by the execution of the act.

Rents increased on the conversion of tillage into pasture were to be abated; re-edified houses were to be let with 20 Acres of land or 10 acres if the owner has no more.

The penalty for laying land down into pasture was again fixed at 5s. per acre per annum, half to be paid to the Crown, half to the informer.

5 Elizabeth (1563) c.2.

By this act the more recent depopulation acts, 27 Henry VIII c. 28, 5 & 6 Edward VI. c.5, and 2 & 3 Philip and Mary c. 2 were repealed as ineffectual; but the earlier ones, 4 Henry VII c.19, 7

Henry VIII c. 22 and 27 Henry VIII c. 22 ordered to be put into execution.

It was also enacted that "such lands or so much in quantity in any place as hath been put in Tillage and eared in any one year and so kept four years sithence the feast of St. George the Martyr, anno 20 Henry VIII, shall be eared and kept in Tillage, according to the Nature of the Soil and Custom of the Country by the Occupier thereof."

The penalty was raised to 10s. per acre per annum, and it could be recovered by the next heir in reversion if he sued for it within a year, if not, by the Remainder man, or in default by the Lord of the Manor, and if not so recovered, by the Crown.

This act remained in force for thirty years, but was discontinued by 35 Elizabeth (1593) c. 5.

Act for the protection of Cottagers' Holdings
and Rights of Common.

31 Elizabeth c. 7.

This act prohibited the letting of cottages to agricultural labourers with less than four acres of land, under a penalty of 40s. per cottage per month, or the occupation of one cottage by more than one family, under a penalty of 10s. per cottage per month. The amount of land attached to cottages let to countrymen following other occupations was also regulated.

This act was repealed in 1775.

DEPOPULATION ACTS.

30 Elizabeth, c.1.

In the preamble of this act it is stated that in late years more than in times past, sundry towns, parishes and houses of husbandry have been destroyed and become desolate. All previous acts for the re-edification of houses are repealed, and it is enacted that when houses of husbandry have been decayed for more than seven years, half the number must be rebuilt, and 40 acres of land allotted to them; unless the property had been sold meanwhile; in that case the purchaser need only rebuild one quarter of the decayed houses.

Where houses had decayed within the previous seven years, they are to be rebuilt; and if previously they had less than 40 acres of land, they must now at least have 20 acres; if previously they had 40 acres or more, they must now have at least 40 acres.

The penalty for not rebuilding the farmhouse, was £10 per house per annum; for not assigning the prescribed quantity of land, 10s. per acre per annum. One third of the penalty went to the queen, one third to the parish, one third to the informer.

It is also enacted that it shall be lawful for any lord of the manor to make exchanges of lands, whether arable, pasture or meadow, with his tenants, and for the tenants, with the consent

of the Lord, to make exchanges with one another, for the sake of more convenient occupation and husbandry. In other words the re-arrangement of the intermixed holdings in common arable fields and common meadows is expressly sanctioned.

39 Elizabeth (1597) c. 2.

The preamble states that from the 7th year of Henry VII's reign to the 35th year of the current reign there had always been in force some act for the maintenance of tillage, but in the latter year all such laws were discontinued; and that in consequence in the period 1563 - 1567 "there have grown many more Depopulations by turning Tillage into Pasture than at any time for the like number of years heretofore."

It is enacted that lands converted from Tillage to Pasture shall be re-converted within three years, and that lands now in tillage shall remain so, under a penalty of 20s. per acre per annum. The act applies to the counties of Bedford, Berkshire, Buckingham, Cambridge, Derby, Dorset, Durham, Gloucester, Hampshire, Hereford, Huntingdon, Leicester, Lincoln, Northampton, Northumberland, Nottingham, Oxford, Rutland, Somerset, Warwick, Wiltshire, Worcester, Yorkshire, with the Isle of Wight, and Pembroke in South Wales.

It did not apply to Cheshire, Cornwall, Cumberland, Devon,

Essex, Hertford, Kent, Lancashire, Middlesex, Monmouth, Norfolk, Shropshire, Stafford, Suffolk, Surrey, Sussex and Westmoreland.

This act remained on the statute book for 266 years. The earlier Depopulation acts were repealed by 21 James I, c.28, but this act remained theoretically part of the law of the land until repealed by the Statute Law Revision Act of 1863. This was the last of the Depopulation Acts.

An Enclosure Act.

4 James I, c.11

This is really a local enclosure act. The people of the parishes of Merden, Bodenham, Wellington, Sutton St. Michael, Sutton St. Nicholas, Murton upon Lug and Pipe in Hereford, had all their lands, whether meadow, pasture or arable, open and intermixed, and commonable "after Sickle and Sithe." They themselves were accustomed to house their sheep and cattle throughout the year, and the people of neighbouring villages took advantage of this custom to turn in cattle after harvest. The enclosure of one third of the land in each parish is authorised by the act.

ACTS FOR IMPROVING THE CULTIVATION OF COMMON FIELDS.

13 George IV (1773) c. 81.

This act has been considered in the text.

41 George III. (1801) c. 20.

This was a temporary act to encourage the cultivation of potatoes in common arable fields. The famine prices of 1800 - 1 caused a good deal of curious special legislation. Any occupier of land in common fields is authorised to plant potatoes, and to guard them from cattle grazing in the fields, on giving compensation for the loss of the common right to the other occupiers.

ACTS FOR FACILITATING ENCLOSURE.

41 George III (1801) c. 100.

This is the General Enclosure Act promoted by the Board of Agriculture of 1793 - 1819. It is entitled "An act for consolidating in one act certain provisions usually inserted in acts of enclosure, and for facilitating the mode of proving the several facts usually required in the passing of such acts."

1 & 2 George IV (1821) c. 23.

This amends the previous acts, so as to better regulate the cultivation of parishes during the progress of enclosure by Act.

1 & 2 William IV (1831) c. 42.

By this the Churchwardens and Overseers of a parish may enclose up to 50 acres of waste, with the consent of the lord of the manor and the majority of the owners of common rights, for the relief of the poor-rates, or let the land so enclosed to poor and industrious

persons. By another act in the same session (c. 57) the principle is applied to Crown lands.

4 & 5 William IV (1834) c. 30.

An act to facilitate the exchange of intermixed lands in common fields, by removing difficulties caused by some owners being minors, insane, &c.

6 & 7 William IV (1836) c. 115

This is an important act "for facilitating the Enclosure of Open and Arable Fields in England and Wales." Two thirds in number and value of Common Arable fields may appoint Commissioners for carrying out enclosure, as if enclosure had been authorized by a special act. The awards were to be deposited in the parish churches.

If seven eighths of the proprietors were agreed, enclosure could be carried out without the appointment of Commissioners.

This act is not to authorise the enclosure of common fields within 10 miles of the centre of London, within 1 mile from the centre of a town of 5,000 inhabitants, 1½ miles from one of 15,000 inhabitants, 2 miles from one of 30,000 inhabitants, 2½ miles from one of 70,000 inhabitants, or 3 miles from one of 100,000 inhabitants.

3 & 4 Viet. (1840) c. 31.

This was an act amending the last, by extending its scope to lanmas meadows; and providing that persons who were dissatisfied

with awards under the preceding act forfeited their right of appeal if they took possession of the lands allotted to them.

8 & 9 Vict. (1845) c. 118.

This is the General Enclosure Act.

A Board of Commissioners was appointed to conduct the enquiries into the propriety of proposed enclosures, to report to Parliament the enclosures recommended, and to put them into execution. They were to appoint Assistant Commissioners to make local enquiries, and to superintend the actual survey, valuation, redivision and allotment. If the commonable lands were not subject to common rights all over the year, or to common rights not defined in extent (this would include commonable fields and common meadows) the Commissioners could authorise enclosure without reference to Parliament, and no public allotments could be required. Commons and wastes commonable all the year, and lands subject to unlimited common rights could not be enclosed without the formal sanction of parliament, and in this case 4 to 10 acres could be allotted for Exercise and Recreation, according to the size of the village or town, and allotments could be required for the labouring poor.*

* From 1845 to 1869, 540,358 acres were enclosed by the Commissioners, 1,633 acres devoted to Recreation grounds, 2,113 acres to allotments; i.e., less than one per cent of the area was devoted to public purposes.

Village greens were not to be enclosed, and the consent of two thirds in number and value of the proprietors was necessary.

Commons not more than 15 miles from London, 2 miles from a town of 10,000 inhabitants, 2½ miles from one of 20,000, 3 miles from one of 30,000, 3½ miles from one of 70,000, 4 miles from one of 100,000, were excluded from the scope of the act.

The following amending acts, to further facilitate procedure and improve the working in detail, were passed subsequently.

9 & 10 Vict. (1846) c. 70

10 & 11 Vict. (1847) c. 111

11 & 12 Vict. (1847-8) c. 99

12 & 13 Vict. (1849) c. 83

17 & 18 Vict. (1854) c. 97

20 & 21 Vict. (1857-8) c. 31

22 & 23 Vict. (1859) c. 43

The act of 1852 (15 & 16 Vict. c. 79) besides introducing minor amendments, required that all enclosures must receive the sanction of Parliament.

ACTS FOR SECURING PUBLIC RIGHTS OVER COMMONS AND
RESTRAINING ENCLOSURE.

29 & 30 Vict. (1866) c. 122.

The Metropolitan Commons Act.

The Enclosure Commissioners are prohibited from entertaining a proposal for the enclosure of any common, or any part of a common, within the Metropolitan Police District.

32 & 33 Vict. (1869) c. 107.

Any land subject to the General Enclosure Act of 1845, if situated within the Metropolitan Police District, is to come within the scope of the foregoing act.

36 & 37 Vict. (1873) c. 19.

An act for the better management of allotments for the labouring poor provided by enclosure awards.

39 & 40 Vict. (1876) c. 56.

This is the main act for the safeguarding of public rights. It gives the Enclosure Commissioners the power of regulating commonable lands instead of enclosing, of approving schemes for management and improvement. The Commissioners may also improve part of the common and regulate part. Allotments for field gardens must be prepared for use, and these and also allotments for Recreation grounds must be suitably placed and must be vested in the hands

of the parish authorities. In particular the older practice of handing over the recreation ground to a farmer with the stipulation that he will permit games to be played on it, must be discontinued. Allotments for field gardens must be let at a fair agricultural rent, and as much as 1 acre may be let to one labourer (the limit before was a quarter of an acre). The rents must be devoted to the improvement of the land, or to the hiring or purchase of additional lands for the same purpose.

Urban Sanitary authorities are given the right to purchase common rights in order to prevent the extinction of a common.

The acts of 1801, 1821, 1834, 1836 and 1840 given above are repealed and two sections of the act of 1845. Further, the utilisation of common land for various public purposes authorised by ten different acts, beginning with the Poor Law Act of 1801, and ending with the Literary and Scientific Institutions Act of 1854, must henceforth be authorised by a special act of Parliament, or sanctioned by the Board of Agriculture, unless a Government Department is one of the parties concerned.

41 & 42 Vict. (1878) c. 71.

This gives the Metropolitan Board of Works the right to purchase common rights to prevent enclosure.

45 & 46 Vict. (1882) c. 15.

Commonable Rights Compensation Act.

Money paid to a local authority for compensation for common rights when common land is taken by legally authorised undertakings under the Lands Clauses Act, must be spent on the improvement of the common, the defence of common rights, or the purchase of land for public recreation.

56 & 57 Vict. (1893) c. 57.

Repeal of Statutes of Merton and Westminster.

Enclosure under these statutes ceases to be legal without the consent of the Board of Agriculture.

62 & 63 Vict. (1899) c. 30.

The hands of local authorities in dealing with commons and commonable lands are strengthened in various ways.