

SOME SOCIAL AND ECONOMIC CONSIDERATIONS OF PARLIAMENTARY
ENCLOSURE IN BUCKINGHAMSHIRE, 1738-1865.

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SOME SOCIAL AND ECONOMIC CONSIDERATIONS OF PARLIAMENTARY ENCLOSURE IN
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By MICHAEL EDWARD TURNER.

SUMMARY.

This study looks at aspects of the Parliamentary Enclosure Land Reform in Buckinghamshire from 1738-1865, essentially social and economic considerations, in which the approach is mainly thematic. A constant theme is the diversity of the source materials, in particular the richness of relatively little used and recently discovered sources.

The introduction describes the geographical nature of Parliamentary Enclosure in terms of chronology, distribution and density and demonstrates the nature of land hunger and the resulting piecemeal enclosures and encroachments before the mid-eighteenth century, which may have been an important reason for the eventual emergence of enclosure by Act of Parliament.

The social considerations are discussed under various headings, landownership distribution and associated changes, opposition to enclosure and the personalities of enclosure. The complexity of landownership produced some major conclusions and called for a re-interpretation of past research. Some gross generalizations have been revised and others substantiated. Similarly for other social considerations. The Land Tax as a source is re-appraised and suggested for future research with the plea that individuals are considered as well as aggregate analyses.

Questions of economic cost compliment the social considerations by showing that the inordinate expense of enclosure had some fatal social repercussions. Past researchers grossly underestimated the cost of enclosure. It was quite prohibitive for many parishioners especially when considering their opportunities for the complimentary financing of enclosure. In particular it is shown that the mortgage bond was not as widely employed as formerly believed.

By posing questions and producing answers the study substantiates some former conclusions, alters others and provides some new conclusions for certain themes, but more important, it poses very many new questions and indicates likely avenues for future researchers for possible answers..

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CHAPTER I: INTRODUCTION

In England in the eighteenth and nineteenth centuries there was a major reform in the system of landholding popularly known as the 'Parliamentary Enclosure Movement'. The following chapters explore this 'Movement' for the county of Buckinghamshire. It is a study under the two themes, the social and economic considerations of enclosure, but it is prefaced by a substantial introductory section.

By enclosure it is usually meant the transformation from a traditional method of agriculture by co-operation in communally administered holdings, usually in large fields and devoid of physical territorial boundaries, to a system of agricultural holding in severalty, that is the separation by a physical boundary of one person's land from another. At the same time certain communal obligations and privileges were declared void. It also meant the subdivision of areas of commons, heaths, moors and wastes into separate landholdings and again the abandonment of obligations and privileges.

Before questions concerning the social and economic considerations of enclosure can be asked, answers gained and conclusions made it is both desirable and fundamental to place these land reforms into perspective. Part One provides this perspective. Enclosure by Act of Parliament was mainly employed after 1700 and in Buckinghamshire it was essentially a feature of the period after 1760, but it was not the only method of enclosure that operated. It was preceded by a lengthy period of intermittent enclosure. Many villages were entirely enclosed by the mid-eighteenth century and in others mere vestiges of the open fields remained. Some, in complete contrast, were almost entirely in an open state with just the fabric of the village and possibly adjacent gardens enclosed within a hedge or other obstacle.

The county on the eve of Parliamentary enclosure was therefore a confused patchwork of enclosed, semi-enclosed and open fields. Legal and illegal enclosures and encroachments had brought these parishes into juxtaposition. That some villages were enclosed centuries before others is an important feature, but that neighbouring villages should have such contrasting enclosure histories makes such a study all the more important. In addition, even while Parliamentary enclosure was at its height, villages in different localities were being enclosed for different reasons.

Buckinghamshire can be divided into three broad physical regions, the clays north of the Chiltern Hills, the chalklands of the Chilterns themselves and the gravels of the River Thames terrace system. Each region was enclosed at a different time, but even when parishes in the north were enclosed at the same time as those in the south it could be for quite different reasons.

It is often contended that enclosure was prompted because of the inefficiency and inflexibility of the open fields, in particular for not allowing a free choice, for not providing adequate grazing and for allowing so much land to remain fallow each season. There is a growing body of evidence to suggest that the open fields were more flexible than previously thought and that a limited combination of crops could be grown together. Also, the problems of inadequate grazing for livestock had persisted for a long period and were certainly not new to the eighteenth century, though by this time they had become most acute and for many parishes were almost certainly the main instrument in the final overthrow of the open fields by enclosure. Indeed, a feature in many villages was several decades of rationing the available grazing lands and perhaps enclosure was the final resort in overcoming the problem. The introduction and regular revision of strict 'field

rules' was a measure to alleviate rather than solve this particular difficulty. It would seem that village tradition in the guise of open field farming was to remain intact for as long as possible. Evidence supporting a theory in favour of land hunger is growing steadily but it still remains a question but partially answered.

The Introduction is completed by a study of the chronology, density and distribution of Parliamentary enclosure in the county. It becomes a study in historical geography. The differences between parishes, in time and space, are highlighted. Most of Buckinghamshire is part of that greater region of England, the Midland Plain of clay vales. It might therefore be expected that the history of enclosure in the county would be similar to the history in the other counties. This is not so and it is a question which is explored in depth in the Introduction and throughout the thesis.

The major part of the work is approached under the two themes, the social and economic considerations of enclosure, though it must always be remembered that these two themes are intimately bound with each other. For example, on several occasions questions of cost and finance figure prominently in the chapters on landownership and opposition. Nevertheless, the study remains divided to allow more precision in synthesising the evidence and to allow for a more coherent presentation of this evidence and the arguments and discussions which arise.

Many questions which have occupied past scholars of enclosure history are re-investigated, in particular questions concerning landownership structures. Some of the old answers are confirmed or slightly modified, but many new answers are found. There are two reasons for this. Some of the evidence is approached in a different way, but also, much more new evidence has come to light. The foundation of County

Record Offices as official repositories for local historical sources is a relatively new chapter in the study of county history. The new sources now augment the records of the Clerk of the Peace which had earlier been deposited with the county archives. Of course, record offices had existed for many years but mainly as a sub-department of the Clerk of the Peace. The Local Government Act (Records Section) of 1962 designated for the first time the County Record Offices as the official places of deposit, gift or purchase of local historical materials. The main new collections of sources have therefore come from private hands, in particular country solicitors and country estates, and they remain relatively uninvestigated. In addition, material from parish councils, incumbents and other local government community groups have been and are being deposited in the county archives. The history of the larger estates in any particular county has always been well documented. It is the smaller estates that can now be investigated, and many are so small that to call them estates is to flatter them. Nevertheless, they contain a wealth of information in particular for studying landownership change.

In this respect the main co-ordinating theme of this thesis is the source materials.

The traditional approaches for studying landownership in the period 1750-1850 have been taken, namely an examination of the enclosure awards and the land tax records. In addition a great many individual estate deeds have been examined to try to piece together a more dynamic history of landownership fluctuations. In comparison with other studies the present one confirms some traditional views but in many respects it tends to disagree with them. This is particularly so with reference to the nature of a 'peasantry' and the extent to which this peasantry had or had not survived up to the nineteenth century. The land tax

assessments have been studied both as a source for aggregating landownership history in a great many parishes, but more important and quite different from other studies, as a source of personal landownership history. The minute personality structure has been studied for the years directly associated with particular enclosures to see what influence, if any, enclosure might have had on the decisions by individuals to remain in occupation of their lands. By the completion of the study it will become apparent that landownership changes were probably very much connected with the domestic economics of enclosure, the cost and finance.

The chapters on opposition to enclosure and the personalities of enclosure may not add a great deal to existing knowledge, and so a number of existing views are reinforced, but the emergence of the new sources, in particular an expanding collection of commissioners' minute books and a wealthy assortment of correspondence, allows a more intimate study of these topics. The nature of opposition whether violent or passive, vocal or anonymous, obdurate or short-lived, and in particular ineffectual or otherwise, is investigated. The study of enclosure personalities expands from being just a compendium of commissioners names to a more biographical approach. Their diligence in conducting commissions is analysed collectively, and specifically for a number of them. Their social and economic backgrounds can also be partially investigated. As important, the other personalities, the surveyors, clerks, bankers and road and fence contractors are also isolated, and their relationships with the commissioners indicated. The nature of rural industry is explored and in general new avenues of approach are suggested.

The final part of the thesis discusses the economic cost of enclosure. In so doing it is convenient to distinguish between two

different, though intimately related components. Enclosure was rarely, if ever, endowed with generous benefactors and so the most important consideration for many landowners was the appendant cost of a planned enclosure. Equally as important was the ability of the allottees to finance this expenditure.

Arguably it will have been illogical to discuss the social and economic considerations under separate chapters and headings, they are intimately bound, the one with the other. The economic cost may have had social implications, indeed must have had social implications, whereas the social background undoubtedly affected questions of finance. The sources for investigating the social and economic costs have not always been complimentary and so it is requisite to approach the study from these two standpoints. It is intended that the third part will narrow the gap between them and highlight the relationship they share.

Not only is the total cost of enclosure a major consideration but also the changing chronology of that cost and the changing pattern of the component costs. In other words, did the Act of Parliament become a more important cost item or did the administrative costs assume more importance? This last point is vital in order to refute or vindicate the opponents of enclosure and enclosure commissioners. It is also important to study Buckinghamshire in relation to other counties. It seemed to be so different with respect to many issues; was it also different on the question of costs or do the results obtained confirm existing ideas? In fact the accumulation of new source materials, in particular commissioners' minute books, account books and correspondence suggest that past opinions as to the scale of enclosure costs need serious reconsideration. It was almost certainly a greater financial burden than ever before anticipated.

For the financial aspects the availability of capital resources

in the eighteenth and early nineteenth centuries are assessed involving a rigorous investigation of the land market. The close association between the social and economic costs is finally highlighted in this chapter showing how discontinuities in landownership may have been caused by the inability to finance an enclosure. Past scholarship believed that mortgage facilities were readily available, but if not were the allottees in some instances at worst forced to sell, or at best forced to reduce the size of their allotments to perhaps no larger than a garden? Also, were there special facilities available to the trustees of charity lands and were there special dispensations to other specific landowning groups?

Finally, a recurring theme might appear to be the apparent dissimilarity in the Parliamentary enclosure history of Buckinghamshire compared with other counties. It will be emphasised and demonstrated that this was probably not so, that in fact the advances being made in the accumulation of sources is giving a much clearer picture of this important chapter of agricultural, economic and social history.

PART I: THE BACKGROUND.

CHAPTER II: THE PRELUDE TO PARLIAMENTARY ENCLOSURE IN BUCKINGHAMSHIRE.

An outstanding feature of rural England over at least the last thousand years has been the continuity of settlement. With some obvious exceptions such as village desertions and medieval 'new towns' the oft quoted lines of F.W. Maitland ring true,

"a place that is mentioned in Domesday Book will probably be recognised as a vill in the thirteenth, a civil parish in the nineteenth century."¹

To begin a study of parliamentary enclosure therefore requires an understanding of the village and its historical continuity, its development and survival. Ideally of course it would be best to analyse all of the nineteenth century townships, but that might require up to 15,000 separate studies. Some very good village histories do exist, including a notable volume on the development of the north Buckinghamshire village of Sherington.² However, the task of tackling every parish, even every parish of a single county would be impossible to undertake. The nearest approach so far has been the series of Victoria County Histories, where a division of labour has made much individual parish history possible.

It would be a major undertaking to study several centuries of development in more than 200 Buckinghamshire villages and obviously cannot be attempted in any great detail by way of introduction to the present research. On the other hand, to begin a study of parliamentary enclosure starting only in 1750 would probably mislead anyone not versed in the details of county history.

In Buckinghamshire, as in other Midland counties, parliamentary enclosure was the single most effective method of enclosing, involving

1 F.W. Maitland, Domesday Book and Beyond. (London, 1897, reprinted with an introduction by Edward Miller, 1965) p.35.

2 A.C. Chibnall, Sherington: Fiefs and Fields of a Buckinghamshire Village. (Cambridge, 1965): See also M. Spufford, A Cambridgeshire Community: Chippenham from Settlement to Enclosure. (Leicester University, Department of English Local History, Occasional Papers, No.20, 1965).

the greatest area in the shortest space of time. While this is crucial in the whole history of enclosure it should not be overstressed to the point of forgetting the enormous contribution of medieval intakes, enclosures of the fourteenth to sixteenth centuries and the enclosure agreements of the seventeenth century and thereafter.

Also, to consider parliamentary enclosure as the final act in the dissolution of the open fields is to suggest that these open fields had an inflexibility that could only be changed by resorting to Parliament, the highest legal authority. Clearly it was the final act but in many cases it was a trivial finale to what had been a continuous process because the open fields have been undeservedly regarded as a barrier to agricultural change for a long time. As the density of parliamentary enclosure demonstrates, mere vestiges of the open fields remained to be enclosed by the eighteenth and nineteenth centuries in many parishes, very few had been left untouched by earlier piecemeal enclosure.

In other ways apart from enclosure, the retarding qualities historically attached to open field husbandry have been refuted, by M. Havinden in the neighbouring county of Oxfordshire and by W.G. Hoskins and E. Kerridge elsewhere, and in some measure this can be established in Buckinghamshire.³

Havinden has studied parish agreements which regulated the working

3 M.A. Havinden, "Agricultural Progress in Open-Field Oxfordshire", Agricultural History Review, Vol.IX (1961), pp.73-83; W.G. Hoskins "The Leicestershire Farmer in the Seventeenth Century", Agricultural History, Vol.XXV (1951), pp.9-20; E. Kerridge, The Agricultural Revolution. (London, 1967), especially pp.91-113. Kerridge sees both flexibility and inflexibility, "An outstanding feature of common-field husbandry was its combination of inflexibility of field course with maximum freedom in cropping. The cultivator's liberty to choose what crops he liked in the cornfield of a two-field course or in the tilth and breach fields of the Midlands three-field course was nothing new and did not indicate that common-field husbandry was progressing or becoming more flexible or adaptable" pp.94-95: See also the review by J.M. Martin of E.C.K. Gonner, Common Land and Enclosure (London, 1966 ed.) in Agricultural History Review, Vol.XVI (1968), pp.72-74, "modern scholarship has very considerably diminished the significance of enclosure as an agent of change in agriculture and within the rural community. Common field farming was far less backward and inflexible than Gonner and his contemporaries imagined".

of the common fields, and similar agreements have been found in Buckinghamshire.⁴ These agreements, which should not be confused with enclosure agreements, were characterised by the regulation of that very important feature of open field agriculture, common stinting and grazing.

Therefore, there are two important facets behind the prelude to parliamentary enclosure, a continuous history of enclosure, albeit piecemeal, and a continuous adaptation of rules and regulations to supervise the existing open fields.

Kerridge sees this regulation of open field husbandry as neither new nor flexible, and to a degree there is supporting evidence in Buckinghamshire.⁵ The parishes of Great Horwood enclosed in 1841-2, Whaddon enclosed in 1830-1 and Newton Longville enclosed in 1840-1, were long delayed enclosures, and even so late in the nineteenth century they were attended by strict field regulations...

"Of the open fields one third every year is fallow, one third planted with wheat, and one third planted with beans... any owner of land however may if he pleases plant barley, oats or any other grain instead of wheat or beans. That division of the field which is fallow is open all the year, and the other two divisions as soon as the crops are gathered."⁶

These rules gave minimal flexibility and, in particular, took no account of prices, markets or the weather.

That many parishes enclosed by act of Parliament contained mere vestiges of a once more extensive open field practice is evidence of

4 M.A. Havinden, (1961) loc.cit., p.70.

5 See footnote 3 supra. Also, E. Kerridge, (1967) op.cit., "There is clear evidence that common-field courses continued to be precisely and rigidly regulated right up into the eighteenth century". p.96; For which he cites Quainton in Buckinghamshire from Quainton Court Rolls, R.3 Bucks. Museum, Aylesbury.

6 From two letters "Respecting the laws of Common-Field Property, 6 July 1828". Fremantle Collection, D/FR/108, (C)county (R)ecord (O)ffice Aylesbury; See also P. Vinogradoff, "An illustration of the Continuity of the Open Field System", Quarterly Journal of Economics, Vol.22 (1907-8), pp.62-82. He shows that the field orders for the parish of Great Tew in Oxfordshire in the Mid-Eighteenth Century allowed more combinations than, for example, those quoted for Buckinghamshire, p.70.

non-parliamentary enclosures.⁷ Figures IIa-f constructed from the enclosure awards and maps, and from private estate maps also demonstrate this point. Astwood enclosed in 1838-40 contained four small and diffuse open fields.⁸ Castlethorpe in 1765, thirty years before it was enclosed by act of Parliament in 1793-4, had similar open fields and extensive old enclosures.⁹ The old enclosures in the village of Towersey enclosed in 1822-5 took the form of two distinct farms.¹⁰ Other parishes were like Great Brickhill which when enclosed in 1771-2 had widely dispersed old enclosures and an "island" of woodland amidst the open fields.¹¹ Very few parishes had such undisturbed open fields with such limited old enclosures as Weedon, enclosed in 1801-2.¹²

Without exception, the villages of clayland Buckinghamshire were of the typical nucleated pattern of open field Western Europe, though by the time of parliamentary enclosure, with the spread of gardens and later the more extensive home closes which were essentially old enclosures but different because of their proximity to the village, they were more dispersed. The spread of old enclosures was analagous to concentric rings of growth, encroachments on the open fields.¹³

It is evident from the mass of information available that in

7 See A. Cossons, "Early Enclosures in Beeston", Thoroton Society Transactions, Vol.62 (1958), pp.1-10, for an account of partial seventeenth century enclosure of Beeston in Nottinghamshire. It seems to have been a three field village, the Nether field was enclosed in the early Stuart period and the two remaining fields were subdivided to form three fields again.

8 From Astwood Enclosure Award Plan, C.R.O., Ayl. IR/90.

9 From Castlethorpe Estate Map, C.R.O., Ayl. Ma/33/1.

10 From Towersey Enclosure Award and Plan, C.R.O., Ayl. IR/18 and Inrolment Vol.8. As the Stoke Mandeville plan shows (fig. IIId) distinctive farms grew up amidst the old enclosures that had been formed, C.R.O., Ayl. IR/9.

11 Great Brickhill Enclosure Plan, C.R.O., Ayl. IR/28(ii).

12 Weedon Enclosure Award, C.R.O., Ayl. IR/99.

13 In Staffordshire, as was undoubtedly the case in most English counties, by the time of Parliamentary enclosure there was much enclosure that had occurred without the sanction of Westminster, evinced in the references to lands 'recently enclosed' in the successions of Manorial Rolls. H.R. Thomas, "The Enclosure of Open Fields and Commons in Staffordshire", Collections for a History of Staffordshire, William Salt Archaeological Society, (1931), p.79.

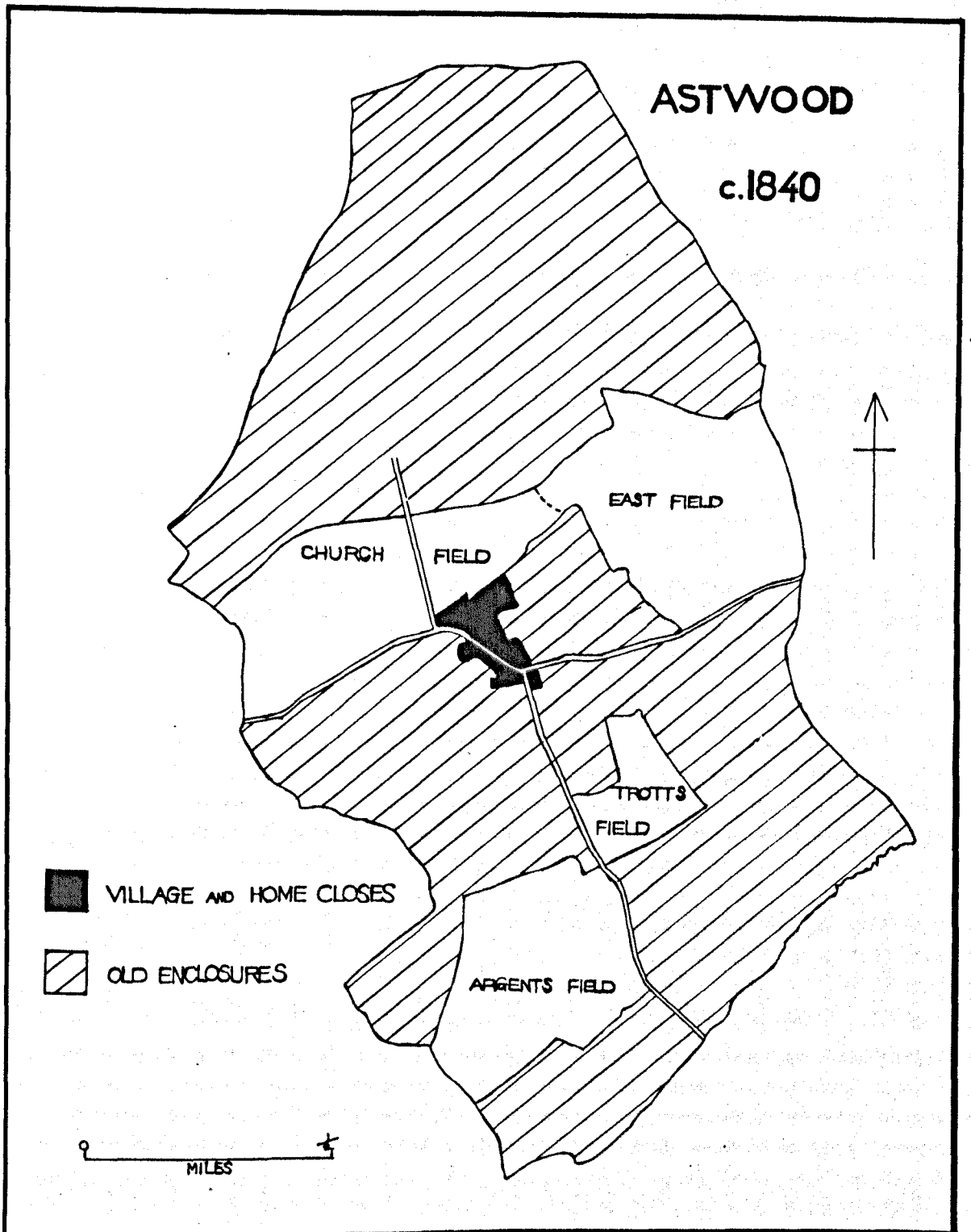


Fig. IIa: The Parish of Astwood c.1840.

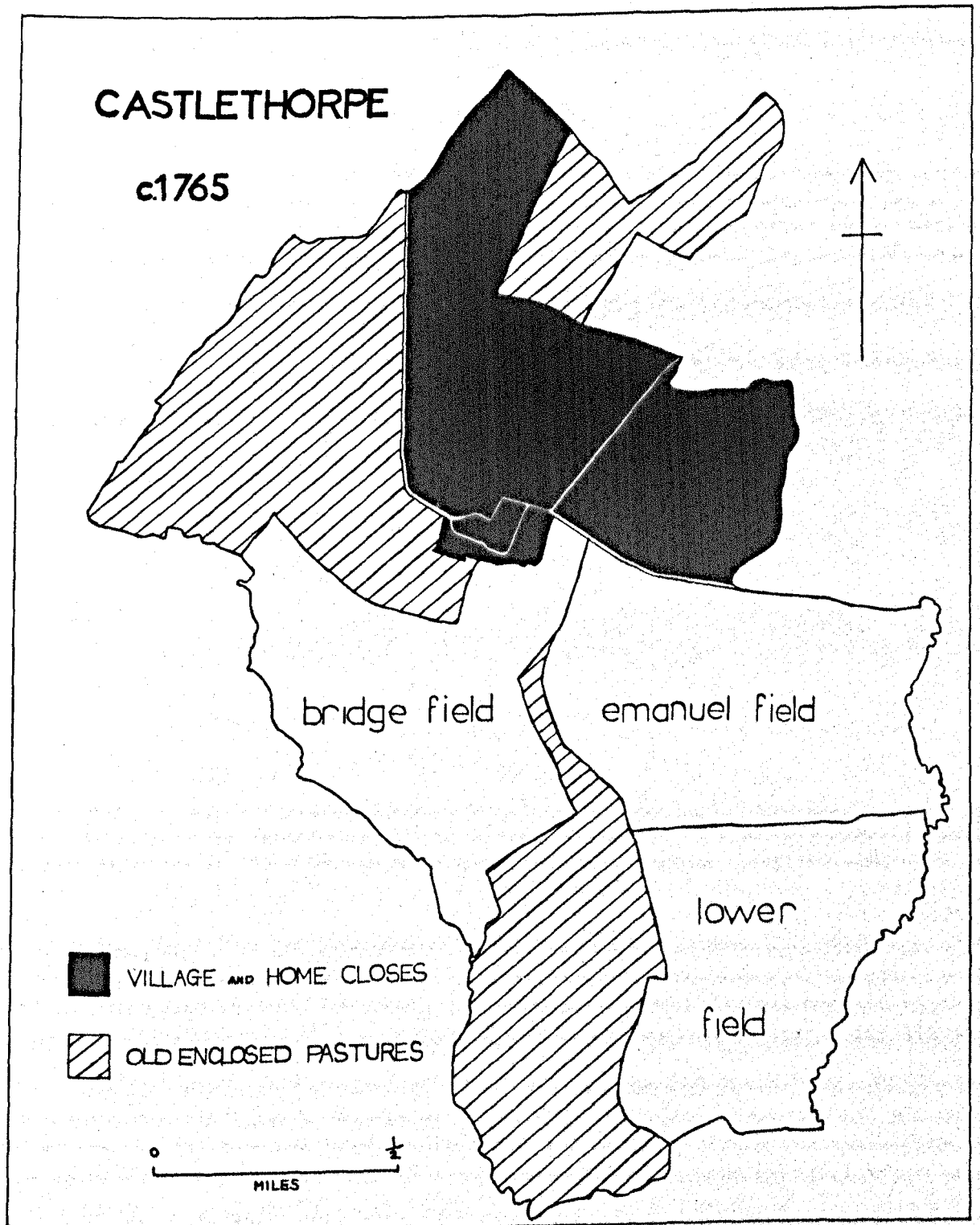
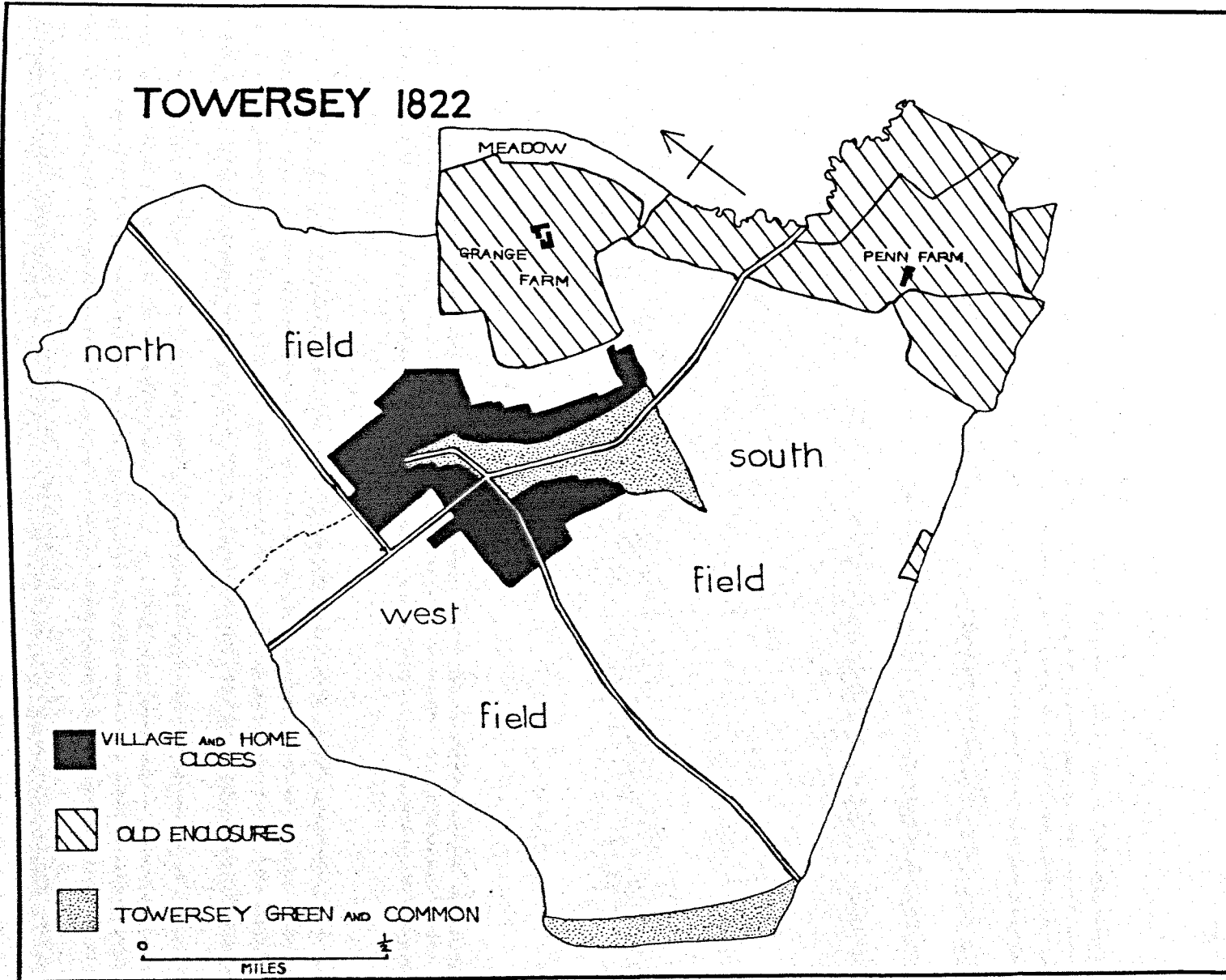


Fig. IIb: The Parish of Castlethorpe c.1765.

Fig. 11c: The Parish of Towersey 1822.



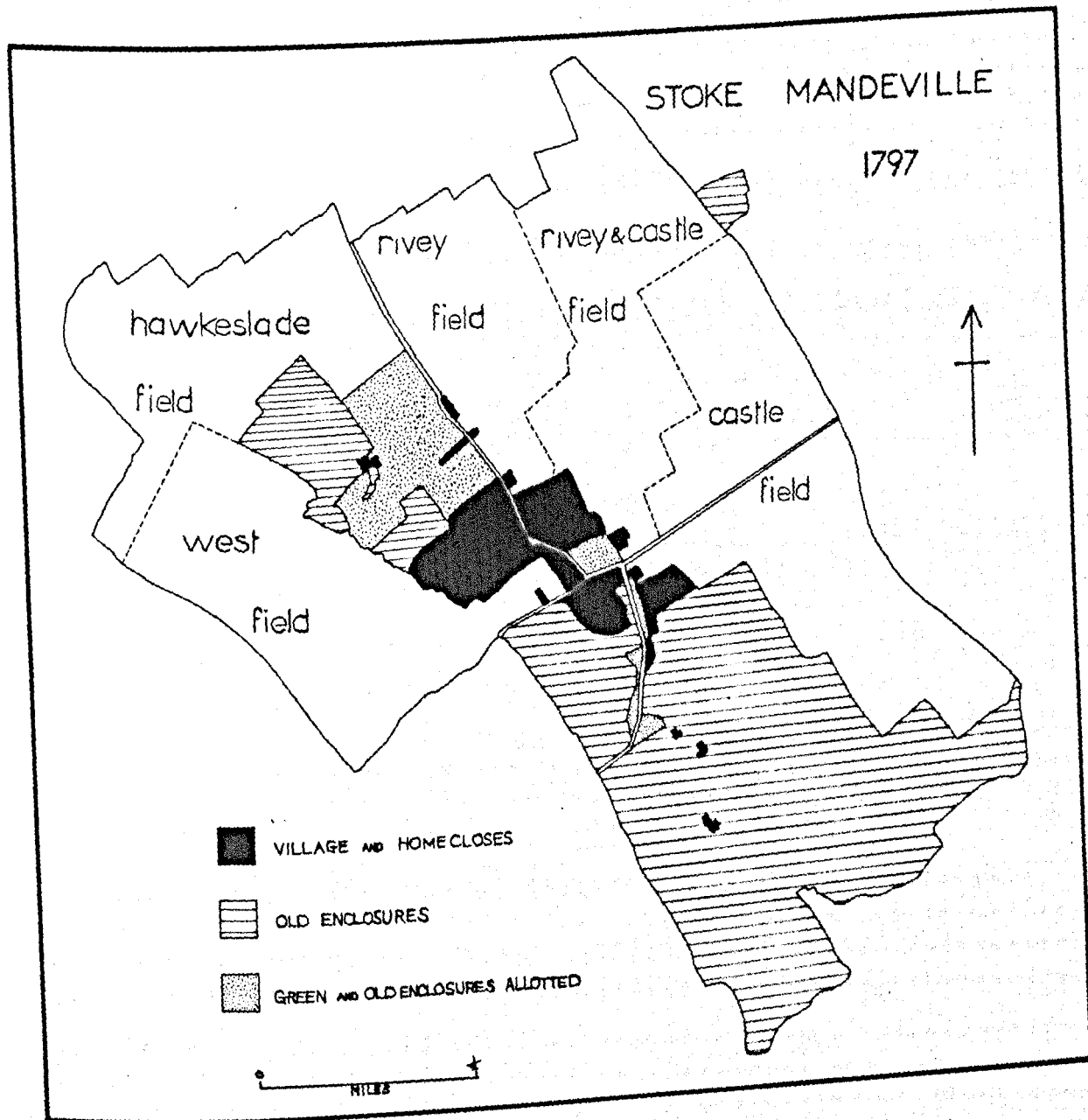


Fig. IIId: The Parish of Stoke Mandeville 1797.

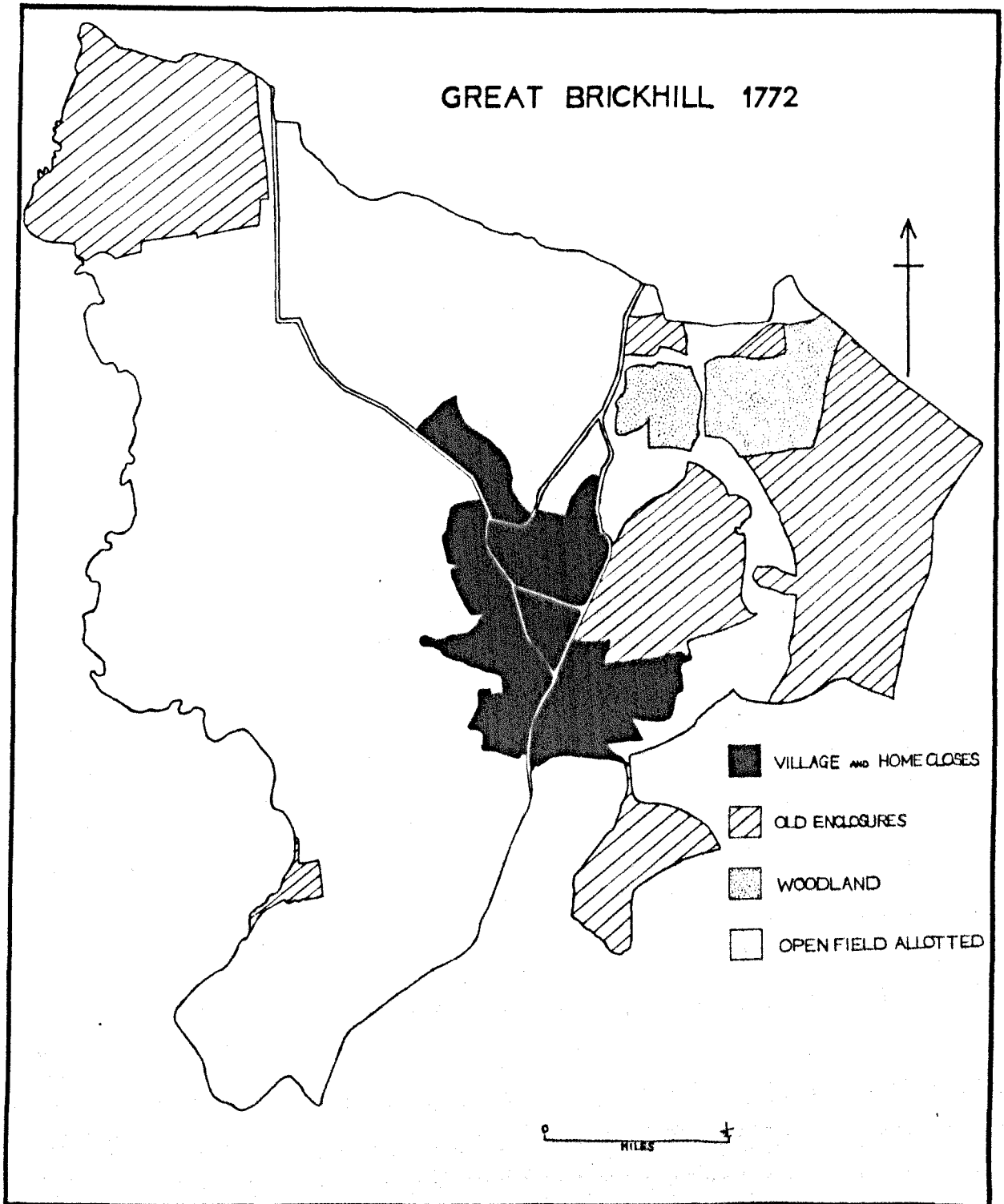


Fig. IIe: The Parish of Great Brickhill 1772.

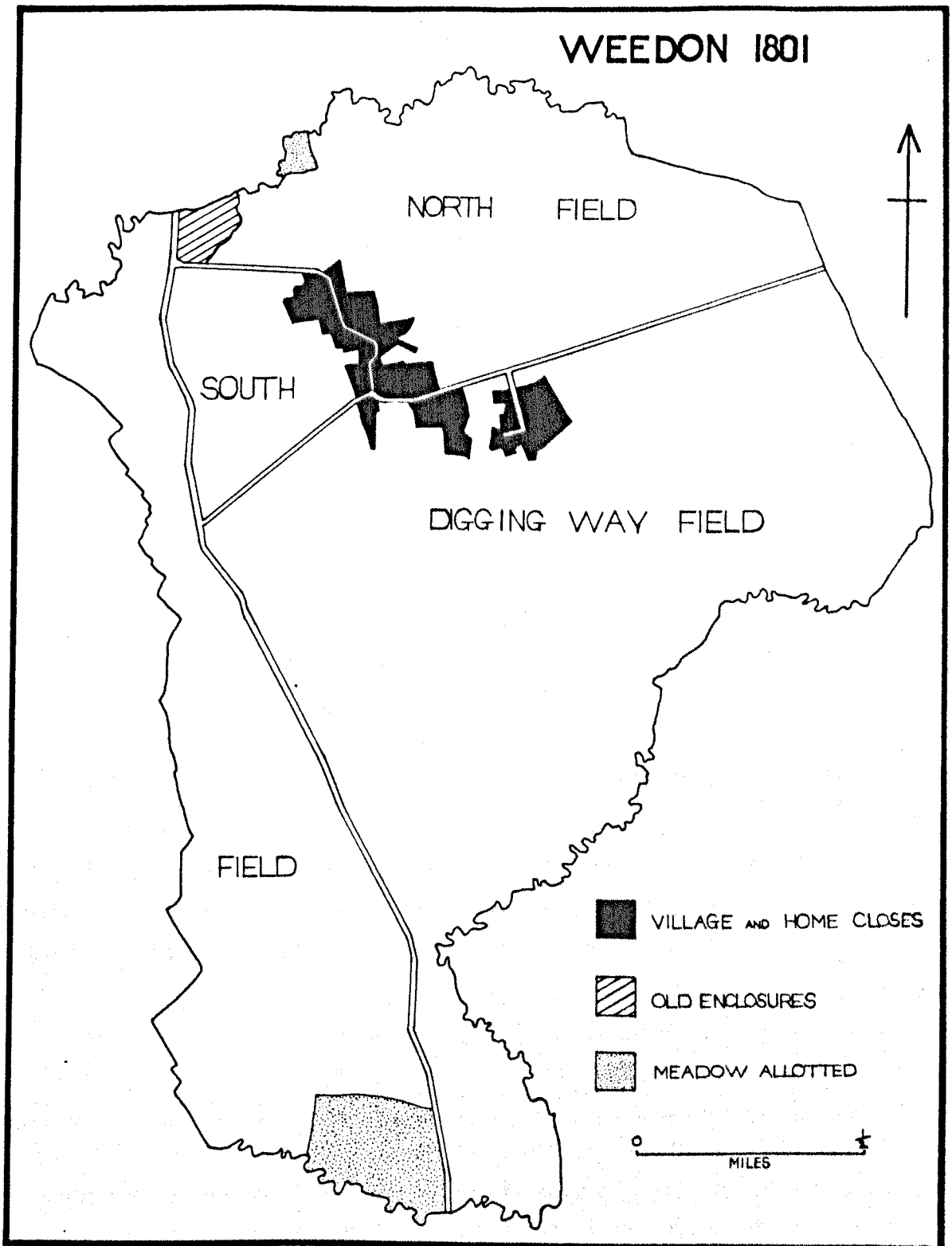


Fig. II f: The Parish of Weedon 1801.

Buckinghamshire there was a long but intermittent history of enclosure, although some of it was very piecemeal; in this respect the situation resembles that found in other Midland counties.

The vestiges of deserted medieval village sites on their own conjure up an image of extensive enclosures, though these desertions are now known to have been caused as much by other factors as by depopulating enclosures.¹⁴

The Inclosure Inquisition of 1517-19, investigating the period after 1485 found that nearly 10,000 acres in Buckinghamshire had been enclosed, that is 2% of the county or the equivalent of 4 or 5 average sized parishes.¹⁵ In the period 1555-66, as stated in the incomplete Inclosure Inquiry of 1566, a further 4,065½ acres of land were enclosed in the county. The Inquisition of 1607 found that another 7,000 acres had been enclosed since 1578, that is 1.5% of the county.¹⁶

Since only 35% of the county remained unenclosed by the mid-eighteenth century it must be assumed that either massive enclosure occurred before 1485, or in the 150 years before 1760, or that the figures quoted above are inaccurate. In fact, each contributed in some measure to Buckinghamshire enclosure history. The Chiltern Hills at

14 Maurice Beresford & John. G. Hurst (eds.), Deserted Medieval Villages. (London, 1971), in particular Chapter 1, pp.3-75.

15 In the year of the Inquisition itself 40 acres of arable land were enclosed in the manor of Wolverton; Manuscripts of the Wolverton Manor, Bodleian Ms. Radcliffe deposit deed 160; It was a feature of this manor that the lords at the time, the de Longuevilles, were busily engaged in enclosing as much common land as they could, and from time to time they met with violent resistance; F.H. Hyde, Wolverton. A short History of its Economic and Social Development. (Wolverton, 1943), p.41; The encroachments by the de Longuevilles are given in, Public Record Office, Chancery Proceedings, Eliz.W.23, No. 55; The author of the pamphlet, "Certaine Causes Gathered Together..." in 1550-3 complains bitterly of the inclosures in Buckinghamshire, Northamptonshire and Oxfordshire. Quoted in T.E. Scrutton, Commons and Common Fields. (Cambridge, 1887), p.92; For the history of the Inquisitions see, E.F. Gay, "Inclosures in England in the Sixteenth Century", Quarterly Journal of Economics, Vol.17 (1902-3), pp.576-97 in particular p.581.

16 E.F. Gay, Ibid., pp.581, 585.

at least were enclosed at a very early period.¹⁷ The Inquiries failed to detect a number of enclosures, and of course the open fields were disappearing throughout the seventeenth and eighteenth centuries,¹⁸ thus emphasising that the prelude to parliamentary enclosure was a period of sustained enclosure activity however piecemeal.¹⁹

Professor M.W. Beresford on more than one occasion has discussed the significance of Parliamentary enclosure by demonstrating the importance of the pre-Parliamentary period.²⁰ Using glebe terriers he has dated the enclosure of parishes by establishing when the glebe passed from open field fragmentation to severalty. The danger with this method is that it does not date the precise moment of enclosure, because terriers do not exist for every year, and also it supposes that when

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- 17 David Roden, "Enclosure in the Chilterns", Geografiska Annaler, Vol.51, No.1 (1969), pp.115-126; See also David and Joan Hay, Hilltop Villages of the Chilterns (London and Chichester, 1971). They date some enclosure in the Chilterns in the Tudor period and continuing through to the nineteenth century. At Hawridge, for example, enclosures are recorded before 1550 (p.107), in 1607 (p.120), 1644 (pp.131-2) and from 1810-42 there were a spate of new encroachments (pp.181-2). These enclosures were very different from those discussed by Roden, they were of common and waste, essentially encroachments rather than enclosures. Some of these commons were left to be enclosed in the nineteenth century. For example, Buckland was enclosed by the Act of 5 & 6 Victoria, c.6 1842 and St. Leonards common was enclosed with the enclosure of Aston Clinton by the Act of 54 Geo.III, c.76 1814.
- 18 See E.M. Leonard, "The Inclosure of Common-Fields in the Seventeenth Century", Transactions of the Royal Historical Society, Vol. XIX (1905) pp.101-42, who argued against the popular belief of the time that enclosure was common in the seventeenth century; See also E. Kerridge, "The Returns of the Inquisitions of Depopulation", English Historical Review, Vol.LXX (1955), pp.212-28, for a critique of I.S. Leadham, E.F. Gay and others on their use of the 1517 and 1607 Inquisitions as measures of enclosure.
- 19 A failed bill of 1666 gives a retrospective insight into the first half of the seventeenth century. "Within these forty, fifty and sixty years last past there have been within this Kingdom multitudes of Enclosures of Commonable Grounds Wastes Heaths fergrounds and Marishes". House of Lords Mss. 30 October 1666.
- 20 M.W. Beresford, "Glebe Terriers and Open-Field Buckinghamshire", Part I, Records of Buckinghamshire, Vol.XV, No.5 (1951-2), pp.253-298; Part 2, Vol. XVI, No.1 (1953-4), pp.5-28; Idem, "Glebe Terriers and Open-Field Leics.", Studies in Leics. Agrarian History ed. W.G. Hoskins (Leics. Archaeological Society, 1949) pp.77-126; Idem, "Glebe Terriers and Open Field Yorkshire", Yorkshire Archaeological Journal, Vol.XXXVII Part 3 (1950), pp.325-368.

the glebe is enclosed, so is the rest of the parish as well. This is not necessarily so. For example, in Buckinghamshire Beresford dates the enclosure of the glebe in Chicheley parish as sometime before 1693.²¹ This is clearly only the enclosure of the glebe because a deed of 1711 mentions arable lands in the "common fields" of Chicheley.²² Furthermore, the North Crawley Enclosure Award of 1772 contains reference to a terrier of lands lying dispersed in the open and common fields of Chicheley,²³ On the other hand, it seems likely that at least piecemeal enclosure took place in Chicheley between 1693 and 1771 because the Lord, Sir John Chester, was actively engaged in setting out new plantations and quicksetting on his estates.²⁴

In addition, the glebe terriers do not take account of other methods of pre-Parliamentary enclosure, some of it by illegal encroachments and some by agreement. Indeed, certain lands in Chicheley were enclosed as early as 1620.²⁵

The parish of Hoggeston, according to Beresford's method, was enclosed before 1601. Certainly the glebe was enclosed by this date, but the rest of the parish was not enclosed until 1776. In this case the 1801 Crop Returns produce this quite unique information.²⁶ Such problems were recognised by Beresford for he clearly indicates that the glebe of Lathbury, Cuddington and Milton Keynes, as well as other parishes, were at certain times in the seventeenth century in both

21 M.W. Beresford, Loc.cit. (1953-4), p.16.

22 Chester Papers of Chicheley, C.R.O.Ayl., D/C/1/163.

23 North Crawley Enclosure Award, C.R.O.Ayl., IR/33.

24 Chester Papers, op.cit., Bundle 2/25.

25 Ibid., Bundle 1/146; R.H.Tawney, The Agrarian Problem in the Sixteenth Century (London, 1912), p.218, produces a table from a sample of 47 demesne farms and shows that at a particular point in time some were fully enclosed, some partially enclosed and others were completely in open fields.

26 M.W. Beresford, loc.cit., (1953-4), pp.11 & 18; Confirmed by a copy of a glebe terrier of 1639 in the Cole Mss. of Browne Willis, British Museum, Add.Mss., 5840, f.126; The 1801 Crop Returns for Buckinghamshire in the Diocese of Lincoln, Public Record Office, HO/47.

open fields and closes.²⁷

Other sources exist to help fill the gaps left by the glebe terriers. Appendix IIa summarises as fully as possible some of these missing gaps. It is a table that should be used in conjunction with Beresford's tables. It does not cover every parish in the county but covers those where enclosures, large and small, are known to have taken place and have been mentioned in the Victoria County History, Lipscomb's History of Buckinghamshire or in the manuscripts of the eighteenth century historian and antiquarian, Browne Willis. Additions have been made from other manuscript and printed sources.²⁸

Enclosure by agreement was a common method of enclosure in the seventeenth century and in many ways resembled the later enclosure by Act of Parliament, but without the great expense of an Act. Like enclosure by Act, those agreements were valid in law and sometimes this validity was registered by enrolling the deed at the Courts of Chancery or Exchequer, or on the Close Rolls.²⁹ G.N. Clarke has transcribed one of these agreements for a parish in the neighbouring county of Oxford.³⁰

Such enclosures were conducted in a similar way to other court actions with Complainants and Defendants. The former claims that the

27 M.W. Beresford, loc.cit., (1953-4), p.11; But still the errors occur. Beresford dates the enclosure of the parish of Ilmer as between 1625 and 1706. In fact, common fields existed here at least until 1745; Grubb Mss., C.R.O.Ayl., D/42/B 10-11, has references to lands in the common fields of Ilmer and Longwick.

28 Beresford also constructed a list of pre-Parliamentary enclosures from the V.C.H. and other sources, but since then other more precise dates can be added. For a bibliography of the sources used in the construction of the appendix see the note attached thereon.

29 M.W. Beresford, "Habitation Versus Improvement: the Debate on Enclosure by Agreement", in F.J. Fisher (ed.), Essays in the Economic and Social History of Tudor and Stuart England in Honour of R.H. Tawney (Cambridge, 1961), pp.67-9.

30 G.N. Clark, "Enclosure by Agreement at Marston, near Oxford", English Historical Review, Vol.42 (1927), pp.87-94.

lands lie intermixed, inconvenient and incapable of improvement. In a sense the latter agrees to forfeit the case, though of course he has already made an agreement to exchange and enclose the land.³¹

The parish of Leckhamstead in Buckinghamshire was enclosed by an agreement of 1624, and this was recorded in Chancery.³² The neighbouring parish of Foscott was enclosed in the same deed. The glebe terriers show that both of these parishes were still in open fields in 1625 and it appears they remained so until 1630 when a misunderstanding arose over the ownership of the land occasioned by the death of the Rector. Four commissioners were appointed by the Court of Chancery to formalise the enclosure.³³ Clearly enclosure agreements may be as misleading as glebe terriers. They merely inform us that an enclosure is contemplated or agreed upon without giving the precise date of the undertaking.

Articles agreeing to enclose the parish of Great Linford were formalised in 1658,³⁴ reciting that a great part of the land, meadow and pasture of the parish was lying open and commonable:

"some part thereof all tymes of the yeare, and other partes thereof yearlie after harvest is inned,"... and that... "consisting much of tillage, many spoils, trespasses and destructions have daily happened by escapes of cattle into the corn and grass whereby many actions, suits and trialles have been raised and more are like daily to arise if the fields and land there should still be kept open and continued in common as heretofore"...

The agreement covenants to make a survey according to quality, quantity and convenience,³⁵ to be authorised by referees who were subsequently

31 E. Kerridge, Agrarian Problems in the Sixteenth Century and After (London, 1969), especially pp.103-118.

32 A transcript of the deed can be found in the Leckhamstead Parish Register, an entry made by Browne Willis, Leckhamstead Parish Register, C.R.O.Ayl., PR 127/1/1, pp.133-4.

33 Ibid., p.230.

34 From the Title deeds of the Napier and Utthwatt Families, C.R.O.Ayl., AR/6/63-1/48/1; though glebe terriers give no more precise dating than 1649-60. Also, a map of 1641 confirms that only 20-25% of Great Linford was still in common fields, C.R.O.Ayl., Map BAS 632/43. Three-quarters of the parish had been enclosed by the mid-seventeenth century.

35 The same wording as in the eighteenth century counterpart enclosure by Act of Parliament.

named in the document. It was confirmed in 1662 when 250 acres were enclosed.³⁶

In 1669 seven parties agreed to enclose 300 acres of common fields in the contiguous parishes and villages of Great and Little Kimble, East and West Marsh and Bishopstone. Undoubtedly the accumulation of the land into few hands enabled this enclosure to take place at an early date.³⁷ In the same year there was an agreement for enclosing the common at Oving Hill in the parish of Waddesden, and the woods adjoining. After reciting differences of opinion over the ground, it was resolved that the common should be surveyed and "divided by candlemas day next in order to an enclosure".³⁸ At Pitstone before 1672 a mere 162 acres were enclosed by Articles of Agreement and formalised by Chancery decree.³⁹

Such enclosure therefore did not necessarily cover entire parish areas. Indeed, piecemeal enclosure proceeded in Pitstone up to 1795, and final enclosure by Act of Parliament was not achieved until 1853.⁴⁰

Loughton is another parish enclosed by both agreement (1619) and by Act of Parliament (1768).⁴¹ The earlier enclosure was only piecemeal, the claimants stating that the parish was entirely in tillage and that the current price of feed for draught animals was too high, whereupon it was agreed that thereafter it would be lawful for any tenants to enclose for his own use a piece of ground, "to be taken at the outside of the field or else adjoining toe the towne". This practice, if common, would explain the growth of home closes and the existence of such extensive areas of old enclosures found at the periphery of parishes

36 Napier & Utthwatt, op.cit., 1/48/3.

37 Agreement to enclose of 5 June 1669, Lee Mss., C.R.O.Ayl., D/LE/1/307.

38 Agreement to enclose of 20 October 1669, Doddershall Mss., C.R.O.Ayl., D/D Miscellaneous Estate Papers, No.2.

39 Ashridge Estate Papers, Hertfordshire Record Office, AH 1163.

40 Ibid., AH 2358; And Act of Parliament of 16 and 17 Victoria, c.120, 1853.

41 Mildred Campbell, The English Yeoman Under Elizabeth and the Early Stuarts. (Yale University Press, 1942), p.90, quoting Public Record Office, Star Chamber 8, 141/16; Loughton was enclosed by Act of 8 Geo.III. c.8, 1768.

by the late eighteenth century.⁴² Certainly this seems to be the case with the outlying enclosures of Steeple Claydon. The 1558 presentment at Court asked the jury if any injury would be sustained were the Lord to enclose and hold in severalty part of the waste adjoining the parish of Addington. The jury replied that no one would suffer by such an enclosure. The land was subsequently marked-off and enclosed.⁴³

Such piecemeal enclosure was common, spread over many years and involved from as little as one to eight acres each time.⁴⁴ In Dorton in 1687 only three acres were enclosed, but even an allotment so small still required a formal written agreement.⁴⁵ On other occasions such formal agreements were not necessary. It may have become the custom of the manor to encroach on the edge of the open fields, or it may have proceeded unchallenged because little land was enclosed with little inconvenience.⁴⁶ An agreement of 1687 for the parish of Dinton left such piecemeal enclosure entirely at the discretion of the individual. On the one hand it maintained the sovereignty of the open fields, and on the other it allowed enclosure. The Lord of the Manor and his heirs would assist in preventing any person from enclosing any lands in the common fields of Dinton, at pain of a compensation to be paid, for the loss of common of the ground, by such persons enclosing.⁴⁷ Not an uncommon

42 See Figures IIa-f supra.

43 F.W. Bateson, A Short History of Steeple Claydon (W.E.A. Leaflet, Oxford N.D.), p.9; Citing Steeple Claydon Court Rolls, Claydon House, Buckinghamshire.

44 Mildred Campbell, op.cit., (1942), p.91.

45 In C.R.O.Ayl., BAS. Misc. 5.

46 R.H. Tawney states, "At the very time when the peasantry agitated most bitterly they were often hedging and ditching their own little holdings and nibbling away fragments of the waste to be cultivated in severalty", op. cit. (1912), p.151.

47 An Agreement to enclose of 30 September 1687, C.R.O.Ayl., BAS. Misc.5; A certain Richard Smallbrook enclosed $1\frac{1}{2}$ acres of arable in Windmill Field and $1\frac{1}{2}$ acres of ley, all of which he had to fence within six months and for which he had to surrender his right of common for all manner of cattle in respect of the pieces enclosed, and also in respect of a further six acres in the open fields. Piecemeal enclosure of this nature must have been a slow process for by 1802 when Dinton was enclosed by act, the award re-allotted 950 acres or 24% of the parish; Dinton Enclosure Award, C.R.O.Ayl., IR/63.

method of piecemeal enclosure, usually provided that it was the peripheral parts of the fields that were enclosed first.⁴⁸ There were cases of litigation against tenants who attempted to enclose lands situated in the middle of the open fields.⁴⁹ Clearly there would be an objection to too much of this kind of enclosure but one or two acres situated at the edge of a parish would not be missed. However, Sir Francis Dashwood's efforts to enclose 40 acres of a meadow in Wendover, contrary to the law and custom which 'time out of mind' was used as a communal pasture from Lammas Day to Lady Day, met solid resistance.⁵⁰

Great Woolstone, like Dinton, is another parish for which there was a seventeenth century enclosure agreement as well as a subsequent Parliamentary Act of enclosure. The agreement covers the year 1674 but by the act of 1796 47% of the parish still remained to be enclosed.⁵¹

At Iver there was an agreement by the church wardens in 1776 allowing John Main, who was "desirous to inclose and shut up several small parcels of common field land and lammas grounds lying and being in or near several common fields", to enclose the lands [three pieces totalling nearly seven acres], for the consideration of £60, to be invested in Government Securities and the interest therefrom to go to the poor for ever.⁵² Similar to the forfeiture of common rights at Dinton.

Not all of these casual enclosures proceeded unopposed. The Quarter Sessions Records contain cases against encroachments, in particular encroachments from roadways or common ways, too petty to go

48 E. Kerridge, op.cit. (1969), p.99; E.M. Leonard, loc.cit. (1905), p.110.

49 See Mildred Campbell, op.cit., (1942), p.92.

50 Agreement of 28 July 1742, C.R.O.Ayl., BAS. Aston Clinton, 436/22, in which parties of the first part (35 parties) bind themselves to pay £2000 to parties of the second part (5 parties) to be used to meet any costs of arrest or impounding of cattle which might arise out of a controversy between parties of the first part and Sir Francis Dashwood concerning their right to pasture their cattle.

51 Enclosure Agreement of 7 January 1675, cited in "An Agreement for the Composition of Tithe 5 January 1675". C.R.O.Ayl., BAS. Great Woolstone Deeds, 224/3; Great Woolstone Enclosure Award, C.R.O. Ayl., IR/120.

52 From the Churchwardens Account Book at a Vestry Held 30 November 1776; Iver Parish Records, C.R.O.Ayl., PR 115/4/1.

to a higher court but important enough to provoke local action.⁵³
 The offence was usually met with a fine and an order to remove any fences or fill in any ditches.

This very limited enclosure or encroachment was perhaps symptomatic of the severe land hunger felt in the seventeenth century and early eighteenth century. This was no more severely felt than in a parish like Loughton [cited above], where there was little or no pasture or grazing land. Similarly in the village of Nash in Whaddon parish in which in 1702 the proprietors had:

"no inclosed ground to putt their cattle into when the common fields are done except their orchards"

and they were obliged:

to continue their cattle too long in the said common fields by which means they doe suffer frequent and great losses in their said cattle by rotting, and other casualities, which might be prevented by inclosing and keeping in severalty some of their said lands now lying in the said common fields for the relief of their said cattle during the winter season".

The situation was relieved at Nash by an agreement permitting the enclosure of four acres for every yardland that was owned.⁵⁴

Such land hunger had been felt since at least the Tudor period when the gradual diminution of land meant that there was less waste from which to create new lands, a direct response to the exertions of an increasing population. In counties like Lancashire and Shropshire encroachments proceeded throughout the sixteenth and seventeenth centuries on an amicable and peaceful basis, a reflection that land in these counties was still relatively abundant. In lowland England

53 See William Le Hardy (ed.), Calendar to the Sessions Records 1678-1724. In Four Volumes (Aylesbury, 1933-58), Indexed under 'Encroachments'. For example, Volume 2, p.62, Michalmas Session 1695, One Richard Saunders was fined thirteen shillings and four pence for encroaching upon the highway. The last reported case of this nature was in 1716; See also J.P.M. Fowle, Wiltshire Quarter Sessions and Assizes, 1736. (Devizes, Wiltshire Archaeological and Natural History Society, Records Branch, Vol.XI, 1955), p.63, item 537.

54 Articles of Agreement of 1 December 1702 referring to the Buckinghamshire village of Nash in the parish of Whaddon, Northamptonshire Record Office (no further ref.).

however, these encroachments met with much opposition, reflecting the shortage of common grazing.⁵⁵

In neighbouring Northamptonshire the shortage of land was less of a problem because the villages of the Royal Forest of Wychwood could offer grazing rights to those open field villages that were short of waste and common pasture.⁵⁶ In Buckinghamshire the counterpart Royal Forest of Bernwood provided a similar facility to the surrounding villages of Boarstall, Oakley, Brill and others, but it was disafforested in 1623 at a period of land hunger and coincident with near famine prices.⁵⁷ Though it was a Royal Forest it could not be sold without making reparation to the neighbouring villages for their loss of common grazing and turbage. A commission was appointed to make the compensation. Freeholders were to receive 10 acres for every 100 acres of forest and the poor of the nearby villages were to receive an allotment of 230 acres.⁵⁸ This did not prove entirely satisfactory and was followed by rioting and the pulling down of gates and fences. A second decree was

55 See Joan Thirsk (ed.), The Agrarian History of England and Wales. Volume 4, (1500-1640). (Cambridge, 1967), pp.202-3; also Joan Thirsk, Tudor Enclosures (Historical Association publications, general series, No.41, 1959); At Caythorne in the Kesteven division of Lincolnshire as a means of persuading an enclosure agreement during the mid-seventeenth century, "spies" were employed to stop unlawful trespass. The legal action that would ensue would be that much more expensive for the encroaching small farmers and cottagers than the actual enclosure. W.H. Hosford, "An Eye Witness Account of a Seventeenth Century Enclosure", Economic History Review, 2nd series, Vol.IV (1951-2), pp.215-20; And in Leicester Township encroachments continued from the sixteenth century onwards, separate farms growing up within the open fields. Here there was a desperate shortage of pasture. C.J. Billson, "Open Fields of Leicester", Transactions of the Leicester Archaeological Society, Vol.XIV (1925-6), p.13.

56 P.A.J. Pettit, The Royal Forests of Northamptonshire: A Study in their Economy 1558-1714 (Northamptonshire Record Society, Vol.XXIII for 1963, printed 1968), p.147.

57 H.J. Massingham, Where Man Belongs (London, 1946), p.121; G. Eland (ed.), Papers from an Iron Chest at Doddershall (Aylesbury, 1937), pp.7, 54.

58 A Decree of November 1627 in F.W. Bateson, Brill. A Short History (The Brill Society, 1966), pp.6, 9; Victoria County History, Vol.II (London, 1908), p.137; G. Lipscomb, The History and Antiquities of the county of Buckinghamshire. Vol.I (London, 1847), pp.53-4.

issued in 1632 providing more compensation.⁵⁹ The plight of the commoners of Bernwood dates from 1611 when there was a threatened enclosure of the common, they complained bitterly that they would "be utterly undone and have small or no means to relieve themselves".⁶⁰

The reaction of the freeholders of Aylesbury to the illegal encroachment of certain furlongs in Spittal field by one John Packington was to enter into agreement with him for recompense.⁶¹ But encroachments continued throughout the period and many remained unchallenged.

A piece of common, part of the manor of Biddlesden, but enjoyed by the inhabitants of neighbouring Westbury and Shalstone, was partially enclosed in 1590. A compensation of 60 acres was made to the inhabitants of Westbury and Shalstone and also an annual token payment for the malting and brewing of ale. The inhabitants of Biddlesden received a compensation in cottages and cow commons. Probably this agreement was never ratified because in the mid-eighteenth century twelve of the fourteen cow commons were acquired by a single inhabitant for the annual payment of five shillings per common. That is, he paid until 1746, after which time he refused to pay any more unless required by law to do so.⁶² With the proposal to enclose Westbury in 1765, the first reaction of Earl Verney was to enclose part of the common thus depriving the inhabitants of Shalstone that part which they had enjoyed since 1590.⁶³

The interesting feature of piecemeal enclosures, emphasising the problems of land hunger, is that when they resulted in litigation the

59 F.W. Bateson, *op.cit.*, (1966), p.9; Of course a forest was not necessarily wooded. The term meant an area of ground preserved for hunting purposes. Invariably, as was the case at Bernwood, much of the so called forest was in fact open, see J. Charles Fox, *The Royal Forests of England*. (London, 1905), *passim*; See also, L.D. Stamp and W.G. Hoskins, *The Common Lands of England and Wales* (London, 1963), *passim*.

60 A.M. Everitt, "Farm Labourers". Quoting P.R.O.S.P. 14,54,15, in J. Thirsk (ed.), *The Agrarian History of England and Wales*. Vol.IV (Cambridge, 1967), p.406.

61 List of Demands, Articles of Agreement and Answers made by Freeholders of Aylesbury... c.1600, Birmingham City Library, Ref.508622-508625.

62 G. Eland (ed.), *Purefoy Letters, 1735-53* (London, 1931), pp.4-5.

63 *Ibid.*, p.6.

offending party was invariably styled as a 'yeoman'. It is a feature of the period that small owner-occupiers were slowly building estates.⁶⁴ In Leicestershire, by 1607, the peasants, so styled, as the initiators were responsible for 19% of the enclosures of the previous 57 years, and they continued to do so up to mid-century.⁶⁵

There were other instances of illegal enclosures and encroachments in Buckinghamshire. In Hughenden Parish there is a note in the Court Roll for Ravensmere Manor in 1752 stating that a number of people had enclosed parts of the Lord's waste and, "unless they throw out the same they will suffer a fine of one shilling", and at Shipton Lee there was a legal action over disputed rights of common in which the plaintiff alleged wrongful enclosure (1614-20).⁶⁶

At Stony Stratford, whenever an enclosure or any other limitation of rights threatened the inhabitants of the village they would take whatever legal action was necessary to obtain a redress of grievances.⁶⁷ On one occasion an appeal against unlawful enclosure of commons and pasture was made to the Lord Chancellor:

"By reason of which enclosures... whereas the inhabitants did in times past yearly pasture and feed two hundred beasts and did keep one thousand sheep, for which they had yearly sufficient pasture and food, they do now not keep, neither are able to keep, above fifty beasts at the uttermost and four hundred sheep, neither are they able to keep the third horse which they did or might have kept before the said enclosure..." (68)

The common rights of these inhabitants were subsequently protected from enclosure and encroachment by a series of orders issued at the

64 See Joan Thirsk, "Agrarian History, 1540-1950", in Vol. II of Victoria County History in Leicestershire. (London, 1954), pp.200-203.

65 Ibid., p.202.

66 Dormer Estate Mss., Court Roll of Ravensmere Manor, Hughenden, 1752, C.R.O.Ayl., D/93/Box 2; Doddershall Mss., op.cit., Bundles 2 and 3.

67 F.E. Hyde and S.F. Markham, A History of Stony Stratford (Wolverton, 1948), p.38.

68 P.R.O. Chancery Proceedings, Elizabeth, W.23, No.55, 1580.

manor court,⁶⁹ unlike neighbouring Wolverton where the de Longuevilles obtained a general enclosure in 1654, an enclosure that was said to be accompanied by "oppressive acts" with regard to tenurial and customary rights of the common:⁷⁰

"The great park of the de Longuevilles, long stood as a monument of greed and oppression..." (71)

At Iver, the court acted as the protector of the common rights by agreeing in 1781, "to support the Howards in opening all such lammas or common-field lands as are unlawfully enclosed".⁷² In fact, from this date until the final enclosure of Iver in 1801 it seems that the sole purpose of the Iver Court Leet was to recite each year the rules for regulating the stinting and pasturing of the open fields and for keeping them open at specific times.⁷³

It is clear that even where the so-called depopulating enclosures took place, resulting in village destruction and desertion, entire parish areas were not always involved. Northamptonshire was one of the counties most affected by the depopulating enclosures and, with Buckinghamshire, was one of the seven counties investigated by the Inquisition of 1607, yet it remained the classic open field county, with the highest proportion of Parliamentary enclosure, since over 50% of the county was enclosed by Act. Depopulating enclosures may have gained a worse reputation than they perhaps deserve. The Buckinghamshire village of Fleet Marston, visible today in the fabric of a decayed church, was depopulated between 1510-51, but there is clear mapped evidence showing the survival of a 'common field' as late as 1694.⁷⁴

69 Manorial Roll of October 8 1656, revised April 18 1733, cited in Hyde and Markham, *op.cit.*, (1948), p.42.

70 *Cole Mss.* relating to Browne Willis, B.M.Add.Mss. 5839, ff.433-4.

71 F.E. Hyde, *op.cit.*, (1943), p.17.

72 W.H. Ward and K.S. Black, *A History of the Manor and Parish of Iver.* (London, 1933), p.221.

73 *Iver Parish Records*, C.R.O.Ayl., Vestry Book No.5, 1779-97.

74 I.S. Leadham, *The Domesday of Inclosures, 1517-1518.* Vol.I (Royal Historical Society, London, 1897), p.171; *Estates in Pitchcott and Fleet Marston*, C.R.O.Ayl., *Maps* Ma/165/1; On the other hand, this map helps to confirm Beresford's date of 1674-80 for the enclosure of the parish of Pitchcott, *loc.cit.* (1953-4), p.25.

The parish of Creslow came into the hands of the Crown at the dissolution and was used thereafter for feeding cattle for the Royal Household.⁷⁵ The famous grazier John Westcar farmed Creslow from 1779-1825.⁷⁶ It was a parish of pastures as far back as Domesday, much of it remaining untouched by the plough.⁷⁷ It always seems to have been an enclosed parish. In addition, the Creslow pastures invaded the neighbouring parishes of Whitchurch, Cublington and Dinton which thereby explains the peripheral old enclosures of these parishes.

Not all enclosures were undertaken to improve agriculture or with a desire to extend agriculture into marginal areas. Many were designed on purely selfish grounds for the conspicuous improvement of estates. Celia Fiennes stayed at Hillesden in 1694 in a house standing in the middle of a fine park, and Sir Peter Temple in laying the foundation of English Landscape gardening in 1714-38 required the removal and re-siting of Stowe village for the construction of his park. The first park at Stowe was enclosed as early as 1641. Chicheley Hall was landscaped in 1726, and similar parks were created at Lillingstone Lovell in the mid-seventeenth century, at Lenborough in 1617 and at Wing in the early sixteenth century.⁷⁹

Enclosure for emparkation was common, particularly in the sixteenth century, but to a less extent in the seventeenth.⁸⁰ At the

75 W.H. Kelke, "Creslow Pastures", Records of Buckinghamshire, Vol.I (1858), pp.255-267.

76 E.S. Roscoe, Buckinghamshire Sketches (London, 1891), p.55.

77 Maxwell Frazer, Companion into Buckinghamshire (London, 1950), p.156.

78 Christopher Morris (ed.), The Journeys of Celia Fiennes (London, 1947), p.29; Duke of Buckinghamshire and Chandos, "The History of Stowe", Records of Buckinghamshire, Vol.V (1885), pp.349-357; P. Willis, "The Work of Charles Bridgeman, Royal Gardener to George II", The Amateur Historian, Vol.6, No.3 (1964), p.95; Browne Willis, History and Antiquities of the Town, Hundred and Deanery of Buckingham (London, 1755), p.276.

79 Massingberg Papers, Society of Genealogists, London, Letter of 12 January 1726; Robert Plot, The Natural History of Oxfordshire. (Oxford, 1677), p.175; Browne Willis, Ibid., p.35; Victoria County History. Vol.III, op.cit., p.450. Quoting P.R.O., Court of Requisition, Bundle 3, No.115.

80 E. Kerridge, op.cit., (1969), pp.99-102.

same time as emparkation there was a counter-balancing disparking of estates. Part of Radclive was enclosed for a park in the reign of Charles II but was disparked in 1709.⁸¹ The park created at Bletchley in 1563 was disparked by 1735 and the park at Newport Pagnell had reverted to former uses by 1757.⁸² The map, figure IIg, shows the distribution of parks, commons and woods in c.1830. To the north of the Chilterns the parklands were small and widely scattered, but the patchwork distribution helps demonstrate the earlier piecemeal enclosure for conspicuous consumption. Some of the parks had disappeared by 1830 but some survived and still do, namely Claydon House and grounds, Stowe, Liscombe Park in Soulbury and Wing Park. The majority of parks in the Chilterns and south Buckinghamshire do not rightly belong to this period of enclosure. They were part of the wave of eighteenth and nineteenth century landscape developments, rural retreats for London noblemen, merchants and politicians.⁸³

In compiling his history of the village of Sherington, Professor Chibnall has detailed the very piecemeal nature of pre-Parliamentary enclosure for the parish and the neighbouring district.⁸⁴ Sherington, Emberton and Lathbury were surrounded by a ring of villages in which the traditional pattern of open field farming had gradually been replaced by enclosed arable fields, and in some cases there was a reversion to pasture. In Sherington itself there were encroachments and illegal enclosures, and the surrounding parishes of Tyringham, Filgrave, Chicheley, Weston Underwood, Hardmead and Ekeney cum Petsoe were all partially or totally enclosed in stages, dating from the unsuccessful

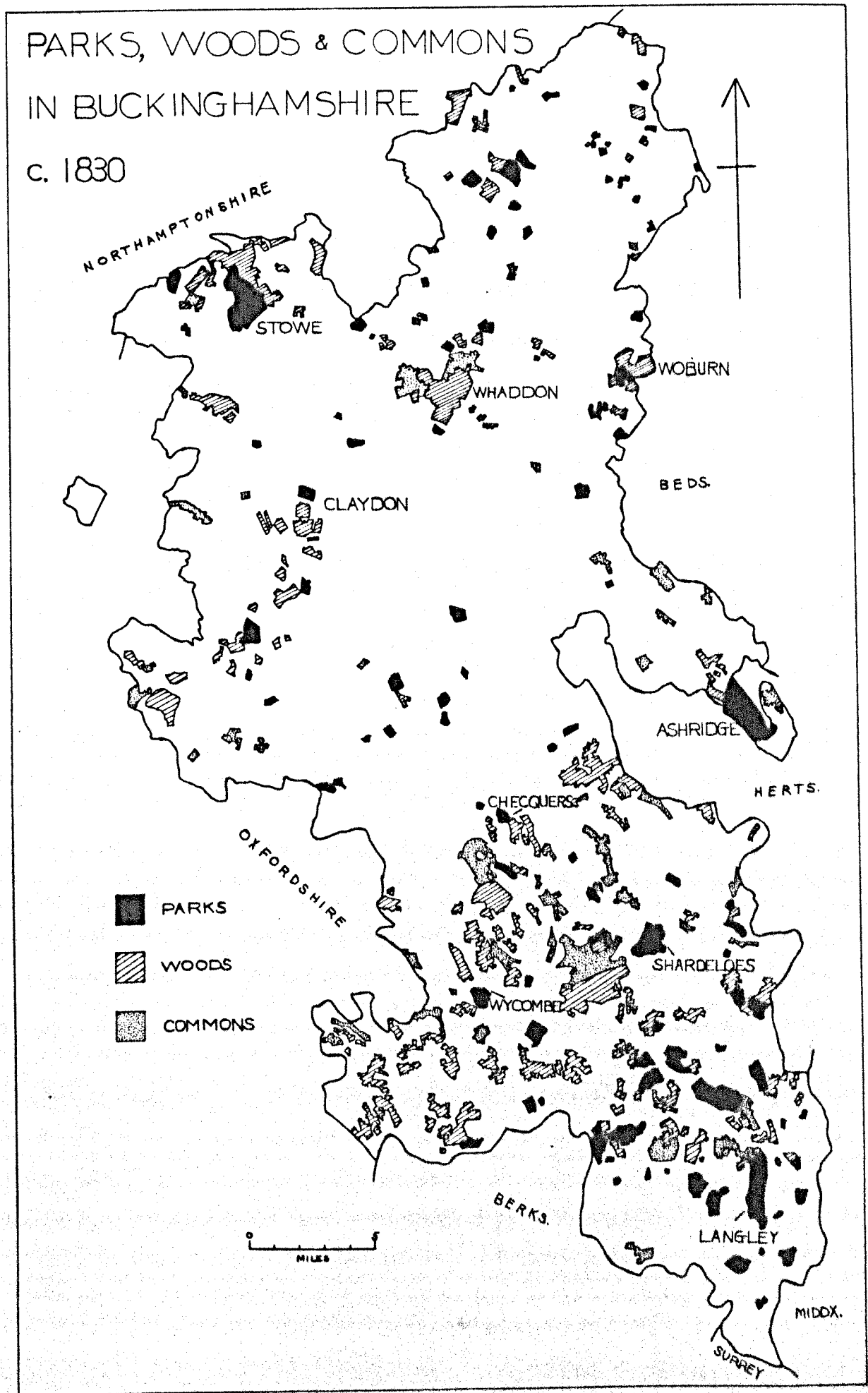
81 Browne Willis, op.cit., (1755), p.257.

82 Victoria County History, op.cit., Vol.IV (1927), p.279 and British Museum, Add. Mss. 5821, f.148d; Victoria County History, idem., p.411.

83 H.C. Prince, "Parkland in the Chilterns", Geographical Review, Vol.XLIX, No.1 (1959), pp.18-31.

84 A.C. Chibnall, op.cit., (1965), especially Chapter 22 "The Battle against Enclosure", pp.169-175.

Fig. IIg:



attempt to enclose thirty acres in Filgrave in 1526 and continuing through the sixteenth and seventeenth centuries.⁸⁵ It was clearly a piecemeal enclosure movement, slow but uninterrupted. Even the enclosure of 480 acres in the small parish of Tyringham in 1562 was not followed by the enclosure of the remainder for a number of years. Terriers of 1674 and 1700 clearly show the glebe at least in open fields.⁸⁶

Sherington and much of north-east Buckinghamshire suffered from an inadequacy of grazing. Land hunger was acute and called for at least partial enclosure in order to maintain a high standard of arable farming. In times of low corn prices, that is a plentiful supply of corn, as in 1619, illegal enclosures and other unlawful encroachments were pardoned and the offenders allowed to retain their newly acquired pastures. In times of corn scarcity as in 1629-31, Parliament was more concerned and ordered the removal of all new enclosures, that is all those lands enclosed in the previous two years.

Ideally it would be best to have precise information on every intake, encroachment and major enclosure for the fullest possible study of the prelude to eighteenth century enclosure. Contemporary observations are marred by imprecision and differing perceptions, the observer's perception in extracting the details of the landscape and our perception in interpreting those observations. Celia Fiennes' tour is both very rewarding and extremely confusing. About Great Horwood in 1697 she observed:

"this country is fruitfull full of woods enclosures and rich ground, the little towns stand pretty thicke, you have many in view as you pass the Road." (87)

The impression is of both enclosures and nucleated settlements, but

85 A.C. Chibnall, *Ibid.*, pp.173, 199.

86 *Ibid.*, p.173; *Cole Mss. op.cit.*, B.M.Add.Mss. 5839, f.393;

G. Lipscomb, *op.cit.* (1847), Vol.IV, p.379.

87 Christopher Morris (ed.), *op.cit.* (1947), p.119.

how can so many be in view if woods and hedgerows abound?⁸⁸

oOo

Accompanying the piecemeal enclosure of pre-1750 Buckinghamshire was the emergence of strict rules and regulations governing the practice of open field agriculture. Initially these were the manorial bye-laws, rules which were introduced at the Court Leet to govern the cropping and harvesting and subsequent intercommonage of the open fields. These bye-laws have great antiquity and survived well into the eighteenth century.⁸⁹ It was not until 1773 that the administration of the open fields passed from the manor court to a collective decision of the majority of the freeholders.⁹⁰

The bye-laws should not be confused with certain other rules, essentially agreements concerning the stinting and pasturing of the open fields when laid common. Such agreements seem to originate in the sixteenth century and were very widespread in the seventeenth and

88 See H.C. Prince, "The Geographical Imagination", Landscape, Vol.9 (1962), p.22, a case of "What do they know of England who only England Know?" Celia Fiennes came from Wiltshire which at the time had a very different landscape with considerable open downlands.

89 See also, M.W. Barley, "East Yorkshire Manorial Bye-laws", Yorkshire Archaeological Journal, Vol.XXXV (1943), pp.35-60. He uses the bye-laws from 1545-1856 discussing stinting on pp.38-9, and 53-56; See also, W.O. Ault, "Open-Field Husbandry and the Village Community, A Study of Agrarian By-Laws in Medieval England", Transactions of the American Philosophical Society, New Series, Vol.55, Part 7 (1965), a study that leans heavily on Buckinghamshire manors for evidence; On the other hand, Court Rolls do not always give information about common field cultivation, those for the Rectorial Manor of Waddesden in Buckinghamshire do not, A. Ballard, "Notes on the Court Rolls of the Rectorial Manor of Waddesden", Records of Buckinghamshire, Vol.X (1911), pp.98-100.

90 This control was never formally transferred from the court leet to the select vestry but it came about by the act of 13 Geo.III.c81, 1772-3, which entrusted the management of the common fields not to a true vestry but to a meeting of proprietors in which three-quarters majority in number and value would have the final determination on any issues of husbandry policy, W.E. Tate, The Parish Chest. 3rd edition (Cambridge, 1969), p.256.

eighteenth centuries.⁹¹

Like much of the contemporary piecemeal enclosure these agreements seem to reflect the land hunger of the period, that is the shortage of grazing, albeit temporary grazing. They invariably state in the preamble that the open fields and commons of the parish have suffered from neglect and overstocking. At Cheddington the agreement of 1719 recites that certain people had kept a greater number of cattle than they had right of common for, "to the great damage and prejudice of other persons having right of common", and in neighbouring Ivinghoe Aston in 1772 an agreement was formed "because the common fields, common greens and commonable places are overstocked".⁹² The preamble to the Wingrave agreement of 1777 states that:

"There have been much disorder within the said Parish of Wingrave and Hamlet of Rowsham by overstocking the commons and otherwise which is at this time and hath been to the great prejudice and disadvantage of the Inhabitants." (93)

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- 91 See W.O. Ault, loc.cit. (1965), p.12; R.H. Tawney and Eileen Power, Tudor Economic Documents, Vol.1 Agriculture and Industry (London, 1924), pp.59-60; The five sets of Steeple Claydon field orders start in 1635 and finish in 1792, F.W. Bateson, A Short History of Steeple Claydon (W.E.A. Leaflet, Oxford, n.d.), p.10; In Leighton Buzzard the agreements for the management of the commons and open fields date from 1631-1834, Boutwood Deposit, Bedfordshire Record Office, BO.1324-40; In Cosgrove just over the Buckinghamshire border in Northamptonshire the field orders date from 1686, Northampton Record Office, Acc.Nos. 1940/24 and 1943/4; The articles of agreement concluded at Cottenham in Cambridgeshire in 1597 continued to be the basis of the management of the common waste until the Parliamentary enclosure of the parish in 1842, W. Cunningham (ed.), "Common Rights at Cottenham and Stretham in Cambridgeshire", Camden Miscellany, Vol.XII (1910), pp.173-287; And at Leicester such regulations for the stinting of the pasture dated from the fifteenth century, C.J. Billson, loc.cit., (1925-6), p.231. In Berkshire several stinting agreements survive for the early eighteenth century, for Milton 1712, North Moreton 1719, Wadley 1738 and Sparshott 1747, C.R.O.Berks., D/EBt-E28, D/EB-E3, D/EB-E2 and D/ER-E5, respectively.
- 92 Nightingale Deposit, C.R.O.Ayl., 'Agreement for Stinting and Regulation of Commons in Cheddington, 22 April 1719', D/12/77; BAS.Deposit, C.R.O.Ayl., "Articles of Agreement regarding the use of Common Lands; 2 April 1772", in Ivinghoe Aston, BAS 146/45.
- 93 Wingrave Parish Records, C.R.O.Ayl., "Articles Orders and Agreements made... 5th April.... 1777... in the parish of Wingrave", Incumbent Records, PR/235/3/3.

At Sherington in 1722 there was not:

"sufficient pasturage in the common fields [of Sherington] for so many sheep as are necessary to be kept" [and] "there is not a fitt quantity of grass to keep a sufficient stock of horses and cows as are necessary to be kept and feed upon the said several farms". (94)

The parish of Chearsley also suffered from overstocking, this time as early as the seventeenth century.⁹⁵

Expressive of this hunger for pasture during the period was the case of the North Crawley tenants in 1742. There was no stint whatsoever in the common fields of this parish. Instead, after harvest, the sheep and cattle of the parish were allowed to graze on the stubble without any regulation. On the other hand there was a great deal of enclosed pasture in the parish. The proprietors of this pasture, regardless of whether they possessed any common field land or not, would turn their stock onto the common fields after harvest, thereby saving their own pasture and thus exacerbating an already acute shortage of grazing for those possessors of open fields only. A stint was suggested in proportion to the open fields possessed according to the normal practice elsewhere.⁹⁶ This was clearly not adopted because in 1772 [the year of the North Crawley enclosure act] a witness states:

"I am clearly of opinion that the reason why they follow the present course of husbandry in North Crawley field is because they have no stint of common if they had a stint they would certainly lay down some part of the field with grass." (97)

A similar situation existed in the parish of Shenley in 1739 except that on this occasion definite proposals were made to improve

94 BAS Deposit, "A Statement of Sherington Commoners, 20th March 1722", C.R.O.Ayl., BAS Miscellaneous 5, 414/44.

95 Victoria County History. op.cit., Vol. IV (1927), p.19, quoting F.R.O., Chancery Proceedings (Series 2), Bundles 333, No.1;398, No.110.

96 BAS Deposit, "The case of North Crawley Tenants, 20th August 1742", C.R.O.Ayl., BAS Miscellaneous 5, 335/22.

97 BAS.Ibid., Letter of 4 January 1772 from John Lord, a noted Buckinghamshire Commissioner of enclosures.

the commons with a stint, and to alleviate as much pressure on the available grazing grounds as possible. One tenth of the arable was to be laid to grass and a stint imposed of three sheep per acre of fallow, and six sheep per acre of new or old pasture. The regulations for converting the arable to pasture were minute in detail:

"there shall be baulks laid down at least two feet wide between the lands of different owners and there shall not be three lands throughout the fields adjoining together without a baulk one foot wide... [the baulks] shall continue unploughed for the space of twenty one years... and all joynts in the common fields shall be two poles wide... and laid down for grass"

There then followed strict regulations regarding the cropping and management of the fields. Four fieldsmen were to be appointed annually, to register and regulate the stints and levy fines of up to two shillings and sixpence for breaking any of the regulations in the agreement.⁹⁸

The orders "agreed upon by us the Parishioners of Dunton" in 1652 contained twenty eight restricting covenants, many of them subject to penalties if not strictly observed. Only ten lambs and twenty sheep per yardland could be stinted, and the cow pasture was not to be used until Michaelmas.⁹⁹ The orders were repeated in 1691 and 1699 though by the latter date the stint for lambs had been reduced by half. The orders were repeated once again in 1711.

The restricting stints of the sixteenth century in the parishes of Great Horwood and Newton Longville are recorded on the Manorial Court Rolls.¹⁰⁰ The Newton Longville sheep stint in 1550 was thirty

⁹⁸ Papers relating to Whaddon etc.: Co.Bucks., B.M.Add.Mss., 37069, p.220, letter of December 31 1739.

⁹⁹ Dunton Parish Register, C.R.O.Ayl., "Orders Agreed upon by us the Parishioners of Dunton, December 17 1652", PR/67/1/2, pp.84-5, Rules, numbers 14, 2, 4 respectively.

¹⁰⁰ On New College Court Rolls reprinted in W.D. Ault, loc.cit., (1965), pp.53-96; For a comparison with Yorkshire see M.W. Barley, loc.cit., (1943), pp.35-60 and also M.W. Barley (ed.), "Parochial Documents of the Archdeaconry of the East Riding", Yorkshire Archaeological Society, Record Series, Vol.99 (1939), introduction p.XV.

sheep per yardland, but they were not to be depastured in the stubble field until a fortnight after harvest. By 1600 the stint was still 30 sheep per yardland but a relaxation in the rules also allowed six beasts per yardland and depasturing was allowed just one week after harvest. Soon after, in 1608 the stint was reduced to twenty sheep and four beasts per yardland and furthermore no commoner was to let or sell his land except to some other commoner or inhabitant of the village, no "fforiners or strangers".¹⁰¹ The shortage of grazing was beginning to be felt.

At the Manor Court of Grendon Underwood in 1678 a similar stinting agreement was proposed:

"no person shall keepe above three horses and thirty sheepe to a yardland in the Mill field and forty two sheepe att Michaelmas and soe to continue for the other two fields, and that noe man shall keepe above eighteene lambs to a yardland".

The penalty for default was three shillings and fourpence.¹⁰²

As these examples show, the stints varied from parish to parish in contemporary Buckinghamshire. For example, in 1550 the stint at Great Horwood of 40 sheep, 10 cows and 10 beasts per yardland, was higher than in Newton Longville, with only 30 sheep per yardland.¹⁰³ In the Warwickshire parish of Ufton the stints were much smaller in 1641 than in Buckinghamshire parishes, with only 16 sheep, 3 beasts and 3 horses per yardland. There were also articles in the field orders preserving tracts of greensward between adjacent properties.¹⁰⁴

The stints seemed to vary according to the pressure on the land. The greater the number of commoners the smaller would be the stint, and

101 W.O. Ault, *Ibid.*, pp.85, 94 and 96 respectively.

102 Anon, "Grendon Underwood Manor in 1678", *Records of Buckinghamshire*, Vol.XIII, Part 4 (1937), pp.285-6; Evidently the Grendon Orders were repeated in 1692 because an action was brought in 1694 against one of the commoners for overstinting, in which the orders were quoted, *Doddershall Mss. of the Pigott family*, C.R.O.Ayl., AR/23A/66(L), Miscellaneous item No.13.

103 W.O. Ault, *loc.cit.*, (1965), p.85.

104 *Snell Trust Deeds*, "Orders agreed upon by the inhabitants of Ufton for the using of their fields to continue for one and twenty years from Michaelmas next ensuing", Balliol College Oxford Muniments, CI/70 1641.

the greater the area of common and waste the greater would be the stint. Therefore at Iver at the end of the eighteenth century the stint was two sheep per acre, which for an average Buckinghamshire yardland would be from 50-80 sheep per yardland, because there were extensive wastes and commons.¹⁰⁵

For Sherington, the reduction of the stint from 1682-1722 has been ascribed to the increased population of the parish. This resulted in the over stinting of the common and commonable places. Even though the new cottages would not legally have a common grazing right, it was, no doubt, impossible to police the commons thoroughly or deny each cottage family an allowance of one or two grazing animals. Therefore, in time, the cow pasture and fallow field became overstocked. The Manorial Court Orders of 1682 in due course limited the number of cows, sheep and horses on the cow pasture, stubble and fallow, orders which were revised in 1722.¹⁰⁶

The pressure upon the land continued throughout the eighteenth century, demonstrated by the gradual reduction in the size of the grazing stints. In the Oxfordshire parish of Great Tew for example, in the three years 1756, 1759 and 1761, the sheep stint was reduced from 18 to 16 and finally to 12.¹⁰⁷ In the Buckinghamshire parish of Wingrave it was the custom "time out of mind" for the stint to be seven beasts or cow cattle per yardland, six cows per cottage and forty sheep per yardland. The agreement of 1777 reduced this stint to six beasts and thirty two sheep per yardland and two cows per cottage common.¹⁰⁸

In Stony Stratford the problem of land hunger was brought to a

105 Iver Parish Records, C.R.O.Ayl., "Presentments of the Manor of Iver", contained in Vestry Book No.5 1779-1797, PR/115/8/3, the orders were repeated unchanged until 1797.

106 A.C. Chibnall, op.cit., (1965), p.226 and Appendix pp.283-5; BAS Deposit, C.R.O.Ayl., loc.cit., 414/44.

107 P. Vinogradoff, "An Illustration of the Continuity of the Openfield System", Quarterly Journal of Economics, Vol.22 (1907-8), p.71.

108 Wingrave Parish Records, C.R.O.Ayl., loc.cit., PR/235/3/3; Time out of mind simply meant within living memory.

head in 1682. The Court ordered that all encroachments on the roads and ways were to be removed and a new set of 'orders' were adopted, regulating the use of the common lands. Though encroachments continued up to 1850, it seems that the fines attached to the 'orders' acted effectively, both as a deterrent or alternatively as a means of redress.¹⁰⁹ In 1656 the stint was 6 horses, 100 sheep and 12 beasts or bullocks per yardland, and 2 beasts or bullocks and 6 sheep per cottage common. By the eighteenth century the pressure of over stinting had become very acute and the Court issued new orders:

"Whereas too great numbers of horses have been kept within this manor by order of former courts it is hereby ordered and agreed that no person shall sell or let or dispose of any large commons in any case whatsoever... and that the four great farms shall keep but nine horses each." (110)

These stinting agreements were subject to very strict and minute covenants. The Padbury regulations of 1779 contained thirty seven articles each one subject to a distinct fine if broken, and the "Rules for the Management of the Open Field" at Shalstone in 1750 contained thirty five restrictions and obligations.¹¹¹ The 1719 agreement at Cheddington contained only ten articles and the Grendon agreement of 1678 only eleven, but again they were very precise regulations. They were usually for a specific term of years. The Cheddington one was to remain in use for the following twelve years, at the end of which time no doubt the condition of the commonable places would be inspected and the rules renewed, extinguished or reinforced, according to the pressure upon pasture. The Dunton orders of 1652 were reviewed and revised in 1691, 1699 and 1711. The Grendon regulations of 1678 were ordered to

109 F.E. Hyde and S.F. Markham, *op.cit.*, (1948), pp.79-80.

110 From the Manorial Rolls of October 8 1656 and April 18 1733, in F.E. Hyde and S.F. Markham, *op.cit.*, (1948), p.42.

111 Padbury Parish Collections, C.R.O. Ayl., "Regulations for the Open-Fields of Padbury agreed on at a Manor Court, 7 December 1779", PR/162/28/1; "Rules for Management of Open Fields, 12 March 1750", in the Manor of Shalstone, reprinted in G. Eland (ed.), *op.cit.*, (1931), Vol.II, Appendix A, pp.434-439.

"stand and continue in force" for an unspecified period of time, though it is known they were revised in 1692. The fifteen Rules for the common fields and common stints of Iver were first presented in 1780 and repeated almost yearly from 1789-1799 at which time the Parliamentary enclosure of the parish made them no longer necessary. ¹¹²

A number of the agreements preceded Parliamentary enclosure by only a few years. Swanbourne [agreement of 1748] was enclosed by an act of 1762. Similarly Padbury [... 1779] was enclosed in 1794, Wingrave [... 1777] in 1799 and Shalstone [... 1750] in 1767. The parish of Shenley was enclosed in 1762 and was preceded by an agreement for regulating the stints on the commons and common fields in 1739. There may have been other parishes that were preceded by such agreements. Two explanations seem to suggest themselves. The agreements may not have been successful, the rules may not have been maintained, ¹¹³ and overstinting may still have been a problem. Perhaps, inevitably, a full enclosure would follow, not necessarily to achieve farming in severalty but perhaps rather to allow individuals the choice of setting aside pieces for pasture. Alternatively these agreements may have been very successful, providing adequate grazing and, more important, achieving co-operation. The experience of arbitration would have been

112 Iver Parish Records, C.R.O.Ayl., loc.cit., PR/115/8/3, and Manorial Court Book, Court Leet and Baron of Henry Spurling 1799-1817. PR/115/8/5. In fact only fishery rights remained in force, and they were repeated annually until 1817.

113 As an example of the collapse of co-operation, an act was passed in 1777 for the parish of Wendover to consolidate holdings in the open fields though still maintaining the principles of open field husbandry, including the right to depasture stock at specific times in the year. It also agreed that clover and turnips could be sown as substitutes for the pasture of the balks [Act of Geo.III., c.78, 1777]. One owner disregarded these rules one year and folded his sheep flock on the turnips in May instead of at the agreed time, thereby ruining the crop. William James and Jacob Malcolm, A General View of the Agriculture of the County of Buckinghamshire. (London, 1794), p.29; But how successful were the open fields consolidated in Wendover? In 1794 the year that the Wendover enclosure act was passed, there was one owner at least whose lands were very widely scattered throughout the parish. In fact eighteen acres in thirty one distinct parcels, W.E. Tate, A Handlist of Buckinghamshire Enclosure Acts and Awards, (Aylesbury, 1946), p.26.

useful for the later enclosure negotiations.

The practice of revising field rules, that is reducing stints and perhaps converting arable strips to pasture, in the seventeenth century and after probably acted as a delaying mechanism for the more drastic and final solution of enclosure.¹¹⁴ Enclosure therefore, was a consideration which in many places could be and was postponed for many years.¹¹⁵

In a sense, the emergence of stinting agreements in the seventeenth century, and certainly those in the eighteenth century, came too late. The previous century and a half saw an accumulation of capital in the shape of live-stock, an accumulation that became so large that the laws enforced by the manorial courts failed to prevent the overstocking of the common waste, common pasture and other commonable places.¹¹⁶ Land shortage and the consequent shortage of grazing was a critical issue in the Tudor period and the expedient became piecemeal enclosure.¹¹⁷ In the same way, the continued search for grazing and

114 The Shenley agreement of 1739 proposed to lay down for grass one tenth of the arable fields to remain unploughed for the space of twenty one years, at the end of which time it could be ploughed but had to be replaced by a tenth located elsewhere. In fact the parish was enclosed at the end of twenty three years. In addition all 'lands' in the arable fields were to be two poles apart, a pole for each land, these 'joynts' laid down to grass; B.M.Add.Mss., op.cit., 37069, p.220 and following; At Sherington it was decided that each year, greensward of 16½ feet in width would be set aside between the merestones and marks of each furlong to act as a pastured causeway, not to be ploughed for twenty one years. There was to be one foot set aside of each half acre strip to be kept as greensward. Where two adjacent half acres belonged to the same person there was to be two feet set aside, on the outside of each half acre. Where there were three half acres together there were to be three feet set aside, on either side. Where four half acres it was to be two feet on the outside and four feet between the two middlemost lands. In addition, every sixth acre of arable was to be laid for greensward. BAS Deposit, op.cit., C.R.O.Ayl., BAS Miscellaneous 5, 414/44.

115 See Joan Thirsk, "Agrarian History, 1540-1950", in W.G. Hoskins (ed.), Victoria County History of Leicestershire, Vol.II (1954), p.224; In order to reduce the amount of fallow in the parish of Leighton Buzzard it was agreed as late as 1814 to divide the existing three fields into four and also to allow the introduction of turnips and potatoes as a substitute for fallow. The parish was not enclosed until 1837-40, Boutwood Deposit, Bedfordshire Record Office, BO/1334.

116 See R.H. Tawney, op.cit., (1912), p.170.

117 See Joan Thirsk, op.cit., (1959), p.5.

the concomitant land hunger that was experienced in the seventeenth and eighteenth centuries was met in one direction by numerous encroachments and small enclosures, and in another by belated attempts at reducing stints and the pressures upon pasturage. Possibly this land hunger was a consideration, as important as many others, for the eventual emergence of enclosure by Act of Parliament.

APPENDIX II(a): A List of Non-Parliamentary Enclosure of Open Fields
in Buckinghamshire

<u>Parish/Place</u>	<u>Date</u>	<u>Comments</u>	<u>Sources</u> ¹
Addington	1710 1726	Act of Parliament which authorised exchanges	Browne Willis, p.113 Lysons, p.495
Ashendon	? before 1503	Old and new enclosures in a terrier of 1620 Only 60 acres but there was a depopulation	Lipscomb I, p.12 Leadham, p.159
Astwood	1585	340 acres	Letters Patent, 27 Eliz.
Aston Mullins	1504		Beresford, p.24
Aston Sandford	by 1620	From a terrier of 1741, but the open fields remained until at least 1797 and possibly up to 1813	Lipscomb I, p.46 Coppock, p.16
Aylesbury	in the reign of James I	160 acres	Gibbs, p.171
Barton Hartshorne	mid-16th C. 1624	30 acres the remainder of the parish	V.C.H. IV, p.147 Willis, p.134
Beauchampton	1578-90		Willis, pp.143-4, 149; H.O.47
Biddlesden	by 1590		Elland, pp.4, 6
Bletchley	1517 1563	But disparted by 1735	Leadham, p.178 B.M.Add.Mss 5821
Boarstall	1437 before 1577 1623-32	For pasture A common and 100 acres Disafforestation of Bernwood	V.C.H. IV, pp.9-10 V.C.H. IV, pp.9-10 Lipscomb I, pp.53, 355
Bourton	c.1628	by Richard Minshall	Lipscomb II, p.588 Willis, p.31
Bradwell	1501 1506-7	325 acres	Leadham, p.181-2 V.C.H. IV, p.284

¹ For a bibliography of the sources used see the end of the appendix.

Bragenham	1504 & 1514		Leadham, p.170
Little Brickhill		Many early enclosures in the 17th and 18th centuries	V.C.H. IV, p.299
Brill	1575 1610	100 acres of wood Petition against enclosure	V.C.H. IV, p.15 ditto.
Broughton	after 1605 1720	Terrier of 1605 shows open fields Tithe Act of 1748 mentions enclosure	Cole Mss., f.81 Lipscomb IV, p.79 Lysons, p.523
Broughton (in Mentmore)	1511	Depopulated	Leadham, p.212
Burcott (in Wing)	1512		Leadham, p.173
Burnham	1813	Under the timber Act of 1755	Dropmore Deeds
Burston (in Aston Abbots)	1488	Depopulated	Leadham, p.162
Caversfield	?	Enclosed by the Bard family	Willis, p.171
Chicheley	before 1620 1635-93	By Anthony Chester Enclosure of the glebe at least. But open fields existed in the parish in 1711 and 1772	Chester Mss. Beresford, p.24 Chester Mss. and North Crawley Enclosure Awd.
Chilton	1544	140 acres of waste by agreement	V.C.H. IV, p.22
East Claydon	post-1639		Beresford, p.24
Middle Claydon	1654	Terrier of 1675	Lipscomb I, p.189
Creslow	1486-1554		Beresford, p.24
Clifton Reynes	remote period & Edward VI 1560 1565 before 1673	12 score acres Forcible depopulation Indenture selling the manor	Sheahan, p.519 R.O.B., 1890, p.404 V.C.H. IV, p.316 Chibnall, p.199 Lipscomb IV, p.106
North Crawley	1290-91	80 acres for a park	Lipscomb IV, p.123
Cuddington	post-1707		Beresford, p.24
Denham	c.1514		Leadham, p.187
Doddershall	1494	See Boarstall for disafforestation of Bernwood	Leadham, p.162

Dorton	before 1530	Dorton Park enclosure for deer mentioned on a map of 1530	V.C.H. IV, p.46 & Lipscomb I, p.243
	1687	Agreement to enclose three acres	BAS, Misc.5
Drayton Beauchamp	1658	Terrier of 1639 suggests some open fields Map of 1736 indicates some open fields	Beresford, p.24 Cole Mss., f.47 C.R.O.Ayl., P/E 12
Edgecott	1800-01	By private agreement and privately appointed commissioners	Minute Book, Berks. C.R.O. D/EW1 EH2
Ekeney	1641	This is a small depopulated village By agreement, there is a map in Lincoln College Oxford	Lipscomb IV, p.133 Chibnall, p.199
Filgrave	1607 1707	Partially enclosed Fully enclosed by agreement	Chibnall, p.199 ditto.
Finmere Warren & Northend	(1760-73 & 1771-84)	By agreement	Stowe Mss.
Fleet Marston	1510-51	Depopulating enclosure. But contains common fields as late as 1694	Leadham, p.171 C.R.O.Ayl., MA/165/1
Foscott	1624-30	By agreement	C.R.O.Ayl., PR/127/1/1, Willis, p.189 and Lipscomb III, p.14
Gayhurst	1710	By agreement Leadham says 1515 but a glebe of 1639 shows that the glebe at least is in open fields	Lipscomb IV, p.142 Cole Mss., f.170
Grove	1607-74	From glebe terriers	Cole Mss., f.87
Halton	before 1808	At least 95 acres enclosed	Priest, pp.58-9
Hambledon	before 1680		Beresford, p.25
Stoke Hammond	15th Cent.		Leadham, p.180; V.C.H. IV, 471
Hanslope	early 16th C.		Leadham, p.209; V.C.H. IV, p.348
Hardmead	1638	Map of 1638 though a terrier of 1639 suggests the glebe is still open	Chibnall, p.199; Cole Mss., f.205

Hawridge		Partition of the parish had started by 1550; a terrier of 1639 mentions open fields and in 1801 30 acres were still in common	Hay, passim; Cole Mss., f.116; Lipscomb III, p.373; H.O. 47
Hogston		Beresford says before 1601; a terrier of 1639 suggests enclosure	Beresford, p.25; Cole Mss., f.126
	1765-6	By agreement by the Earl of Chesterfield	Lipscomb III, p.378
	1766	As stated in the 1801 Crop Returns	H.O. 47
Hogshaw	1487	Depopulation	Leadham, p.192
Great Horwood	by 1503	"All tenants having fences in the East part of town shall cause them to be repaired well and truly".	New College Court Rolls, G.H. 11.41
	by 1583	"The lanes bordering the enclosed fields were ordered to be stopped up".	ditto. 111.31
Hughenden	1752	Wrongful enclosure of the waste	Dormer Est.Mss.
Ickford	1634-94		Beresford, p.25
Ilmer	1625-1706	But still in open fields from 1674-1745, evidently it was only the enclosure of the glebe	Beresford, p.25; Grubb Mss.
Great Kimble	1669	300 acres by agreement	Lee Mss.
Kingsey	1662		Beresford, p.25
Lathbury	1555	One field of the three field village was enclosed and the tenants had to adapt to a two field system	Chibnall, p.199
	1652-6	Enclosure resulted in litigation	Lipscomb, IV, p.202
	before 1674	Terrier mentions a "field lately enclosed" Beresford suggests some open fields in 1709	Cole Mss., f.217 Beresford, p.25
Leckhampstead	1624-30	By Chancery Decree at the same time as Foscott above	Willis, p.208; C.R.O. Ayl., PR127/1/1; Lipscomb III, p.26

Lenborough	1500 1617	By Richard Ingoldby for a park	Leadham, p.205 Willis, p.35
Lillingstone Dayrell	1445-90	Depopulation mentioned in glebe of 1625	Leadham, p.198 Beresford, p.25
Lillingstone Lovell	mid-17th C.	For a park	V.C.H. IV, p.192
Great Linford	1658-62	By agreement	Lipscomb IV, p.224; Napier & Utthwatt Coll.
Newton Longville		There was always about 93 acres of old enclosure	Lipscomb IV, p.261
Loughton	1619	Piecemeal by agreement	Campbell, p.90
Marsh Gibbon		Terrier of 1607 mentions only two fields	Lipscomb III, p.54
Newport Pagnell		Disparked before 1757	V.C.H. IV, p.411
Oakley	1622 1634 1577	By Sir Timothy Tyrrell Unauthorized enclosure	See Boarstall above Lipscomb IV, p.353 V.C.H. IV, p.80
Olney	1374	For Olney Park	V.C.H. IV, p.432
Quarrendon	before 1630		V.C.H. IV, p.100
Pitchcott	1674-80	Inferred from glebe	Lipscomb I, p.385
Pitstone	before 1672 1795	160 acres by Chancery Decree An unspecified area of common	Herts.C.R.O., AH 1163 ditto. AH 2358
Radclive	in the reign of Charles II after 1709	By Sir William Smith, M.P., for a park Disparked by Mrs. Rebecca Woodfine	Willis, p.257 Ditto.
Shalstone	1571 1707	c.450 acres c.120 acres But a terrier of 1639 suggests open fields	Lipscomb III, p.70 ditto. Willis, pp.263-5
Shenley		Shenley Church End was a very ancient enclosure confirmed in a terrier of 1674 which also shows Shenley Brook End in Open Fields	Lipscomb IV, pp.327-8; Cole Mss., f.341

Stantonbury	early 16th Cent.	Depopulation, in 1736 there were only 4 houses in the village	Lipscomb IV, p.345; Leadham, p.210; V.C.H. IV, p.462
Stewkley	1494	201 acres of Littlecote Manor by Thomas Pigott	R.O.B., 1937, p.352
Stowe	1651	Sir Peter Temple for a Park which resulted in the re-siting of the village	Willis, p.276
Tattenhoe	1584	Dispute over ownership which resulted in an enclosure agreement	B.M.Add.Mss., 37069; V.C.H. III, p.434
Tyringham	1509	But was open again in 1520	Leadham, p.195; V.C.H. IV, p.482
	1562	480 acres by Thomas Tyringham Terrier of 1700 shows 3 Open fields	Chibnall, p.172 Lipscomb, p.379
Thornton	1558	By George Tyrill	Willis, p.297
Waddesdon	c.1595	Wrongful enclosure mentioned in Court Rolls	R.O.B. 1911, p.98
	before 1654	From an Indenture citing enclosed ground	Lipscomb I, p.473
	1669	The common at Oving Hill	Doddershall Mss.
Walton	by 1720	The glebe by 1720 confirming Beresford's date of 1680-1700	Parish Register, C.R.O. Ayl., AR/91/72/L.
Water Stratford	1615-59	Manorial Estate by Anthony Franks Terrier of 1639 mentions East Field and Middle Field only In 1720 there was still some common land	Willis, p.342 ditto., p.346 R.O.B. 1892, p.116
Weston	?	Park of 75 acres	V.C.H. IV, p.497
Underwood	1617	By agreement	Chibnall, p.199
Whaddon	by 1607	Terrier mentions 'closes'	Lipscomb III, p.499
Wing	early 16th Cent.	For a park	V.C.H. III, p.450
Willen	early 16th Cent.	80 acres Terrier of 1650 mentions extensive enclosures	Leadham, p.177 Cole Mss., f.413 V.C.H. IV, p.502
Over	1654	From an Indenture	Lipscomb I, p.473
Winchendon	1673	From an Indenture	ditto., p.548
Winslow	1614-20	Wrongful enclosure of Shipton Lee	Doddershall Mss.

Wolverton	from 1501 1517	For a park 40 acres	Leadham, p.182 Radcliffe Mss., Deed 100, Bodleian Library
	before 1639	From a terrier	Cole Mss., f.434; Lipscomb IV, p.417
	1654		Cole Mss., f.434; V.C.H. IV, p.505
Great Woolstone	1674 1675	Private agreement Confirms the above	BAS 224/39 V.C.H. IV, p.510 quoting the Exchequer Dep.
Wotton	16th Cent.	By Edward Grenville Though in 1742 there were 5 Common fields	V.C.H. IV, p.130 Lipscomb I, p.602

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CHAPTER III: CHRONOLOGY, DISTRIBUTION AND DENSITY OF PARLIAMENTARY ENCLOSURE IN BUCKINGHAMSHIRE, 1738-1865.

"God made the country, man made the town."

So said the most illustrious of Buckinghamshire poets, William Cowper in 1783.¹ It was a most unfortunate and unobservant statement to make. In 1768 Cowper had witnessed the transformation of the landscape as his then home parish of Olney was enclosed by enclosure commissioners. Each day he must have seen the once open landscape become subdivided by hedgerows, and he must have travelled frequently along the newly formed roads. Similarly with other parishes in that north-east quarter of the county. It was clearly already a man-made landscape.

The present chapter will place the Parliamentary enclosures of Buckinghamshire into perspective, discussing the chronology, distribution and density of the 'movement'.

It is a very important, but rather neglected aspect of county history that during the nineteenth century there were a number of boundary changes, some of which affected Buckinghamshire. For the purposes of this study the county will be defined as in the Victoria County History.² This in turn was based on the geography of the county as it was before 1844, though in fact the acreages of the parishes are those given at the time of the 1801 Census.³ In addition, other boundary changes have been reconstructed using contemporary sources, notably Bryant's Map of 1824. For example, the modern Municipal Borough of Slough now obliterates the whole or part of no less than six Parliamentary enclosures. The reconstructed county contains part of Little Gaddesden

1 Taken from Poems by William Cowper Esquire: in 2 volumes (London, 1814), Vol.2, "The Task", p.40, 'Town and Country Contrasted'.

2 W. Page (ed.), The Victoria County History of the County of Buckinghamshire (London, 1903), Vol.2, p.94.

3 By the Act of 7 & 8 Victoria, chapter 61, 1844, detached parts of counties, which had already for parliamentary purposes been amalgamated with the county by which they were surrounded or with which the detached part had the longest common boundary, were annexed to the same county for all purposes.

in Hertfordshire and the Oxfordshire parishes of Towersey and Caversfield. At the time of enclosure these parishes were in Buckinghamshire. Conversely, the present Buckinghamshire parish of Stokenchurch was in Oxfordshire when it was enclosed and is therefore excluded from the present study.

Between 1738-1865 there were 132 Private Enclosure Acts passed for places in Buckinghamshire. This includes those acts passed in pursuance of the General Acts of 1836 and 1845 which did not require special sanction from Parliament. For these 132 Acts 127 awards have survived, as enrolments, originals or copies. Of the five acts where no copy of the award has been found only three are true omissions, Grendon Underwood (1769), Dunton (1774) and Moulsoe (1802). For the last named, though the award is still missing, both the original map and the commissioners' minute book have survived.⁴ The Haversham act of 1764 enabled the Lord of the Manor to enclose the parish, for which no award was necessary, and the Wendover act of 1777 merely confirmed exchanges in the open fields, and again no award was made.⁵

The first enclosure act for a Buckinghamshire parish was passed in 1738 involving 878 acres at Ashendon. There followed two further acts in the 1740's but regular enclosing activity in the county was delayed until the 1760's. This was unlike other Midland Counties such as Leicestershire, Warwickshire, Oxfordshire and Northamptonshire where

4 Moulsoe Commissioners' Minute Book, Carrington Mss., C.R.O. Ayl., Box 8a, Moulsoe Settled Estates Bundle No. 11; Moulsoe Enclosure Map, C.R.O. Ayl.

5 The Haversham Enclosure Act of 4 Geo. III, chapter 46, 1764, "An Act to enable Lucy Knightley Esquire to inclose several Open and Common Fields..."; Wendover Enclosure Act of 17 Geo. III, chapter 78, 1777, "An Act for confirming Exchanges of Lands and Tithes...". By Acts is also meant the Agreements which quote the 1836 General Act and the Provisional Orders of the 1845 General Act and its yearly revisions.

Parliamentary enclosure was common throughout the 1750's as well.⁶

Table IIIa summarises the subsequent history of Parliamentary enclosure in Buckinghamshire. It was constructed in part from the Handlist produced by W.E. Tate.⁷ However, Tate's figures were derived mainly from the preambles to the individual Acts of Parliament. These figures are now known to be inaccurate and have therefore been revised by an inspection of all the awards. Rightly speaking there were 132 Acts but the first Wandover Act has been omitted to avoid double counting. The table also considers the boundary changes.

Table IIIa: The Chronology of Parliamentary Enclosure in Buckinghamshire, 1738-1865.

<u>Period</u>	<u>Number of Acts passed</u>	<u>Acreage Enclosed</u>	<u>Average Acreage per Enclosure</u>
Pre-1760	3	3,141	1,044
1760-69	13	15,992	1,230
1770-79	20	30,332	1,517
1780-89	5	8,074	1,615
1790-99	25	32,475	1,300
1800-09	17	23,701	1,394
1810-19	12	14,852	1,238
1820-29	8	11,354	1,419
1830-39	5	7,509	1,502
1840-49	9	9,692	1,077
Post-1849	14	9,022	644
<u>Total</u>	<u>131</u>	<u>166,142</u>	<u>1,268</u>

Sources: Parliamentary Enclosure Acts and Awards, including photo-duplicates of those enrolled in the Public Record Office, C.R.O.Ayl.

6 H.G. Hunt, "The Chronology of Parliamentary Enclosure in Leicestershire", Economic History Review, 2nd series, vol.X (1957-8), p.269; J.M. Martin, "The Parliamentary Enclosure Movement and Rural Society in Warwickshire", Agricultural History Review, Vol.XV, Part 1 (1967), pp.24-6; A Handlist of Inclosure Acts and Awards relating to the County of Oxfordshire (Oxford County Council, Records Publication No.2, 1963) passim; W.E. Tate, "Inclosure Movements in Northamptonshire", Northamptonshire Past and Present, Vol.1, No.2 (1949), pp.19-33.

7 W.E. Tate, A Handlist of Buckinghamshire Enclosure Acts and Awards (Aylesbury, 1946), pp.33-39.

The characteristic of Parliamentary enclosure in the county is the relatively late start. Before 1760 there were only three acts enclosing 3,141 acres but after 1820 there were thirty six acts enclosing 37,577 acres. The following graph, Fig. IIIa, compares the chronology of enclosure in Buckinghamshire with the corresponding time-scales for the counties of Warwickshire, Leicestershire and the Lindsey division of Lincolnshire.⁸

The 'movement' in Buckinghamshire differed markedly from the 'movement' elsewhere in one very material way. There was a peak of enclosing activity for the other counties by or during the decade of the 1770's but the peak in Buckinghamshire was delayed until the 1790's. The trough in the chronology in the 1780's is a feature common to the Parliamentary enclosure period. It was a time of high interest rates, offering greater incentives for investment and speculation outside the agricultural sector, which of course made borrowing for agricultural improvement more expensive and difficult. It was also a decade affected by the American War.⁹

However, Buckinghamshire is not unique in having a concentration of enclosure acts in the late eighteenth and early nineteenth century. E.C.K. Gonner's analysis showed that several other counties shared this characteristic, notably Bedfordshire, Huntingdonshire and Rutland.¹⁰ A.H. John has also stressed the concentration of enclosure acts during the period of the Napoleonic wars. In fact he states that half of all enclosure acts from 1727-1845 were passed during these years.¹¹ However,

8 The information for the construction of graph Figure IIIa came from, H.G. Hunt, *loc.cit.* (1957-8), p.269; J.M. Martin, *loc.cit.*, (1967), pp.24-6; T.H. Swales, "The Parliamentary Enclosures of Lindsey", *Reports and Papers of the Architectural and Archaeological Societies of Lincolnshire and Northamptonshire*, Vol.XLII (1934-5), p.255.

9 G.E. Mingay & J.D. Chambers, *The Agricultural Revolution 1750-1888*. (London, 1966), p.82; T.S. Ashton, *The Eighteenth Century* (London, 1955), pp.40-41.

10 E.C.K. Gonner, *Common Land and Inclosure* (London, 1912), Appendix D, pp.279-281.

11 A.H. John, "Farming in Wartime, 1793-1815", in E.L. Jones & G.E. Mingay (eds.), *Land, Labour and Population in the Industrial Revolution* (London, 1967), p.30.

CHRONOLOGY OF PARLIAMENTARY ENCLOSURE
IN BUCKINGHAMSHIRE : A COMPARISON

NO OF
ACTS

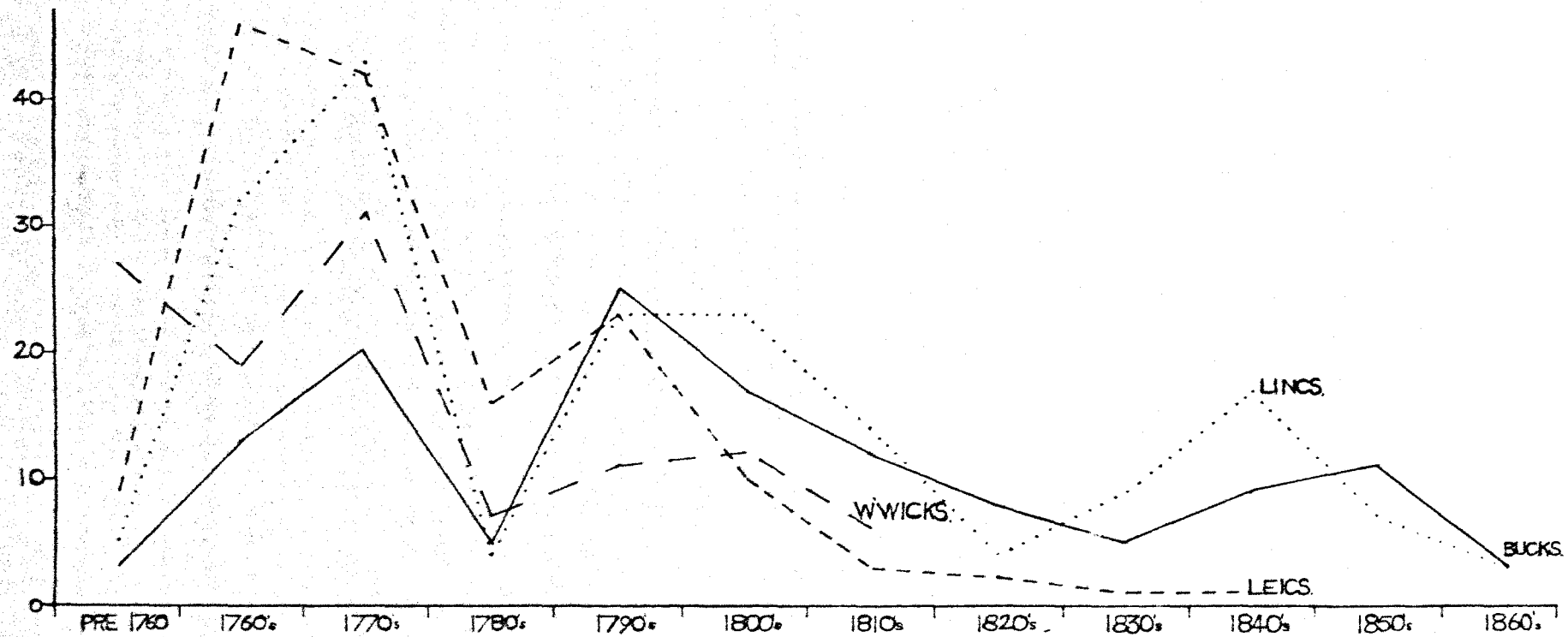


FIG. 111a:

to overstress this feature is to ignore the significance of different types of enclosure. The wartime figures exaggerate the situation because of the increasing number of bills for enclosing commons and wastes only. Again, A.H. John recognises this point. He produces a table of enclosure acts passed between 1793-1815 showing that for the years 1802-16 about one half to a quarter of all land enclosed was for common, wastes or common pastures only, not the traditional open field arable.¹² This is not so for Buckinghamshire, the peak in the 1790's is a true peak. The first acts dealing with commons and wastes alone are not till 1803 with the enclosures of Hanslope and Olney.¹³ Indeed the peak that G.E. Mingay and J.D. Chambers produce is extremely late, during the decade of the 1810's and is undoubtedly influenced by the wartime extension of marginal lands bringing certain uplands and wastes into cultivation for the first time.¹⁴

"It was the wars with France between 1795-1815 that brought about an increased awareness of the value of the waste, and the conquest of the waste and the conquest of France became synonymous in some minds." (15)

The object was to see the waste:

"wave with luxuriant Crops of Grain - even covered with innumerable Herds and Flocks or dotted with Stately Timber." (16)

12 A.H. John in Jones and Mingay, op.cit. (1967), p.31.

13 Acts of 43 Geo.III chapters 47 and 2 respectively, 1803.

14 G.E. Mingay and J.D. Chambers, op.cit. (1966), p.83, where they produce a graph of the chronological distribution of enclosure bills showing a post-1800 peak of activity; See also, Board of Agriculture, General Report on Enclosures drawn up by order of the Board of Agriculture (London, 1808), appendix I, pp.139-40 where it is shown that the extent of the waste in Cornwall was over 500,000 acres, in Cumberland it was just under 500,000 acres, in the West Riding just over 400,000 acres and in the North Riding it was 440,000 acres. In the lowland, more traditional open field country of the Midland Plain, the figures are much lower, for example, in Leicester 20,000 acres and in Northamptonshire 45,000 acres.

15 M. Williams, "The Enclosure and Reclamation of Waste Land in England and Wales in the Eighteenth and Nineteenth Centuries", Transactions of the Institute of British Geographers, No.51 (1970), p.57.

16 British Parliamentary Papers. Reports 1795-6, 48, papers Nos. 133, 33 and 19.

To emphasise the importance of the peak in the 1790's for Buckinghamshire, the 1794 Agricultural Report on the County lists only 6,000 acres as being waste.¹⁷ Though this was almost certainly an underestimate there was indeed very little waste in the county at the time. As M. Williams demonstrates cartographically, waste lands represented a little over 1% of the county, which was the third lowest amount for the counties of England and Wales at the beginning of the nineteenth century.¹⁸

The late timing of enclosure in Buckinghamshire may have a direct relationship with the agricultural state of the county at the onset of the Napoleonic Wars. Contemporary accounts are very rare. There is the earlier tour made by the Scandinavian Pehr Kalm in 1748, who makes continual reference to the open nature of the county north of the Chiltern Hills. The reconstruction of Kalm's journey by W.R. Mead illustrates the distinction between the open north and the enclosed fields, woods and parklands of the Chiltern dip slope.¹⁹ His opinions on the open fields are very illuminating:

"Today we had manifold proofs of the evils of the common fields, what harm and hindrance it is for a farmer to have all his property in common fields with his neighbours, and on the other hand what an advantage it is to have an isolated farm and possessions all to himself when he gets to manage and cultivate them according to his own discretion." (20)

One valuable observation has survived. It is a letter written by John Fellows, an enclosure commissioner from Foscott near Buckingham. Fellows was a farmer and the son of a farmer, that is, he was a farmer by background but became a land surveyor and later an enclosure commissioner, by profession.²¹ As a commissioner in Buckinghamshire he

17 William James and Jacob Malcolm, A General View of the Agriculture of Buckinghamshire (London, 1794), p.36.

18 M. Williams, loc.cit. (1970), p.58.

19 W.R. Mead, "Pehr Kalm in the Chilterns", Acta Geographica, Vol. 17 (No.1, Helsinki, 1962), pp.1-33.

20 Vicars Bell, To meet Mr. Ellis, Little Gaddesden in the Eighteenth Century (London, 1956), p.17.

21 For a fuller biography of John Fellows see Chapter VII infra, "The Personalities of Enclosure", especially pp. 248-52.

served more times than any other person, acting on 29 commissions between 1788-1825. This letter by Fellows is one of a series he wrote while employed by the promoters of the abortive Quainton Enclosure Bill of 1801:²²

"Quainton field is the only one in that part of the county of Buckingham that remains uninclosed... From the wetness of the soil in its present situation, and from the unwillingness of open-field farmers to promote each others Interests by cutting and keeping open the necessary drains no immediate or ultimate Improvement can well be made in its present state... And unless a division and Inclosure of the open-fields of Quainton is carried into execution, that property will ever remain in that unimproved state which it has been in for centuries past, to the disgrace of that part, with so many others of the county of Buckingham, which are so much behind in the Improvement of Agriculture compared with many other counties, as to require a stimula to bring it to its due and proper rank to which it is intituled in point of situation; And so long as the system of cultivating intermixed and dispersed properties in common fields is kept in use no material Improvement of such property can possibly be made with any degree of convenience and advantage and which is generally allowed by experience Farmers, and as a proof of the Maxim, I never yet knew any man that would, after an Inclosure had taken place, prefer a Common Field Farm to an Inclosed one, or would wish those lands he occupied were again in an Open State" (23)

This letter provides useful corroboration of the earlier description by Arthur Young in 1771:

"In no part of the Kingdom have I met with husbandry that requires greater amendment than this: such products are, their soil considered, contemptible. Improvement must be treated under two heads: first, the management while the land is in its present state, which is the farmer's business; and secondly, the inclosing it, which is the landlord's... Upon the whole, this famous Vale [Vale of Aylesbury] has received ample gifts from nature, but the efforts of art are all yet to be made: the landlords have fourteen shillings where they might have thirty and the tenants reap bushels, where they ought to have quarters." (24)

22 The passage of this bill through Parliament is told in full in Chapter VI infra, "The Opposition to Parliamentary Enclosure", especially pp.183-85.

23 Quainton Enclosure Papers, C.R.O.Ayl., IR/M/9, Letter of 14 May 1801.

24 A. Young, The Farmer's Tour through the East of England (London, 1771), Vol.I, pp.20, 23-4.

A very interesting feature of Table IIIa and Figure IIIa is the very late enclosure activity after 1850. In this case it was not only the enclosing of residue wastes and commons under the General Act of 1845, but the very late and substantial enclosures of the parishes of Pitstone [Act of 1853 enclosing 84% of the parish], Cheddington [Act of 1853 enclosing 56% of the parish] and Edlesborough [Act of 1856 enclosing 56% of the parish]. They were all enclosures of open fields. That such large tracts of open field could survive so late would be remarkable if it were not for the fact that these parishes were dominated by a single estate, the Ashridge Estate of the Bridgewater, and later Brownlow family. The remarkable nineteenth century history of this estate is told as an appendix to Chapter V below. Suffice it to say at this stage that these enclosures must be unique in enclosure history. By the 1850's the largest landowner held such a large proportion of the open fields that it was almost a case of landownership in severalty.

However, within the very broad chronology of enclosure it must be remembered that there are certain special interpretations, each enclosure had certain special characteristics and should rightly be treated as such.

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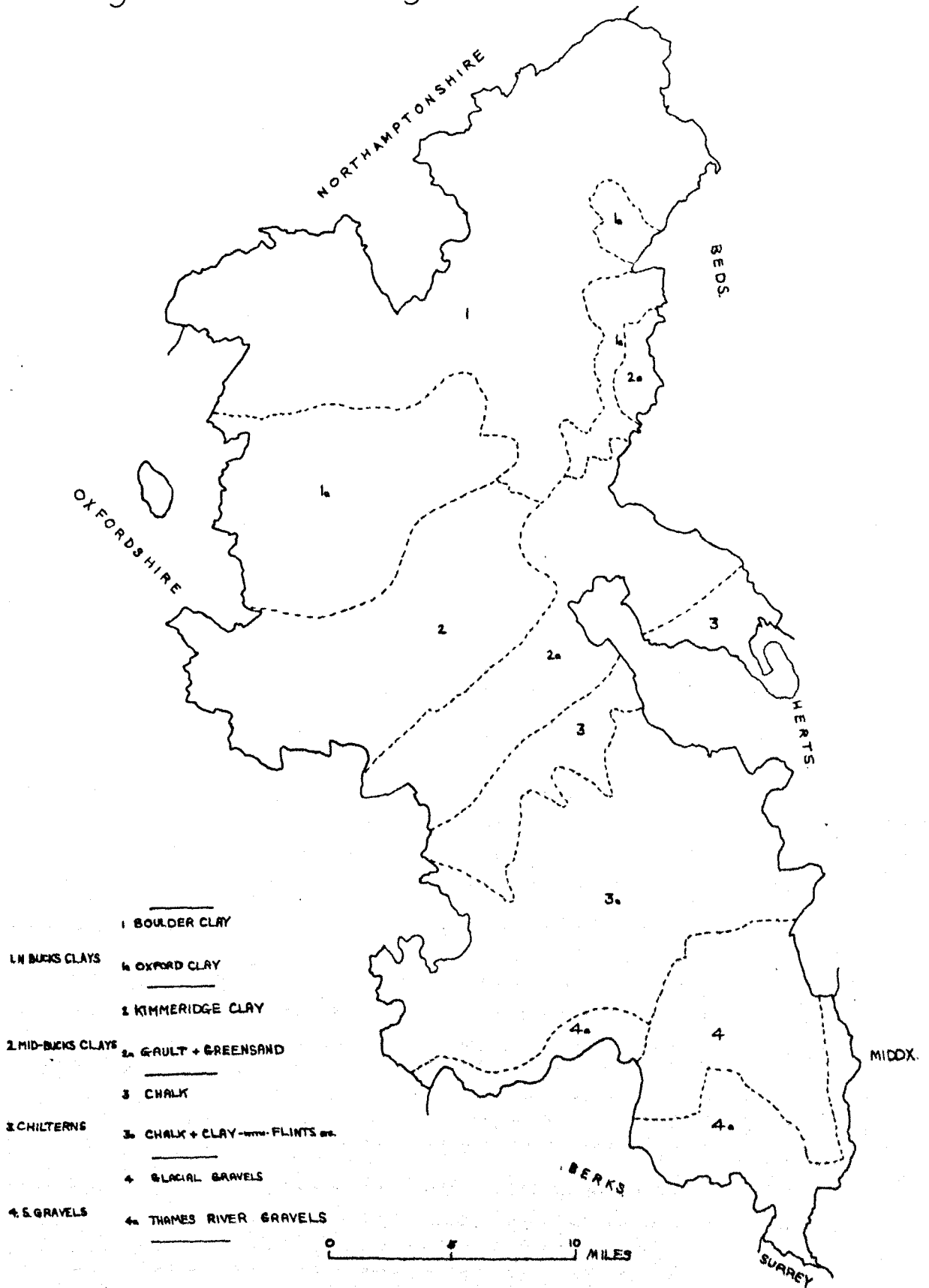
If the simple chronology of enclosure provides an interesting picture, the areal distribution of this chronology is equally illuminating. The regional variation of enclosure provides some interesting patterns.

Buckinghamshire can be divided into three broad physical regions as in the very simplified map, Figure IIIb.²⁵ The concentration of the present study must inevitably fall upon mid- and north Buckinghamshire, the traditional open fields of the Midland Plain.²⁶ Within this broad

25 Simplified from, D.W. Fryer, Buckinghamshire, Part 54 of L.D. Stamp (ed.), The Land of Britain: The Report of the Land Utilization Survey of Britain (London, 1942), p.44, Figure I "Buckinghamshire Geology".

26 As once defined by H.L. Gray, though since considerably revised, English Field Systems (Cambridge Massattussetts, 1915), passim.

FIG. IIIb: Regions of Buckingham



area there is the familiar distribution of clays, from the gault of the Vale of Aylesbury, through the Kimmeridge and Oxford clays to the Oolitic succession in the north with its superficial covering of glacial boulder clay. This great plain is fringed on the south by the escarpment of the Chiltern Hills with its south-east facing dip slope dominated by the chalk successions and the superficial covering of clay-with-flints. The Chilterns comprise the second region and the extreme south of the county is the last defined region, dominated by the river gravels of the River Thames terrace system.

Figures IIIc and III d represent the chronology of enclosure in Buckinghamshire cartographically. Clearly the earlier period of Parliamentary enclosure was concentrated in the North of the county. They are distribution maps and not maps of the density of enclosure and they therefore tend to exaggerate the extent of Parliamentary enclosures.

Significantly, the old enclosed areas to the west of the county were in parishes dominated by the great estates, the Stowe Estate of the Buckingham family, Claydon of the Verneys and the ancient Royal forest of Bernwood which was enclosed in the seventeenth century.

Quoting from Arthur Young:

"the whole country [from Aylesbury to Buckingham] is open-field... the soil [of the Vale] among the richest I ever saw, black putrid clay... As for the landlords, what in the name of wonder is the reason for their not enclosing? All this vale would make as fine meadows as any in the world." (27)

As if authorised by Young, those parishes through which he passed were swiftly enclosed by a succession of acts in the 1770's, though it is doubtful if there was much conversion to meadow.²⁸

The enclosure of the Vale of Aylesbury and extending northwards

27 A. Young, *op.cit.* (1771), pp.18-24.

28 For example, Aylesbury 1770, Whitchurch 1771, Dunton 1774, Waddesdon 1774, Hartwell and Stone 1776, Hardwick 1778, North Marston 1778 and Bierton 1779.

Fig. IIIc:

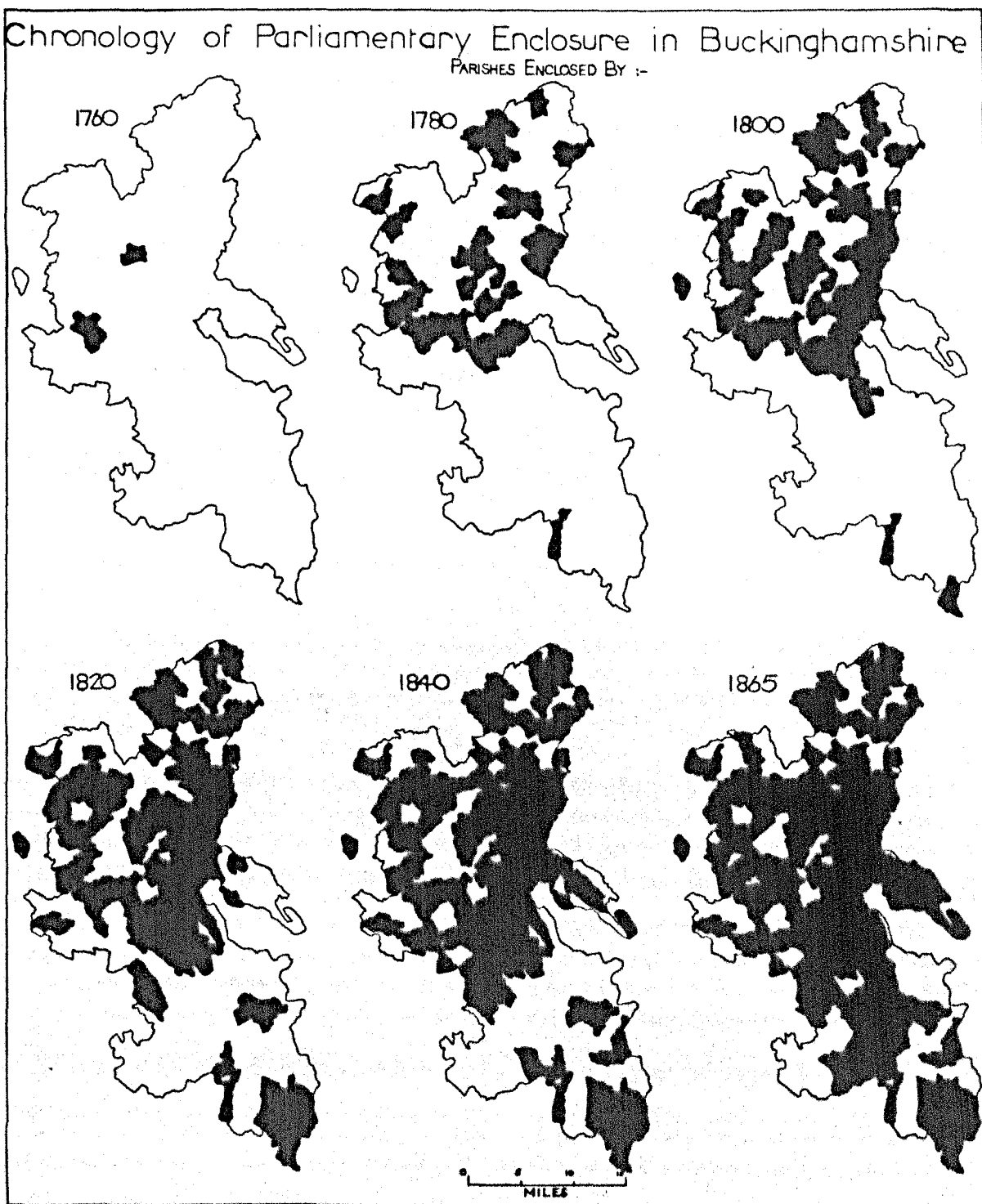
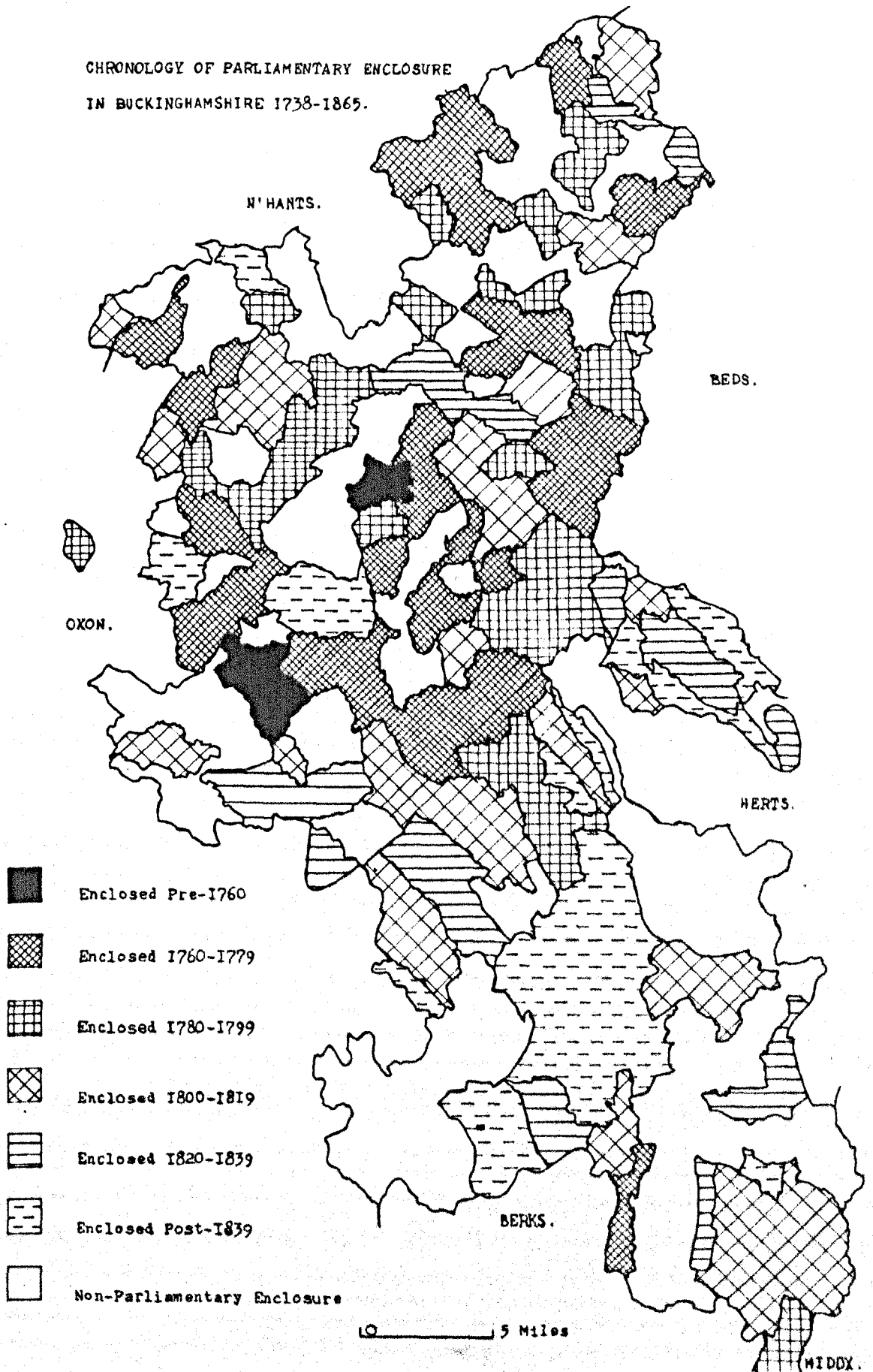


Fig. IIIId:

CHRONOLOGY OF PARLIAMENTARY ENCLOSURE
IN BUCKINGHAMSHIRE 1738-1865.



is the striking feature of the chronology before 1780, and it was a trend that was continued in the adjacent county of Oxfordshire, as Figure IIIe demonstrates.²⁹ Here it was the Vale of Oxford and extending northwards which was the first to be enclosed

From 1780 until the end of the century the concentration of enclosure was in the east of the county, on the Bedfordshire border, near the town of Newport Pagnell, which itself was enclosed by two acts in 1794 and 1807. There was also a concentration of activity in a few parishes south of the town of Buckingham, parishes such as Preston Bissett, Akeley, Padbury and Adstock enclosed by acts of 1781, 1794, 1795 and 1797 respectively.

At the turn of the century attention turned, for almost the first time,³⁰ to the parishes in the south of the county. These were the parishes on the river and valley gravels. They included Wraysbury enclosed in 1799, Iver in 1800, Langley in 1809, Datchet in 1810 and Stoke Poges and Wexham in 1810. It is not difficult to see the influence of the wartime extension of ploughland for the enclosure of these parishes. This is especially so since much of it was enclosure direct from the waste. Of the reputed 6,000 acres of waste in the county in the early 1790's, most of it was found here.³¹ Thus the enclosure of the parish of Langley was entirely of waste. The parish of Stoke Poges was mostly wasteland and the enclosure of Iver in 1800 included the very extensive Iver Heath, in fact 40% of the final award allotment was former wasteland.

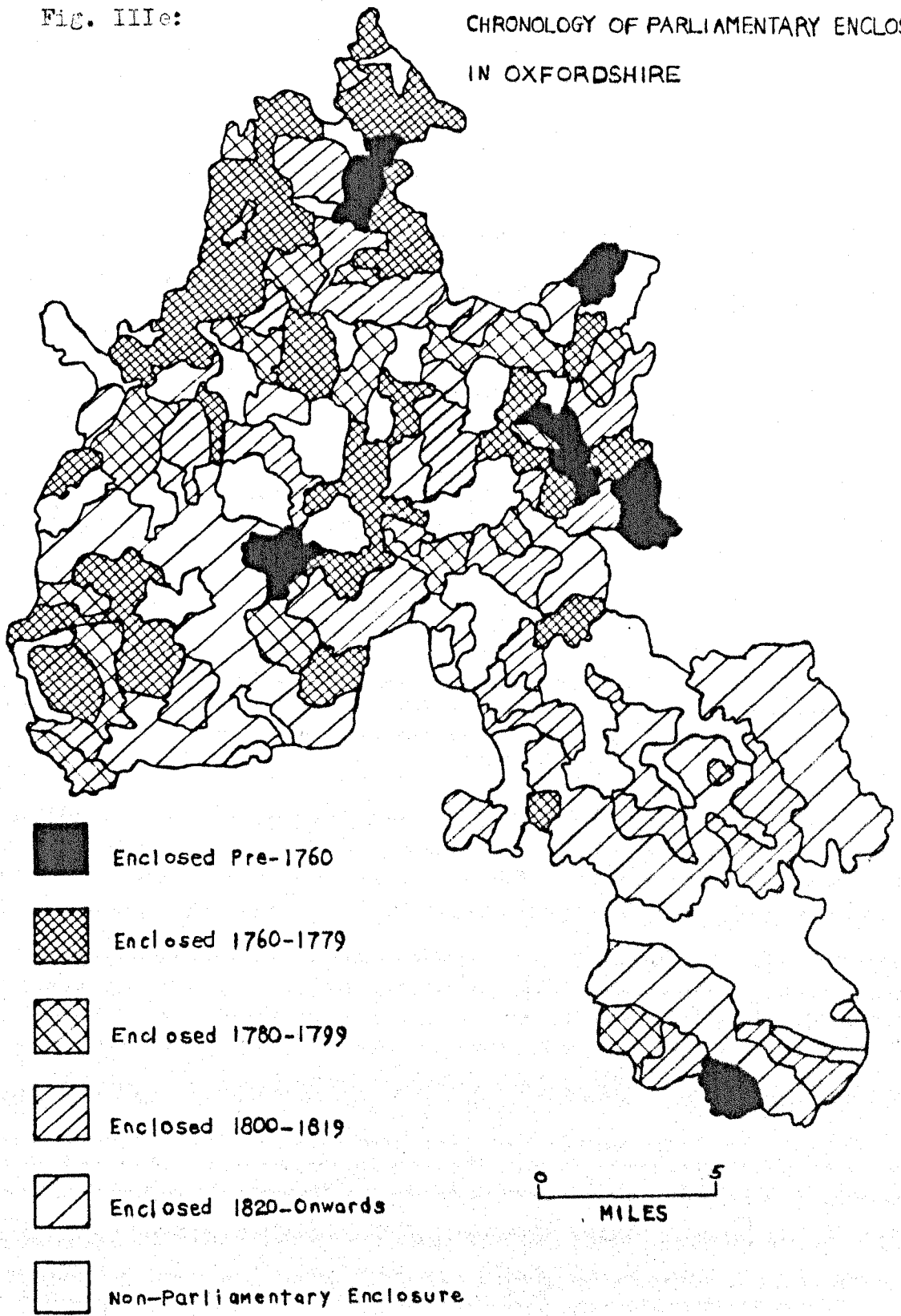
29 Constructed from the information in Oxfordshire County Council, op.cit. (1963), *passim*.

30 With the exceptions of the neighbouring parishes of Hitcham and Taplow enclosed by acts of 18 Geo.III, c.61, 1778 and 19 Geo.III, c.100 1779 respectively.

31 The 1794 Board of Agriculture Report made special note of the amount of waste on the southern border of the county, W.James and J. Malcolm, op.cit. (1794), pp.35-6.

Fig. IIIe:

CHRONOLOGY OF PARLIAMENTARY ENCLOSURE
IN OXFORDSHIRE



Elsewhere in the county in the first decade of the nineteenth century enclosure continued apace with no single area dominating. This period included the enclosure of parishes in the Vale of Aylesbury such as Weedon in 1801, Chearsley in 1805 and parishes in the north of the county such as Lavendon in 1801 and Moulsoe in 1802, and, for the first time parishes which are typical of the scarplands, transecting the boundary between the Chalk Hills and the clay vale. These latter parishes included Bledlow enclosed by an act of 1805, Great and Little Kimble and Ellesborough in 1803, Slapton in 1810 and Saunderton in 1806.

The enclosures after the war period were of two main types. First there were those parishes which again shared both Chiltern and Vale topographies. This included the parishes of Princes Risborough enclosed by an act of 1823, Monks Risborough in 1830 and Buckland in 1842. The second type formed an assorted collection of parishes in North Buckinghamshire, with residual open fields. These included Whaddon enclosed by the act of 1830, Quainton in 1842 and the parishes of the Ashridge estate. The characteristic of all these parishes (except Ashridge) was the presence of large numbers of landowners who in consequence were capable of providing a considerable opposition to enclosure, and in some cases one reason for such late enclosures was this level of opposition. Certainly this was the case for the delay in enclosing Quainton.³²

By 1845 the position is one of complete enclosure in Buckinghamshire north of the Chilterns, and also complete enclosure of the Thames valley parishes. This was a situation not unlike the one A. Harris describes in the East Riding of Yorkshire drawing the distinction between the wolds and the lowlands, the former after 1810 still had unenclosed areas while the lowlands were entirely enclosed.³³

³² See a fuller account of opposition, in particular in Quainton in Chapter VI, *infra*.

³³ A. Harris, The Rural Landscape of the East Riding of Yorkshire 1700-1850 (London, 1961), p.60.

The parishes which were enclosed after 1845, by sanction of the General Enclosure Act and its yearly revisions were concentrated in the Chilterns and dominated by the enclosures of Great and Little Missenden in 1848 and 1850 respectively. These were enclosures of residual commons and wastes only, and were in parishes characterised by old medieval intakes direct from the woodlands. The history of enclosure in the Chilterns is more than adequately covered in the works of D. Roden, J.T. Coppock and E. Vollans.³⁴ Roden summarises thus:

"It was then a piecemeal enclosure movement, effected by individual consolidation of holdings and by private agreement between a few men... in the great majority of townships the common fields disappeared completely without recourse to planned redistribution of any kind" (35),

which was the later hallmark of enclosure by act of Parliament.

oOo

Leland drew the distinction between the Chilterns "full of enclosures" and the "champaine" Vale of Aylesbury.³⁶ The maps of distribution and chronology of enclosure undoubtedly underestimate this distinction and therefore the true extent of enclosing activity in the county during the eighteenth and nineteenth centuries.

34 D.Roden and A.R.H. Baker, "Field Systems of the Chiltern Hills and of parts of Kent from the late Thirteenth to the early Seventeenth Century", Transactions of the Institute of British Geographers, No. 38 (1966), pp.73-88; D.Roden, "Demesne Farming in the Chiltern Hills", Agricultural History Review, Vol.17, Part I (1969), pp.9-23; D.Roden, "Fragmentation of Farms and Fields in the Chiltern Hills in the Thirteenth Century and later", Medieval Studies (Toronto), Vol.XXXI (1969), pp.225-238; D.Roden, "Enclosures in the Chilterns", Geografiska Annaler (Series B), Vol.52, Part 2 (1969), pp.115-126; J.T. Coppock, "Farms and Fields in the Chilterns", Erdkunde, Vol. XIV, Part 2 (1960), pp.134-146; J.T. Coppock, The Chilterns, Part 4 of K.C. Edwards (ed.), British Landscapes through Maps (The Geographical Association, Sheffield, 1968), in particular pp.12-17; E. Vollans, "The Evolution of Farmlands in the Central Chilterns in the Twelfth and Thirteenth Centuries", Transactions of the Institute of British Geographers, No.26 (1959), pp.197-241.

35 D. Roden, Ibid., (1969, Geografiska Annaler), pp.119 and 123.

36 Quoted by J.T. Coppock, opcit., (1968), p.15.

In order to place the foregoing into perspective it is necessary to discuss the density of enclosure and discover what proportion of each parish was enclosed by act and what proportion had been enclosed by some other method at some unspecified date. This results from the necessary investigation of the enclosure awards and answers the plea made by M.W. Beresford that:

"There is still room for a large-scale map derived from a close study of the awards, which will indicate exactly what proportion of each parish remained in open fields to be enclosed by Act of Parliament." (37)

The map Figure IIIf shows this density of enclosure. It has been constructed from the awards, except in those few cases detailed earlier in the chapter where the award no longer exists, in which case the area estimated in the acts has been used. It is a more accurate map than the same would have been if based on either of W.E. Tate's or G. Slater's schedules.³⁸ Tate has demonstrated the weaknesses in Slater's work,³⁹ but in fact Slater's computed acreage for Buckinghamshire differs by only 4,000 acres from my own.⁴⁰ His main omissions and inaccuracies concerned the enclosures of commons and wastes. Tate on the other hand, while giving almost a full list, relied mainly on the acreages quoted in the acts of Parliament, and, where these were not given he estimated the probable size of the enclosure. Sometimes the acreages quoted in the acts differed a great deal from the actual acreages allotted.⁴¹ In spite of his criticisms, Tate's final aggregate enclosure acreage for the county was surprisingly very close to the one computed by Slater.

37 Though in fact Beresford probably envisaged a map that would transcribe the precise areas that were enclosed, directly from the awards to an Ordnance Survey Base map, M.W. Beresford, "Glebe terriers and open-field Buckinghamshire", Records of Buckinghamshire, Vol. XVI, No. 1 (1953-4), p. 5.

38 W.E. Tate, op.cit. (1946), pp. 33-39; G. Slater, The English Peasantry and the Enclosure of Common fields (London, 1907), pp. 271-272 and 142.

39 W.E. Tate, op.cit. (1946), pp. 1-3.

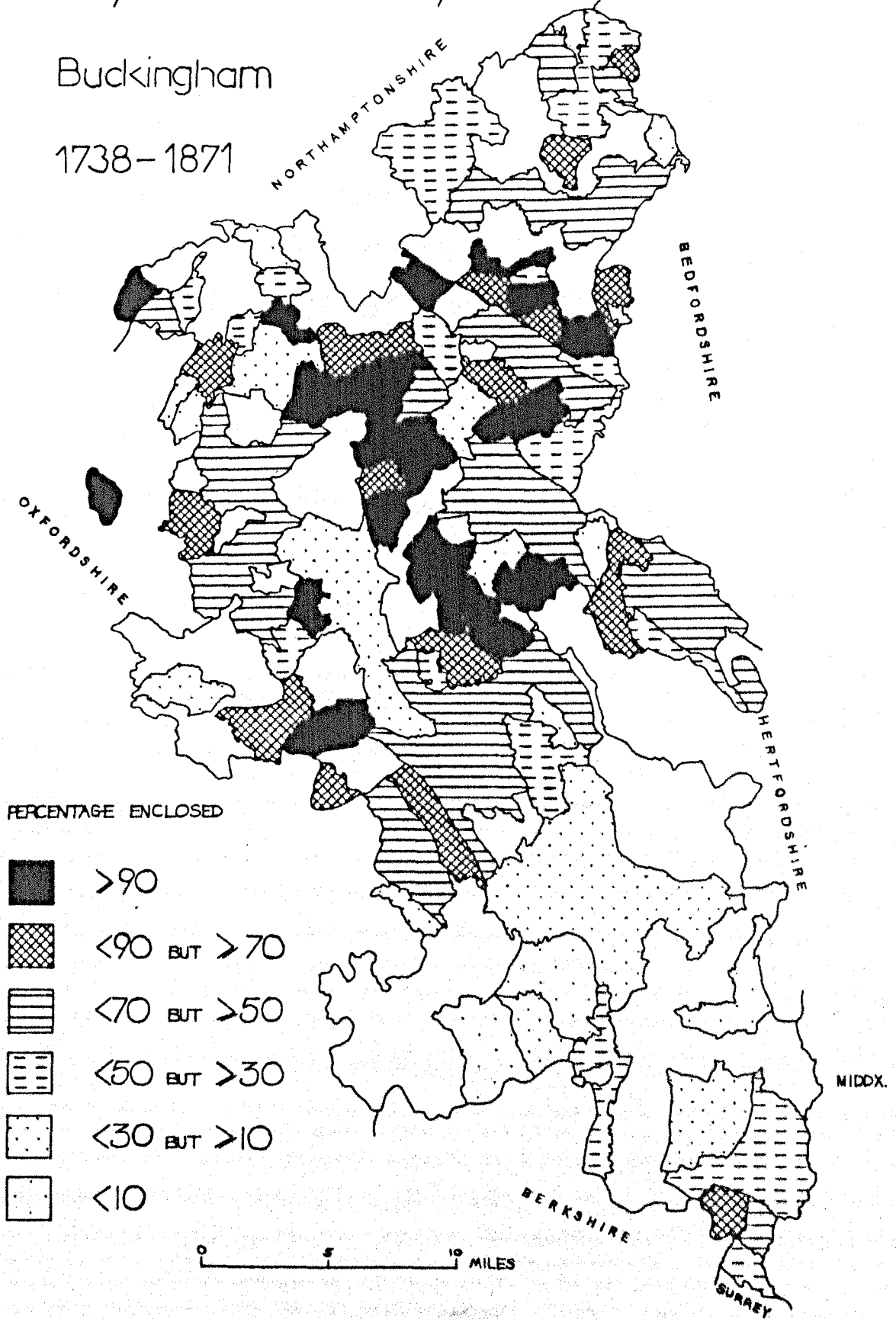
40 Which is a difference of only 2.4%.

41 For example, The Winslow Act of 1766 quotes the area to be allotted as 1400 acres whereas the actual acreage enclosed was 1,162 acres. For Emberton 1798 the figures are 1,300 and 1,060 acres respectively. For Bletchley they are 2,200 and 3,307 acres and for Bledlow 1809, they are 4,000 and 2,477 acres.

Fig. III f:

Density of Parliamentary Enclosure in Buckingham

1738-1871



As the table IIIa above showed, there were 166,000 acres of former open and common lands enclosed by Act of Parliament. This represents 35% of the county. In comparative terms this would place Buckinghamshire ninth in a county list of density of enclosure.⁴² These figures have been used repeatedly by subsequent scholars, but for Buckinghamshire at least it is a very misleading figure.⁴³

The three broad physical regions of Buckinghamshire can be resolved into two, the clay vales of the Midland Plain and the Chiltern uplands, Leland's "Champaine" and "Chilterns". The latter of course consisted largely of early enclosures and were only affected by the Parliamentary Acts with the enclosure of scattered commons and wastes. The vales in direct contrast were dominated by Parliamentary enclosures and these continued in Northamptonshire, on the north Buckinghamshire border, widely known as "the County" of enclosures.⁴⁴ Such regional contrasts have been demonstrated elsewhere. J.M. Martin for Warwickshire identifies the Feldon and the Forest of Arden as distinct physical, and therefore historical regions.⁴⁵ J.A. Yelling for Worcestershire also identifies regional variations.⁴⁶ However, no other county in Slater's list can claim as large an area, as a percentage of the county, which

42 The full county list is:	Northamptonshire	51.5%
	Bedfordshire	46.0%
	Huntingdonshire	46.5%
	Rutlandshire	46.5%
	Oxfordshire	45.6%
	East Riding	40.1%
	Leicestershire	38.2%
	Cambridgeshire	36.3%
	and Buckinghamshire	35.0%

All the figures from G. Slater, *op.cit.* (1907), pp.140-142 except the Buckinghamshire figure which is my own and which Slater quotes as 34.2%

43 Used for example by W.H.R. Curtler, *The Enclosure and Redistribution of our Land* (Oxford, 1920), pp.183-223.

44 W.E. Tate, *loc.cit.* (1949), p.19.

45 J.M. Martin, *loc.cit.* (1967), pp.19-39.

46 J.A. Yelling, "Common Land and Enclosure in East Worcestershire", *Transactions of the Institute of British Geographers*, No.45 (1968), pp.157-168.

is in direct contrast to the rest of the county as the Chilterns are different from the rest of Buckinghamshire. This even applies to the contiguous study of Oxfordshire which in the seventeenth century was:

"with the exception of a small area of Chiltern country in the extreme south an almost entirely open-field county." (47)

The map, Figure IIIg, illustrates the difference between the Chilterns and the Vale. J.T. Coppock has made a similar observation drawing this distinction as expressed in the location and distribution of farmsteads. The early enclosures of the Chilterns producing isolated farmsteads or "court" farms and demesne farms, whereas the later enclosures of the vale produced village farms.⁴⁸

The most striking feature of the distribution of enclosure, apart from the now obvious regional difference, is the high density of Parliamentary enclosure between Aylesbury and Buckingham along that very same route which Arthur Young traversed in 1771.

Elsewhere in north Buckinghamshire most parishes that are covered by enclosure awards have more than 50% of their areas enclosed and a number have over 70%. The secondary region of the Thames valley is another area of quite high density.

The low density enclosure of common and waste associated with the Chilterns is interrupted by the anomalous Ashridge estate where there is both late enclosure and also high density. This point will be considered in a later chapter.

Table IIIb below considers the density of enclosure on more precise geographical terms. The county is divided into the eight ancient hundreds and separate densities of enclosure have been calculated for each. Four of the five northern hundreds reveal densities that are

47 M. Havinden, "Agricultural Progress in Open-Field Oxfordshire", Agricultural History Review, Vol.IX, Part 2 (1961), p.74.

48 J.T. Coppock, op.cit. (1960), pp.134-146 especially the map of farm distributions, p.140.

much higher than the county average. The exception is the hundred of Ashenden, associated with the ancient Royal Forest of Bernwood and parts of the extensive old enclosed estates of the Verney and Buckingham families. The average density of enclosure by Parliamentary Act for the five northern hundreds is 44%. This is much more representative of open field Buckinghamshire and would place the county in the top six in Slater's list. That group of counties centred on Northamptonshire and Bedfordshire and including Huntingdon, Rutland, Oxfordshire and also Buckinghamshire north of the Chilterns, were the main region affected by Parliamentary enclosure.

Table IIIb: The Density of Parliamentary Enclosure in Buckinghamshire; 1738-1865

<u>Hundred</u>	<u>Total Acreage¹</u>	<u>Acreage Enclosed</u>	<u>Expressed as a %age</u>
Newport Pagnell (32 Acts)	80,881	35,336	43.7
Buckingham ² (16 Acts)	57,211	23,319	40.8
Ashenden ³ (13 Acts)	64,841	17,689	27.3
Aylesbury (19 Acts)	66,207	31,073	48.4
Cottesloe (29 Acts)	71,785	41,446	57.7
Burnham (6 Acts)	55,140	3,877	7.0
Desborough ⁴ (8 Acts)	52,376	4,761	9.1
Stoke (8 Acts)	28,709	8,641	30.1
<hr/>			
County of Buckingham (131 Acts)	477,150	166,142	35.0

1 Acreages taken from W. Page (ed.), Victoria County History, Vol.2 (1908), pp.94-101, and are the acreages pertaining prior to the Act of 7 and 8 Victoria, chapter 61 in which detached parts of counties, which had already for parliamentary purposes been amalgamated with the county by which they were surrounded or with which the detached part had the longest common boundary, were annexed to the same county for all purposes.

2 Including the parish of Caversfield which when enclosed in 1780 was part of Buckinghamshire but has since become part of Oxfordshire.

3 Including the parish of Towersey which when enclosed in 1822 was part of Buckinghamshire but has since become part of Oxfordshire.

4 Excluding the parish of Stokenchurch which when enclosed by two acts in 1857 was a part of Oxfordshire but has since become a part of Buckinghamshire.

The three southern hundreds demonstrate the influence of the Chilterns. Burnham and Desborough were only affected by the enclosure of commons and wastes while Stoke hundred, situated on the Thames river gravels, shows the influence of the spate of enclosures in the first decade of the nineteenth century and the cultivation of former marginal lands in the period of the French War.

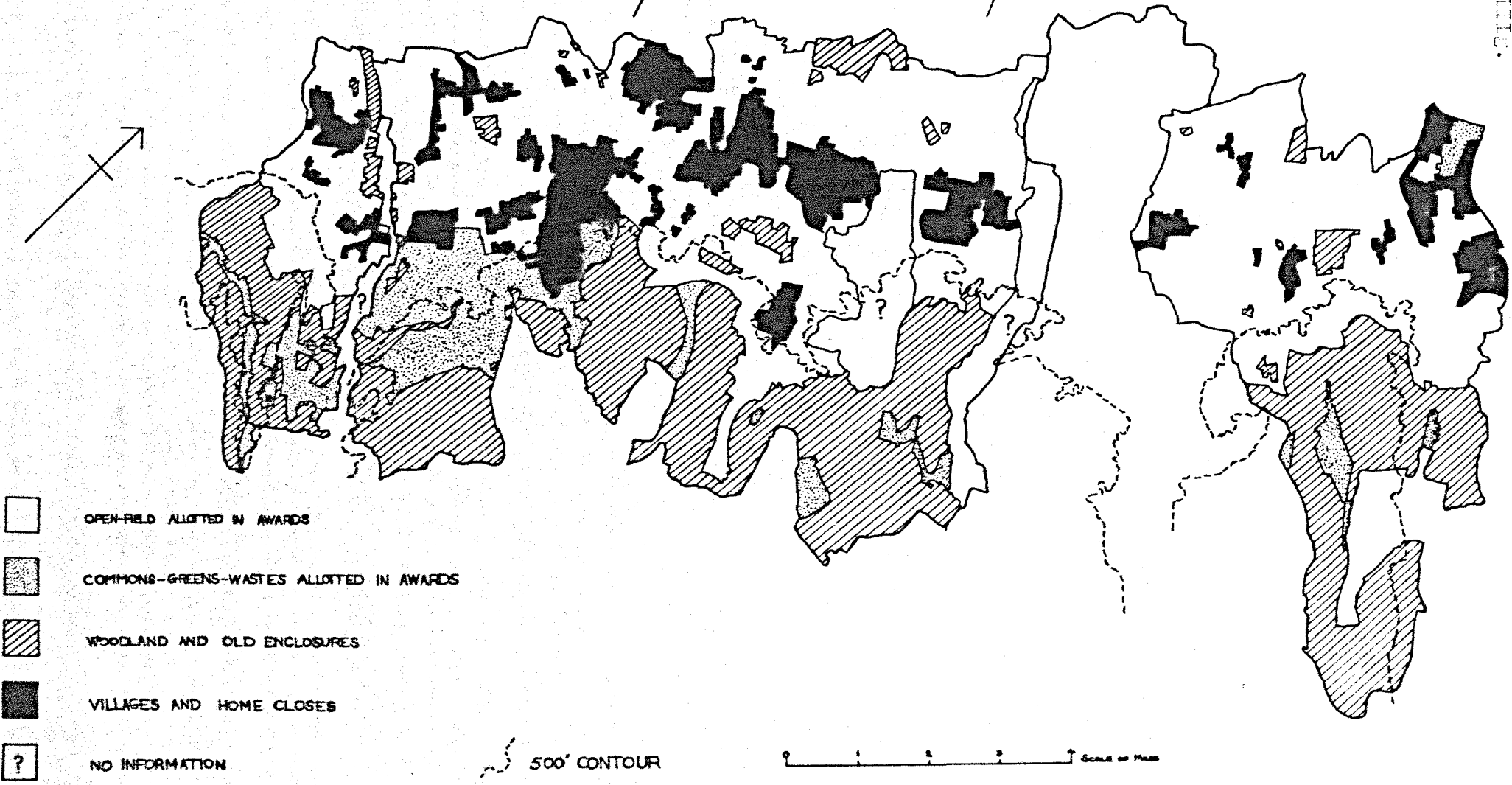
The densities for the hundreds of Aylesbury and Cottesloe would be much higher if the presence and influence of the Chilterns could again be eliminated. Both of these hundreds have parishes that share both Vale and Chiltern topographies. These long narrow parishes, typical of scarpland Britain, extend from deep in the Vale of Aylesbury, up the scarp face of the Chilterns and then deep into the southerly facing dip slope. The enclosures of the parishes of Princes Risborough in 1820-23, Monks Risborough in 1830-39, Bledlow in 1809-12, Cheddington in 1853-57, Ivinghoe in 1821-25 and Pitstone in 1853-56 were all large enclosures and almost entirely of open fields which were concentrated in the Vale. The Plan attached to the Wendover Award of 1795 shows clearly a distinct boundary as the old enclosures of the Chilterns give way to the open fields in the Vale.⁴⁹

The map, Figure IIIg, is a transect along the crest of the Chiltern escarpment. It has been constructed from the awards and attached plans of those parishes which share both Chiltern and Vale characteristics. The map therefore dates from the mid-1790's [The Wendover Act of 1794] to the 1850's [The Edlesborough Act of 1856]. It shows clearly the influence of the Chilterns, dominated by the expanse of woodland and old enclosures though with areas of commons, greens and wastes which were allotted in the awards. The absence of

49 Wendover Enclosure Award Map of 1795, C.R.O.Ayl., IR/26.

Extent of the Open-fields in Chiltern/Vale Parishes 1794/1856

PLATE III.



villages in the hills is striking, emphasising J.T. Coppock's distinction between old enclosures and court farms and Parliamentary enclosure and village farms.

The five hundred foot contour is the approximate division between open field Buckinghamshire and old enclosed Buckinghamshire. On each side of the division lie two very contrasting regions, both physically and historically.

oOo

The part of Buckinghamshire with which this thesis is mainly concerned, that part north and west of the Chiltern Hills and comprising five eighths of the county, was, with the adjacent counties in the south-east midlands, foremost in the Parliamentary enclosure movement. While it will not be considered typical in so much that even individual parishes may have unique or special enclosure histories, nevertheless, it is with this in mind that the following chapters continue.

PART II: THE SOCIAL CONSIDERATIONS.

CHAPTER IV: LANDOWNERSHIP DISTRIBUTION AT ENCLOSURE.

In order to discuss certain social changes after enclosure it is necessary to have a datum point to work from and there may also be the need to look retrospectively to the past. The enclosure awards are ideal cross-sections of parish landownership at one particular point in time.

Table IVa is a summary of the landownership distribution in 104 Buckinghamshire parishes enclosed in the nine decades after 1760. A simple principle has been used in defining the landownership groups. The heading 'church' refers to the ownership of the tithe and glebe, not to all proprietors in clerical orders. Thus the Reverend Samuel Greathead, in receipt of 393 $\frac{1}{2}$ acres at the enclosure of Sherington in 1796-7, is included in the landownership group possessing 300-500 acres, because he was a major landowner and not the incumbent at Sherington.¹ The heading 'Other' includes parochial and charitable institutions, and various allotments created at enclosure, such as those reserved for gravel pits for making and repairing the new roads. The remaining landownership groups are self-defining. In this way no other social distinction is made other than on a landownership basis. Thus, V.M. Lavrovsky's division to include as separate groups those styled in the awards as "gentleman" or "esquire", with the concomitant problems highlighted by H.G. Hunt, is not paralleled in this study.²

1 Sherington Enclosure Award, C.R.O.Ayl., IR/105a; V.M. Lavrovsky in his work on the effects of tithe commutation as a factor in the expropriation of the peasantry makes the important error of including Greathead's allotment as church land, a crucial mistake in what is a major political essay. V.M. Lavrovsky, "Tithe Commutation as a Factor in the Gradual Decrease of Landownership by the English Peasantry", Economic History Review, 1st series, Vol.IV (1932-4), pp.273-289.

2 V.M. Lavrovsky, Parliamentary Enclosure of the Common Fields in England at the end of the Eighteenth century and the beginning of the Nineteenth (Moscow-Leningrad, 1940), review by Christopher Hill, Economic History Review, 1st series, Vol.XII (1942), p.93; H.G. Hunt, "Landownership and Enclosure 1750-1830", Economic History Review, 2nd series, Vol.XI (1958-9), p.499.

TABLE IV(a): ANALYSIS OF LANDOWNERSHIP FROM 104 ENCLOSURE AWARDS IN BUCKINGHAMSHIRE, 1760-1850.

Decade of Award	Church Acreage (as a %age)	>500 acres No. Acreage (as a %age)	3-500 acres No. Acreage (as a %age)	2-300 acres No. Acreage (as a %age)	1-200 acres No. Acreage (as a %age)	50-100 acres No. Acreage (as a %age)	10-50 acres No. Acreage (as a %age)	<10 acres No. Acreage (as a %age)	Other No. Acreage (as a %age)
1760's 11 Awards	1060 (7.8%)	5 4293 (31.6%)	3 1228 (9.1%)	2 451 (3.3%)	13 1793 (13.2%)	26 1946 (14.3%)	93 2068 (15.2%)	117 389 (2.9%)	22 354 (2.6%)
1770's 19 Awards	4793 (16.1%)	7 6343 (21.3%)	7 2867 (9.7%)	11 2784 (9.4%)	22 3129 (10.5%)	52 3770 (12.7%)	174 4139 (13.9%)	322 1000 (3.4%)	45 899 (3.0%)
1780's 5 Awards	644 (7.9%)	3 3336 (41.2%)	3 1207 (14.9%)	1 212 (2.6%)	3 373 (4.6%)	11 828 (10.2%)	28 723 (8.9%)	70 229 (2.8%)	16 558 (6.9%)
1790's 25 Awards	3525 (10.9%)	2 2379 (7.4%)	9 3696 (11.5%)	14 3267 (10.1%)	58 8078 (25.1%)	71 4970 (15.4%)	169 4222 (13.1%)	374 1063 (3.3%)	80 1048 (3.2%)
1800's 15 Awards	2245 (9.9%)	8 5539 (24.4%)	9 3776 (16.6%)	6 1428 (6.3%)	16 2312 (10.2%)	43 3063 (13.5%)	101 2479 (10.9%)	411 765 (3.4%)	68 1094 (4.8%)
1810's 7 Awards	2587 (19.1%)	3 1882 (13.9%)	5 1887 (13.9%)	1 268 (2.0%)	16 2101 (15.5%)	27 1929 (14.3%)	83 1872 (13.8%)	242 612 (4.5%)	43 404 (3.0%)
1820's 7 Awards	666 (6.0%)	3 4033 (36.4%)	3 1233 (11.1%)	1 274 (2.5%)	9 1305 (11.8%)	22 1553 (13.9%)	53 1182 (10.7%)	282 469 (4.2%)	28 377 (3.4%)
1830's 4 Awards	907 (12.2%)	4 2526 (33.9%)	- - (-)	2 444 (6.0%)	8 1086 (14.6%)	9 614 (8.2%)	52 1338 (18.0%)	145 300 (4.0%)	15 232 (3.1%)
1840's 5 Awards	173 (2.1%)	1 521 (6.2%)	3 978 (11.8%)	2 518 (6.2%)	15 2042 (25.1%)	20 1494 (18.3%)	73 1727 (20.9%)	157 360 (4.3%)	18 430 (5.2%)

An immediate problem with the division is that it is not possible to discover whether a particular landowner possessed other estates in adjoining or distant parishes already enclosed or still open.³ An obvious Buckinghamshire example is Earl Verney who held many scattered acres in the mid-Buckinghamshire parishes of Hogshaw, East Claydon and Steeple Claydon. He could so easily emerge as both a substantial and a petty landowner. However, because enclosure was promoted and conducted on a parish basis this problem need not arise, each parish must be considered as an isolated example of landownership distribution. Questions of opposition refer to the parish and the unwritten rule of two-thirds or four-fifths majority opinion to promote enclosure also refers to the parish. That particular landowners, by reputation or word of mouth, might influence decisions to enclose is the major problem that this approach unfortunately cannot solve.

In the first decade of study, the 1760's, for eleven enclosures, owners of estates of over 500 acres were awarded 31.6% of all lands to be enclosed, but only five owners came into this category. At the opposite extreme 117 owners possessing less than ten acres were awarded only 2.9% of all lands to be enclosed. On aggregate it seemed to be a situation of a small number of very large landowners dominating parishes of early parliamentary enclosure.⁴ However, this distribution was not quite so simple because there was an intermediate group possessing up to 200 acres that was extremely strong both in numbers and in the proportion of land they owned. In many ways these parishes seem to confirm T.S. Ashton's contention that "the process [enclosure] was closely

³ H.G. Hunt, *Ibid.*, p.497.

⁴ Similarly in Warwickshire where in 12 parishes enclosed from 1720-49 50% of the land was allotted to estates of over 500 acres and from 1750-69 30% was allotted to estates of over 500 acres. J.M. Martin, "The Parliamentary Enclosure Movement and Rural Society in Warwickshire", *Agricultural History Review*, VolXV, Pt.1 (1967), p.25, Table VIII.

associated with the concentration of ownership into fewer hands".⁵ The owners possessing from 10 to 200 acres were awarded 42.7% of all the lands to be enclosed and, since normally those possessed of from two-thirds to four-fifths would need to agree upon enclosure to successfully petition Parliament, such intermediate landowners could have exercised considerable bargaining power and possibly opposition, but apparently they did not. In actual fact on only three occasions, at Little Horwood in 1766-7, Woughton in 1768-9 and Cublington in 1769-70, was this group of intermediate landowners of sufficient size and number to influence the enclosures, and therefore the inclusion of these three parishes in aggregating landownership distribution in the 1760's distorts a more general feature.

On the other hand, on analysing the landownership characteristics of those enclosures in the 1760's and 1770's that included almost entire parish areas, that is, parishes that had very little old enclosure, the following pattern emerges.⁶

Table IVb. Allotment of Land from 10 Enclosure Awards covering whole Parish Areas, in acres (a) and percentages.

a) Four Parishes enclosed in the 1760's.

Church acres	>500a Number acres	3-500a Number acres	2-300a Number acres	1-200a Number acres	50-100a Number acres	10-50a Number acres	<10a Number acres	Other Number acres
486	2 1145	1 343	2 451	9 1220	14 1055	40 959	51 188	8 69
(8.2%)	(19.4%)	(5.8%)	(7.6%)	(20.6%)	(17.8%)	(16.2%)	(3.2%)	(1.2%)

b) Six Parishes enclosed in the 1770's.

1452	1 521	3 1165	4 1342	9 969	26 1927	69 1556	125 355	15 286
(15.2%)	(5.4%)	(12.1%)	(14.1%)	(10.2%)	(20.1%)	(16.2%)	(3.7%)	(2.9%)

Source: Enclosure Awards as Enrolment or Deposited Copies, C.R.O.Ayl.

5 T.S. Ashton, The Industrial Revolution 1760-1830 (London, 1948), p.19.

Later analysis from the enclosure and other contemporary records will demonstrate that such an association was not quite so obvious or widespread.

6 The principal adopted has been to include all those enclosures where at least 75% of the parish was in open fields. All villages had some land as adjoining gardens or home closes. See Chapter II supra.

There is much less differentiation. Estates of over 500 acres are not so dominant and in fact the smaller landowners, with estates of less than 200 acres emerge as the most powerful aggregate group.⁷

In some of these parishes great proprietors did dominate, like the Duke of Marlborough at Westcott in 1765-66, James Adams at Swanbourne in 1762-63 and Francis Howard at Stoke Hammond in 1774-75. Even so, those estates of less than 200 acres controlled 57.8% of the land awarded in the 1760's and 50.2% in the 1770's. One might expect these groups to offer most resistance to enclosure but only at Simpson, enclosed in 1770-71 and a parish where 82% was still in open field was there any such resistance.⁸ The following are the landownership figures for this parish. The most powerful groups were those possessing less than 100 acres. The church, as tithe owner, was partly instrumental for the success of the third petition to Parliament.

Church	>500a	3-500a	2-300a	1-200a	50-100a	10-50a	<10a	Other
acres	Number	Number	Number	Number	Number	Number	Number	Number
	acres	acres	acres	acres	acres	acres	acres	acres
242	--	--	1 288	--	4 331	7 131	18 49	2 83
(21.6%)			(25.7%)		(29.5%)	(11.6%)	(4.3%)	(7.3%)

Source: Simpson Enclosure Award, C.R.O. Ayl., IR/31.

That these enclosures, where at least 75% of the parish areas were allotted, have a different landownership distribution than the other parishes enclosed in the 1760's and 1770's highlights two important points. First, that generalisations can be misleading as some parishes clearly have unique enclosure histories and second, that the other parishes enclosed in the 1760's and 1770's, where incidentally in most

⁷ Quite the opposite conclusions emerge from J.M. Martin's study of Warwickshire where for 14 parishes enclosed 1760-79, owners of over 500 acres received 22% of the land awarded and those owning from 300-500 acres also received 22%. Agricultural History Review, loc.cit. (1967), p.26, Table IX.

⁸ For a full transcript of this opposition, see Chapter VI infra.

cases at least 50% was in open fields, were indeed dominated by very few but large landowners.⁹ In the 1770's landowners with estates larger than 500 acres owned 21.3% of the parishes. This proportion rises to over 28% in those parishes where less than 75% was in open fields.

On the other hand, why distinguish between parishes whether 75% or 50% open field when in petitioning Parliament it was the landowning strength in those parts of the parish to be enclosed which counted, as the successful counter-petition to the abortive Quainton Enclosure Bill of 1801 clearly demonstrates?¹⁰ Rather, it is more important to eliminate the influences of those parishes where mere vestiges of the open fields remained to be enclosed.

Those parishes which were enclosed in the 1760's were dominated by a class of so styled "gentlemen" and "esquires", though of course these terms were used so frivolously as to have little consequence, a class that could also be termed the lesser gentry. The Westcott enclosure of 1765-66 is the first where a member of the nobility or aristocracy is represented, with the Duke of Marlborough dominating the parish. Other members of this class in these early enclosures were the Earl of Dartmouth at Olney 1767-68 who was allotted 1300 acres, and Earl Temple at Westcott who was allotted 48 $\frac{1}{2}$ acres. Other than these most of the major landowners were a class of substantial freeholders, an aspiring class.¹¹

In spite of the substantial intermediate group of landowners of 2-300 acres, these earlier enclosed parishes were similar to the former enclosures by agreement, a gentleman's agreement, an observation that has been made by others.¹² The enclosures of Woughton in 1768-69,

9 J.M. Martin makes the point that the smaller owners were generally stronger in those parishes for which the enclosure included most of the parish. Agricultural History Review (1967), loc.cit., p.27.

10 See Chapter VI *infra*.

11 For example, the Lowndes family. Richard Lowndes had been the major landowner at the enclosure of Shipton Lee in 1742-45. Other members of the family appear in enclosures throughout the period of study.

12 For example, H.G. Hunt, Economic History Review (1958-9), loc.cit., pp.497-505.

Loughton in 1768-69, Cublington in 1769-70 and Little Horwood in 1766-67 strongly resemble a gentleman's agreement, in terms of landownership distribution, with no single owner dominating the parishes. Appendix IVa, showing the leading landowners as a proportion of all lands allotted, demonstrates this very well.

Some of the more substantial Buckinghamshire families rarely appear in these enclosures. On the whole their estates had been enclosed at an earlier period.¹³

For individual parishes in the 1760's the leading landowner might receive 60 or 70% of the land allotted in the award, as at Westbury in 1764-65, Winslow in 1766-67 and Olney in 1767-68, and at Shalstone in 1767-68 George Purefoy was allotted 87% of all the lands to be enclosed. Therefore, in spite of less landownership differentiation in some parishes, it is quite understandable that these early enclosures proceeded through Parliament with haste and quite unmolested.

Analogous to 'bell-shaped' distributions, the landownership pattern in the 1760's was highly skewed towards the larger owners, and there was a small range, that is, there were relatively few allottees per parish (approximately 26).

Over time this distribution changed considerably, as Table IVa showed. The parishes were less and less dominated by a few large landowners and the awards were familiarly much longer as there were more allottees. By the 1790's there were as many as 60 or 70 persons per enclosure receiving allotments and it might take as many as 10% of them to hold the majority of land in the parish, compared with the single one or two owners in the 1760's.

The 1780's stand out as rather extreme with landowners of over

¹³ Though Richard Grenville and Richard, Viscount Cobham had earlier been instrumental in the enclosure of the first two Buckinghamshire parishes by Parliamentary Act, Ashenden and Wotton Underwood. Acts of 11 Geo.2.ch.20, 1738 and 15 Geo.2.ch.39, 1742 respectively.

500 acres controlling 41.2% of the lands enclosed. The absolute sample of five is small and is disproportionately influenced by the inclusion of the Caversfield enclosure of 1780 where only two owners out of six possessed 98% of the parish.¹⁴ By omitting Caversfield the following proportions for the 1780's present a more accurate picture.

Church %	>500a No. %	3-500a No. %	2-300a No. %	1-200a No. %	50-100a No. %	10-50a No. %	<10a No. %	Other No. %
11.0	1 19.0	3 20.7	1 3.6	4 6.4	11 14.2	27 11.8	69 3.9	9.4

Source: Enclosure Awards as Enrolments or Deposited Copies, C.R.O.Ayl.

This shows a more even distribution, or at least an evening-out in the distribution, with the emergence of influential landowning groups of less than 500 acres.

In the 1790's, the most active decade in Buckinghamshire enclosure history, for 25 enclosures only two landowners possessed more than 500 acres and they received only 7.4% of the open fields that were enclosed. The largest single group was an intermediate group of medium to large freeholders of 1-200 acres who received 25.1% of the open fields. A broader group possessing up to 200 acres, very like the so called 'peasant' groups of V.M. Lavrovsky, received 56.9% of the open fields. Indeed, in his study of eleven Suffolk parishes enclosed between 1793-1814, one of Lavrovsky's main conclusions was the numerical predominance of a smaller type of peasant (judged by his definition to have less than 25 acres) and the emergence of a small group of 'middle and well to do peasantry' (up to 150 acres),¹⁵ and richer ones (over 150 acres) who

14 Although enclosed by Act of Parliament, there was an agreement to enclose Caversfield, the commissioners having been appointed before a presentation to Parliament was made. It resembles therefore an enclosure by agreement.

15 In fact the average size of the landowners of from 1-200 acres is at the lower end of the range. In the four decades up to 1800 the average sizes were respectively 138, 142, 124 and 139 acres.

were approaching capitalist proportions.¹⁶

With such a strong 'peasantry' in those parishes enclosed in the 1790's other influences must be considered to explain the chronology of enclosure, notably the influence of inflationary war time prices on both land values and the produce of the land. A recent suggestion has been made that the cost of enclosure to these smaller, intermediate estates was, for the first time, outweighed by the expected returns on the improved land. The amortisation period therefore was shortened.¹⁷

A class of peasant or lesser freeholder, became the promoters of enclosure. Formally they had sufficient landowning strength in the parishes to hold enclosure in abeyance.

As in the earlier period, the smallest landowning group in the 1790's received only 3.3% of the open fields. The size of this group and the proportion of land they owned did not change.

The landownership distribution in the 1790's was less skewed, but broader based. Statistically it was closer to a 'normal' bell-shaped distribution.

The pattern of landownership for nineteenth century enclosures resembles in some respects the pattern of the 1760's, but on a larger scale. Some of these later enclosures were typified by large numbers of allottees, Stewkley in 1811-14 with 95, Princes Risborough in 1820-23 with 172 and Haddenham in 1830-34 with 105. In spite of such large numbers of landownership units in the 1800's, 24.4% of the open fields was in the possession of the largest landowners, those possessing over 500 acres. By the 1820's and 1830's the proportions were 36.4% and 33.9% respectively. As there were a greater number of landownership units, an

16 V.M. Lavrovsky, "Parliamentary Enclosure in the County of Suffolk (1797-1814)", Economic History Review, 1st series, Vol.VII (1937), pp.207-8.

17 D.N. McCloskey, "The enclosure of open fields; Preface to a study of its impact on the efficiency of English Agriculture in the Eighteenth Century", Journal of Economic History, Vol.32 (1972), pp.15-35.

individual landowner could no longer control the balance of ownership power in individual parishes. Appendix IVa demonstrates this very well. In the nineteenth century not a single landowner was allotted 50% of the land in any one parish.¹⁸ The decades of the 1820's, 1830's and 1840's produced very few landowners that could control 40% of a single parish, let alone 50%.¹⁹

The following table summarises the pattern of landownership from the Buckinghamshire enclosure awards into four broad groups.

Table IVc. The Distribution of Landownership for 99 Parishes enclosed by Parliamentary Sanction, 1762-1844.

Decade	Over 500a %ages	200-500a %ages	50-200a %ages	less than 50a %ages
1760's	31.6	12.4	27.5	18.1
1770's	21.3	19.1	23.2	17.3
1780's (20)	19.0	24.3	20.6	15.7
1790's	7.4	21.6	40.5	16.4
1800's	24.4	22.9	23.7	14.3
1810's	13.9	15.9	29.8	18.3
1820's	36.4	13.6	25.7	14.9
1830's	33.9	6.0	22.8	22.0
1840's	6.2	18.0	43.4	25.2

Source: Enclosure Awards as Enrolments or Deposited Copies, C.R.O.Ayl.

The differentiation in the 1760's is the recognised feature of a few, but large landowners dominating the early enclosed parishes.²¹ In the

18 With the exceptions of Ivinghoe 1821-5, Pitstone 1853-6, Cheddington 1856-7 and Ellesborough 1856-65, all parishes dominated by the estate of the late Earl of Bridgewater [see Appendix V(a) below], and Amersham 1815-6 and Little Marlow 1820-1 where there was only 12.2% and 18.4% respectively of the parishes remaining in open fields.

19 In fact only 2 out of 22 enclosures produced owners controlling 40% or more and only 7 out of 22 held 30% or more.

20 The Caversfield enclosure of 1780 has been omitted.

21 Though H.G. Hunt rightly concludes from his Leicestershire study that there was "no simple relationship between the concentration of landownership and early enclosure in the eighteenth century", "The Chronology of Parliamentary Enclosure in Leicestershire", Economic History Review, 2nd series, Vol. X (1957-8), p.269.

1770's there was a convergence in the relative strengths of the landowning groups. The 1790's saw the significant reversal in these strengths as favourable war time conditions [for the farmer and the landowner] prompted the promotion of enclosure by that intermediate group of landowners that were formally strong enough to resist pressures to enclose. The period 1800-09 was perhaps the most crucial decade, the period of closest convergence. On the one hand the largest landowners were allotted one quarter of all the lands that were enclosed but then so were the other ownership groups, those possessing from 2-500 acres and from 50-200 acres respectively. This period is characterised by much opposition to enclosure possibly as a result of this clash and convergence of the landowning groups.

The period of opposition continued throughout the 1820's and 1830's, decades which in terms of the landownership relationships between the groups, mirror the 1760's. The influential group of owners possessing from 50-200 acres were greatly reinforced in numbers from within their own ranks $\frac{1}{3}$ per parish in the 1760's and 6 per parish in the 1820's] and by large support from those possessing less than 50 acres. Many factors must have influenced the chronology of enclosure in these parishes. Enclosure was delayed in the eighteenth century because of the close differentiation in landowning strength, delayed during the war period for similar reasons and because of opposition, in spite of the prospect of improved land values and higher agricultural prices, and delayed after the war because of agricultural depression and opposition. The overwhelming factor seems to be the large numbers of landowners and in particular the strength of the intermediate landowning groups.

By the 1840's there is a second major reversal in the strengths of the landowning groups. Those possessing less than 200 acres were most

dominant, and certainly this was the major factor in the 40 years delay before the enclosure of Quainton in 1840-43.²²

Taking all of the Buckinghamshire enclosures one can see reflections of V.M. Lavrovsky's model, where for only three parishes enclosed between 1780 and 1803 he found elements of the 'peasantry' into the nineteenth century, and what is more, a significant differentiation within that 'peasantry'.²³ For a parish enclosed in 1780 he found the peasants possessed only 5.7% of the land. For a parish enclosed in 1797 they held 23.8% and for a parish enclosed in 1803 they held 39.7%. The implication is that for earlier enclosed parishes they were almost extinct, but in progressively later enclosures they were stronger. Three parishes is not a very meaningful sample and certainly his figures do not mirror exactly the findings for Buckinghamshire, but the pattern is very similar, at least it applies until about 1820 though I would also include ownership units of up to 150 or 200 acres.

These conclusions are very different from Lavrovsky's earlier ones in his work of 1940, though he has since admitted that this was a static study of a changing process. For the period 1793-1815 he concluded that the middle peasants [25-50 acres] were relatively insignificant and that this evidence was enough "to dispose finally of the legend of an independent English peasantry",²⁴ whereas clearly in Buckinghamshire during this period they were still in possession of up to 13% of the open fields, but, and this is more significant, as late as the 1830's and 1840's they were in possession of up to 20.9% of the open fields. The picture is one of a hard core of peasant resistance in the open

22 The full evidence behind the opposition to the Abortive Quainton Bill of 1801 is given in Chapter VI infra.

23 Big peasants were defined as having over 50 acres, with an average holding of 108½ acres, after eliminating those termed in the awards as 'esquire' or 'gentleman'. V.M. Lavrovsky, "The Expropriation of the English Peasantry in the Eighteenth Century", Economic History Review, 2nd series, Vol. IX (1956-7), pp.271-282.

24 Christopher Hill (review), Economic History Review, (1942), loc.cit., p.94.

field parishes well into the nineteenth century.²⁵

That any peasant styled community could survive the late seventeenth and early eighteenth century during times of great hunger for grazing lands and the resulting extensive enclosures, is surprising. That individual communities could survive when surrounded by enclosed parishes is more surprising.²⁶ Perhaps it required an absentee squirearchy as at Stewkley, enclosed in 1811-14, to not only sustain a peasantry, but in fact promote its growth.²⁷ On the other hand, enclosing townships and the resulting consolidation of holdings provided an experienced and growing supply of landless farmers, what better than to migrate to open field townships and strengthen the lower rungs of the agricultural ladder, to begin again.

The conclusion is, and surely Lavrovsky would agree, that the expropriation of the peasantry, supposedly complete by 1780, was, in Buckinghamshire at least, incomplete as late as the mid-nineteenth century, and what is of crucial importance, was instrumental in a relatively late chronology of enclosure.²⁸

25 See Table IVa supra, For Leicestershire H.G. Hunt concluded that the strength of the small landowners could not support the view that their extinction was the prelude to Parliamentary enclosure. "If therefore, the peasantry suffered sever losses in the late seventeenth and early eighteenth century, this class, identified as those possessing less than 100 acres, remained by the middle of the eighteenth century, collectively at least, as great in landowning strength as any other single class in many parishes". Economic History Review (1958-9), loc.cit., p.501, citing A.H. Johnson, The Disappearance of the Small Landowner (Oxford, 1909), p.132.

26 See A.C. Chibnall, Sherington, Fiefs and Fields of a Buckinghamshire Village (Cambridge, 1965), p.200.

27 Information on Stewkley kindly supplied in communication with Mr. Perman of Harwell in Essex who is working on a book on the historical background to opposition to the now rejected proposals to build a "Third London Airport" in mid-Buckinghamshire, March 10th 1972.

28 By this it does not suggest that the two centuries prior to 1750 were not ones in which there was a savage reduction in the size of the peasant ranks, though this popular belief awaits further investigation in Buckinghamshire. The contention is that there was a very late survival of this peasantry into the nineteenth century. See in this connection Lavrovsky's revised ideas on the nineteenth century peasant, "The Great Estate in England from the Sixteenth Century to the Eighteenth Century", in First International Conference of Economic History (Stockholm, 1960), pp.353-65; and also the controversial essay by John Rae, "Why have the Yeomanry Perished?" Contemporary Review, Vol.44 (1883), pp.546-65, an essay which in the light of the Buckinghamshire evidence might well be reconsidered.

oOo

Interesting landownership patterns emerge if the enclosure awards are analysed in broad regional groups. There are three distinct regions in the county, the clays of north Buckinghamshire, that is the Oxford clays, the clays of mid-Buckinghamshire, the Kimmeridge and the Gault, and finally the terrace gravels of the river Thames in the south of the county. The Chiltern Hills would form a fourth region but they comprise parishes of old enclosure and were only affected in the eighteenth and nineteenth centuries by the enclosure of waste. They will therefore not form part of this analysis.

The following tables summarise the regional landownership distribution at enclosure.

TABLE IV(d): ANALYSIS OF LANDOWNERSHIP AT ENCLOSURE FOR 53 PARISHES
SITUATED ON THE CLAYS OF NORTH BUCKINGHAMSHIRE

<u>LANDOWNERSHIP GROUPS</u>									
Period of Award	Church Acreage (as a %age)	Over 500 acres		3-500 acres		2-300 acres		1-200 acres	
		No.	Acreage (as a %age)	No.	Acreage (as a %age)	No.	Acreage (as a %age)	No.	Acreage (as a %age)
9 Awards Pre-1770	864 (7.5%)	4	3723 (32.3%)	3	1228 (10.7%)	2	451 (3.9%)	11	1441 (12.5%)
13 Awards 1770-1789	3490 (15.5%)	7	6615 (29.4%)	5	2062 (9.1%)	6	1503 (6.7%)	17	2282 (10.1%)
19 Awards 1790-1809	2480 (10.6%)	3	2511 (10.7%)	6	2553 (10.9%)	9	2160 (9.2%)	42	5903 (25.2%)
6 Awards 1810-1829	1672 (20.8%)	1	667 (8.3%)	3	1082 (13.4%)	-	-----	11	1459 (18.1%)
6 Awards Post-1830	357 (3.9%)	1	818 (8.9%)	3	978 (10.6%)	2	453 (4.9%)	19	2570 (28.1%)
		50-100 acres		10-50 acres		Under 10 acres		Other	
		No.	Acreage (as a %age)	No.	Acreage (as a %age)	No.	Acreage (as a %age)	No.	Acreage (as a %age)
9 Awards Pre-1770		22	1648 (14.3%)	72	1565 (13.6%)	103	346 (3.0%)	20	257 (2.2%)
13 Awards 1770-1789		33	2518 (11.2%)	98	2402 (10.7%)	215	665 (2.9%)	35	977 (4.4%)
19 Awards 1790-1809		54	3752 (16.0%)	112	2877 (12.3%)	208	685 (2.9%)	50	527 (2.2%)
6 Awards 1810-1829		21	1500 (18.6%)	54	1168 (14.5%)	103	344 (4.3%)	22	156 (2.0%)
6 Awards Post-1830		22	1583 (17.2%)	74	1820 (19.8%)	133	342 (3.7%)	17	275 (3.0%)

TABLE IV(e): ANALYSIS OF LANDOWNERSHIP AT ENCLOSURE FOR 36 PARISHES
SITUATED ON THE CLAYS OF MID-BUCKINGHAMSHIRE.

Period of Award	<u>LANDOWNERSHIP GROUPS</u>							
	Church Acreage (as a %age)	Over 500 acres No. Acreage (as a %age)	3-500 acres No. Acreage (as a %age)	2-300 acres No. Acreage (as a %age)	1-200 acres No. Acreage (as a %age)			
2 Awards Pre-1770	197 (9.6%)	1 569 (27.6%)	- --- ----	- --- ----	2 352 (17.1%)			
8 Awards 1770-1789	1576 (11.8%)	2 1737 (13.0%)	5 2012 (14.9%)	6 1494 (11.1%)	8 1221 (9.1%)			
14 Awards 1790-1809	2703 (15.3%)	4 3385 (19.2%)	2 729 (4.1%)	5 1155 (6.5%)	23 3308 (18.6%)			
6 Awards 1810-1829	1205 (9.5%)	4 4685 (36.6%)	3 1283 (10.0%)	1 274 (2.1%)	11 1497 (11.7%)			
6 Awards Post-1830	738 (7.0%)	6 4771 (45.4%)	1 334 (3.2%)	2 508 (4.9%)	4 558 (5.3%)			
		50-100 acres No. Acreage (as a %age)	10-50 acres No. Acreage (as a %age)	Under 10 acres No. Acreage (as a %age)	Other No. Acreage (as a %age)			
2 Awards Pre-1770		4 298 (14.5%)	21 503 (24.4%)	14 43 (2.1%)	2 97 (4.7%)			
8 Awards 1770-1789		29 2110 (15.7%)	100 2383 (17.8%)	166 543 (4.1%)	19 331 (2.5%)			
14 Awards 1790-1809		44 3040 (17.2%)	96 2374 (13.4%)	251 595 (3.4%)	39 404 (2.3%)			
6 Awards 1810-1829		24 1697 (13.3%)	63 1450 (11.3%)	296 514 (4.0%)	26 190 (1.5%)			
6 Awards Post-1830		15 1102 (10.5%)	62 1495 (14.3%)	254 540 (5.2%)	25 437 (4.2%)			

TABLE IV(f): ANALYSIS OF LANDOWNERSHIP AT ENCLOSURE FOR 11 PARISHES
SITUATED ON THE GRAVELS OF THE THAMES VALLEY.

LANDOWNERSHIP GROUPS

Period of Award	Church Acreage (as a %age)	Over 500 acres		3-500 acres		2-300 acres		1-200 acres	
		No.	Acreage (as a %age)	No.	Acreage (as a %age)	No.	Acreage (as a %age)	No.	Acreage (as a %age)
2 Awards 1770-1789	593 (48.2%)	-	---	1	403 (32.7%)	-	---	-	---
6 Awards 1790-1809	405 (5.7%)	3	2021 (28.5%)	-	---	3	715 (10.1%)	7	938 (13.2%)
3 Awards Post-1810	368 (17.2%)	-	---	2	755 (35.2%)	-	---	3	450 (20.9%)
		50-100 acres		10-50 acres		Under 10 acres		Other	
		No.	Acreage (as a %age)	No.	Acreage (as a %age)	No.	Acreage (as a %age)	No.	Acreage (as a %age)
2 Awards 1770-1789		1	71 (5.7%)	5	101 (8.2%)	22	52 (4.2%)	5	12 (1.0%)
6 Awards 1790-1809		13	994 (14.0%)	39	1126 (15.9%)	280	493 (6.9%)	31	405 (5.7%)
3 Awards Post-1810		4	285 (13.3%)	6	138 (6.4%)	71	130 (6.1%)	5	19 (0.9%)

a) Parishes on the Thames Gravels.²⁹

The main feature with these parishes is the concentration of land in the 1770's and 1780's in the hands of Earl Inchiquin of Ireland. For the Taplow enclosure of 1779-87 he was allotted 58.8% of all lands to be enclosed. The second largest landowner was the Rector, in lieu of tithes and glebe. The Rector of Hitcham was, in his turn, the largest landowner at the enclosure of his parish in 1778-9. A closer look at the Hitcham award reveals a landownership structure containing all of the elements of the agricultural ladder, from considerable members of the aristocracy to seemingly very humble yeoman stock.³⁰ The main task of the commissioners at this enclosure was to commute tithes and exchange parcels of land in the surviving open fields, rather than to allot new lands. For example, Andrew Pope wanted to exchange 48 separate pieces in the four open fields and surviving open meadow, the largest piece was only three acres.

A similar landownership distribution existed at Taplow. Both the enclosure of Hitcham and Taplow involved relatively few acres, only 38% and 39% of the parishes respectively, and could rightly be classed as enclosure agreements.

29 The sample of only eleven parishes on the river gravels is hardly large enough for meaningful conclusions to be drawn, particularly since the period of enclosure for these parishes extends from 1778 (Hitcham) to 1822 (Farnham Royal).

30 Distribution of landownership at the enclosure of Hitcham (1778-9):

Rev. Henry Sleeke, Rector - 372 $\frac{1}{4}$ acres for glebe and tithes	
Rt. Hon. Marrough, Earl Inchiquin - 27 $\frac{1}{2}$ acres	
Robert Friend Esq., Lord of the Manor - 22 $\frac{3}{4}$ acres	
Anthony Eglinton and Mary Grape - 3 $\frac{1}{4}$ acres	
Dorothy Wright, spinster - 15 $\frac{1}{4}$ acres	Eton College - $\frac{3}{4}$ acre
Rt. Hon. George, Earl Jersey - $\frac{3}{4}$ acre	Peter Style - 1 acre
Sir Charles Palmer - 12 $\frac{3}{4}$ acres	Robert Style - 1 $\frac{1}{2}$ acres
Richard Grape Esq. - 4 $\frac{1}{2}$ acres	John Davis - 1 acre
Nathaniel Newberry Esq. - 1 $\frac{1}{2}$ acres	Charles Eyre Esq. - 1 acre
Andrew Pope Esq. - 70 $\frac{1}{2}$ acres	Widow Galley - 1 acre
Chris. Nicholson - $\frac{1}{4}$ acre	The Poor - 5 acres
Henry Colsell - 1 $\frac{1}{2}$ acres	Gravel Pits - 2 acres

Source: Hitcham Enclosure Award, C.R.O.Ayl., IR/133.

The war period saw the only intensive enclosure activity in the south of the county, recognising the wastes and extensive commons as potential arable lands. Some opposition was experienced in these parishes, and rather than being dominated by large landowners, the balance of power lay in the hands of the lesser landowners, possessing less than 200 acres. The 28.5% held by owners of more than 500 acres distorts the more general picture because there were only three landowners of this size and two of them came from Iver. The other parishes were genuinely dominated by the lesser landowners, for example, the three that were allotted between 1-200 acres each at Wraysbury in 1799-1803 which was 55% of the lands to be allotted. Similarly at Upton in 1808-19 where landowners of between 1-300 acres were the largest group. These enclosures were accompanied by some opposition at Westminster, and it is almost certain that the petitioners were anxious to capitalise on the prevailing high inflationary prices and to bring the otherwise marginal commons and wastes into cultivation for the first time.³¹ The situation seemed to call for a marginal group of landowners to initiate enclosure proceedings, a group that formally might have been divided, in parishes where no single landowners were dominant.

The three enclosures after 1810 show similar landownership characteristics. Datchet, enclosed in 1810-33 where one landowner was allotted 315 acres and was matched by three other allottees each receiving less than 200 acres, and very many smaller landowners of common rights and small allotments. However, the major landowners in this parish included the Dean and Cannons of St. George's Chapel, Windsor as tithe owners, Lord Montague as Lord of the Manor and the Earl of Harewood. It therefore resembles enclosure by agreement.

³¹ See Chapter VI *infra* on the opposition to enclosure; On wartime enclosures and the hypothesis on capitalisation and chronology see, D.N. McCloskey, Journal of Economic History (1972), loc.cit.

Farnham Royal was enclosed in 1821-31, but only included 16% of the parish. The three largest landowners were allotted less than 200 acres each though this included Lord Francis Godolphin Osborne, hardly a lesser freeholder. Both this and the Little Marlow enclosure of 1820-21, where Sir George Nugent was the only substantial landowner and incidentally the owner of most of the old enclosed parts of the parish as well, resemble the Hitcham and Taplow enclosures of the 1770's very much, that is they resemble enclosure by agreement.

b) Parishes on the Clays.

The regional differences in traditional open field Buckinghamshire are more straightforward.

The early history of Parliamentary enclosure was mainly concentrated in the parishes to the north of the county. The tables reveal the substantial influence of the larger landowners in these parishes. The largest, that is those possessing over 300 acres, received over 40% of all lands to be enclosed before 1790. In the 1790's there was a decline in their importance which persisted into the nineteenth century. The smaller owners, possessing between 1-200 acres became the most dominant group. During the war years they were both numerically and proportionately very strong in those parishes to be enclosed. The implication is that the economic background of these years was the prime motivating force behind the decision to enclose. Formally they would have resisted, and did resist, enclosure and with the support of the very smallest proprietors they held enclosure in abeyance in many parishes. They were again very strong in parishes enclosed after 1830 and certainly this strength was the major factor delaying enclosure.³²

The sample of enclosures from the parishes in mid-Buckinghamshire

32 Witness the abortive bill at Simpson in the 1760's, the successful delay of the Quainton enclosure after 1801 and the lengthy negotiations over the Stewkley enclosure. See Chapter VI infra for a fuller account of these enclosures.

unfortunately is not very large. Before 1790 the differentiation in landownership into distinctive groups was more regular for these parishes than in any other part of the county. Collectively, proprietors with estates over 200 acres possessed 39% of all lands to be enclosed, but those with under 100 acres possessed almost as much. Indeed, it may be a feature of the chronology of enclosure in the Vale of Aylesbury (where traditionally the land was of the greatest value) that this more regular and even differentiation of landownership helped to delay enclosure. There are two notable exceptions, the 1169 acres allotted to Sir William Lee at Hartwell and Stone in 1776-77 and the 568 acres allotted to the Reverend Philip Barton at Great Brickhill in 1771-72. For no other parishes enclosed in mid-Buckinghamshire before 1790 did a single owner possess over 500 acres.

The substantial peasant was therefore extremely important in decisions to enclose in the Vale of Aylesbury and his importance increased during the war years. The largest landowners, in possession of over 500 acres were allotted only 19% of all lands to be enclosed,³³ whereas the group possessing from 50-200 acres was allotted nearly 36%.

The reason why these parishes did not remain open longer was the intervention of the war. It could be said that this was a period of betrayal within the ranks of the peasantry, many of whom were encouraged by the favourable financial and economic circumstances to support a 'land reform' that they had formerly resisted, and to repeat, Quainton in 1801 expresses the kind of power that this class possessed.

The importance of a so-called peasant class well into the nineteenth century seems to be an antithesis of Marxist history and of the Habakkuk model of landownership history before 1740.³⁴ Possibly the history of

33 If those allotted over 200 acres are included the proportion only rises to 30%.

34 K. Marx, Capital (English Edn., 1886), Vol.1 chapter 27; H.J.Habakkuk, "English Landownership 1680-1740", Economic History Review, 1st Series, Vol.X (1940), pp.2-17.

landownership in Buckinghamshire mirrors the history of landownership elsewhere but was delayed and prolonged in chronology. There do not seem to be many other reasons for such an important concentration of enclosure activity in the nineteenth century.

APPENDIX IV(a): Analysis of Enclosure Awards Showing the Percentage of
Land Allotted to the Leading Landowners.

<u>Parish</u>	<u>Date</u>	<u>Percentage of land allotted to the leading of owner, the two leading owners, the three Act leading owners, etc.</u>										<u>Total Owners/ Award</u>	
		<u>1</u>	<u>2</u>	<u>3</u>	<u>4</u>	<u>5</u>	<u>6</u>	<u>7</u>	<u>8</u>	<u>9</u>	<u>10</u>		
Swanbourne	1761	24.3	38.7	48.6	55.4	59.8	64.1						51
Shenley	1762	44.8	61.8	77.1	87.5								14
Westbury	1764	72.8	78.6	83.5									13
Westcott	1765	44.7	57.2	62.9	68.1	71.7							26
Winslow	1766	60.8	68.9	72.9									31
Little Horwood	1766	13.7	23.8	31.9	39.5	46.6	52.3						34
Olney	1767	69.9	77.6	82.8									40
Shalstone	1767	87.1	95.7										6
Loughton	1768	19.9	37.4	52.1	62.9	70.5	77.7						18
Woughton	1768	17.9	30.9	40.5	50.5	58.9	65.0						35
Cublington	1769	23.9	47.5	59.6	69.9	77.3	79.9						20
													Average for the 1760's 26
Simpson	1770	25.7	47.2	55.6	63.8	71.5	76.7						33
Stoke Goldington	1770	73.5	95.9										4
Aylesbury	1771	25.2	41.4	53.1	58.6	63.1	67.5						65
Whitchurch	1771	23.2	32.6	41.5	47.1	52.6	57.6						61
Great Brickhill	1771	39.4	58.2	68.3	76.4	79.8	83.0						33
Soulbury	1772	67.5	70.8	73.8	76.5	79.0	81.4						32
North Crawley	1772	24.2	38.3	49.0	58.7	67.5	73.0						34
Tingewick	1773	19.1	37.2	44.4	48.7	53.0	57.1						69
Radclive	1773	31.8	54.7	64.9	72.6	79.4	85.5						12
Waddesden	1774	12.6	25.1	36.8	48.1	54.1	59.4						43
Twyford	1774	99.8	100.0										2
Stoke Hammond	1774	36.2	58.6	70.3	80.1	87.7	91.3						24

		<u>1</u>	<u>2</u>	<u>3</u>	<u>4</u>	<u>5</u>	<u>6</u>	<u>7</u>	<u>8</u>	<u>9</u>	<u>10</u>	
Hartwell and Stone	1776	62.2	84.0	92.4	95.4	97.7						12
Ludgershall	1777	17.1	29.8	41.7	49.7	57.2	64.3	70.3	75.7			28
Hardwick	1778	35.7	69.7	84.8	92.9							9
North Marston	1778	22.9	34.4	45.0	50.2	55.3	59.8	64.3	68.0			47
Hitcham	1778	66.8	79.5	84.4	88.5							20
Hanslope	1778	34.4	60.3	66.3	71.7	75.5	78.2					38
Bierton	1779	14.7	26.2	36.3	41.9	45.9	49.1	52.2				72
Taplow	1779	58.8	90.9									16
Average for the 1770's												33
Caversfield	1780	75.9	98.0									6
Preston Bissett	1781	26.4	37.7	47.3	53.5	59.3	64.9	70.4	75.5			23
Calverton	1782	58.6	79.2	85.0	87.5							37
Bradwell	1788	24.8	38.7	49.8	62.6	69.2	75.8	82.0				21
Wavendon	1788	17.9	35.4	51.1	58.1	64.9	70.5	74.7				50
Average for the 1780's												27
Bow Brickhill	1790	23.3	38.5	50.0	61.2	69.8	77.4	81.2				65
Little Woolstone	1791	38.2	62.0	84.0								17
Castlethorpe	1793	41.8	77.9	85.3								15
Wendover	1794	18.8	29.2	39.2	48.9	57.1	62.7	68.0	72.1			74
Akeley	1794	13.8	26.5	38.3	46.6	53.6	60.4	66.8	73.2			18
Newport Pagnell	1794	22.0	40.2	51.7	63.0	70.9	77.5	82.9	87.3			17
Steeple Claydon	1795	20.1	39.5	47.6	54.1	60.0	64.2	68.0	71.4			32
Aston Abbotts	1795	26.0	50.4	63.5	75.3	84.1	90.7	96.5				13
Padbury	1795	11.0	22.0	30.3	38.0	45.3	52.0	58.1	63.1			37
Great Woolstone	1796	47.5	92.1									5
Grandborough	1796	19.6	34.4	48.2	55.9	63.5	70.7	75.9	81.0			25

		<u>1</u>	<u>2</u>	<u>3</u>	<u>4</u>	<u>5</u>	<u>6</u>	<u>7</u>	<u>8</u>	<u>9</u>	<u>10</u>	
Bledlow	1809	21.1	41.2	48.7	54.1	59.4	63.7	66.4	68.8			82
Marsworth	1809	40.0	64.4	73.4	80.8	83.4	85.6	87.4	89.0			35
		Average for the 1800's										44
Bletchley	1810	28.7	54.4	59.6	64.9	69.0	72.8	75.6	78.1			59
Newton Blossomville	1810	48.0	69.9	89.6	91.6	93.4						17
Slapton	1810	42.7	55.2	64.2	71.7	76.5	84.3	87.1	89.3			33
Datchet	1810	29.9	56.3	74.7	81.0	86.6	89.9					34
Stewkley	1811	14.1	24.7	30.2	34.6	38.6	42.3	45.9	49.3	52.6	55.6	95
Turweston	1813	27.0	52.2	73.9	82.8	90.0	96.2					15
Aston Clinton	1814	24.1	47.3	55.7	63.2	68.5	72.5	75.7	78.6			69
Mursley	1814	27.2	41.9	52.1	59.0	65.8	71.5	77.1	81.2			27
Amersham	1815	57.9	61.8	65.2	68.4	71.5	74.5	77.2	79.6			78
		Average for the 1810's										47
Princes Risborough	1820	36.2	50.5	55.8	58.5	61.1	63.7	65.9	67.9			172
Little Marlow	1821	71.9	86.0	88.4								16
Ivinghoe	1821	81.0	89.9	91.8	93.5	94.7	95.7					50
Farnham Royal	1821	24.7	49.0	64.9	78.9	86.0	90.8					44
Clifton Reynes	1822	39.9	71.3	89.6								10
Towersey	1822	37.9	51.0	59.8	68.5	74.5	79.5	84.1	88.2			31
Long Crendon	1824	25.6	35.9	42.2	48.6	52.7	57.3	60.8	64.2			82
		Average for the 1820's										58
Haddenham	1830	20.1	39.9	48.0	55.6	60.6	63.3	65.2	66.9			105
Whaddon	1830	39.0	49.3	58.8	64.3	69.4	74.5	78.5	80.6	83.3		39
Monks Risborough	1830	25.7	47.3	55.0	61.3	65.9	70.3	73.4	75.5			88
		Average for the 1830's										77
Newton Longville	1840	22.5	30.7	37.7	44.1	48.2	51.3	54.1	56.8	59.1	61.2	52
Quainton	1840	21.6	37.6	49.4	59.1	66.5	72.8	78.1	82.3			34

		<u>1</u>	<u>2</u>	<u>3</u>	<u>4</u>	<u>5</u>	<u>6</u>	<u>7</u>	<u>8</u>	<u>9</u>	<u>10</u>	
Marsh Gibbon	1841	13.1	20.7	27.7	34.5	39.9	44.4	48.7	53.0	56.8	60.6	44
Great Horwood	1841	24.0	31.5	38.8	44.4	49.6	54.6	58.8	62.5	66.0	69.0	105
Buckland	1842	35.3	51.6	63.5	68.1	71.9	75.2	77.4	79.2			53
<hr/>												
Average for the 1840's											58	
Great Marlow	1852	24.5	39.8	51.7	60.6	66.7	71.2					36
Pitstone	1853	83.1	88.0	90.7	91.6							21
Cheddington	1853	56.1	79.7	85.3	89.0	91.3						41
Edlesborough	1856	56.4	65.1	69.7	73.9	77.9	81.3	84.0				66
<hr/>												
Average for the 1850's											41	

CHAPTER V: LANDOWNERSHIP CHANGE AND ENCLOSURE.

(a) Landownership change preceding and following upon enclosure.

Whether the land market became more fluid before enclosure, possibly as a pre-requisite of enclosure is not at all evident from a study of the enclosure awards, though the more recently acquired evidence from estate deeds suggests that land sales before enclosure may have been more frequent than the enclosure awards indicate.¹ Certainly the evidence from the Land Tax Assessments suggests considerable purchases throughout the period.

The use of the terms "lately" or "recently" purchased in some enclosure awards suggests that there was a market in land prior to enclosure. It also begs the question, how recent? No definite answer can be given. Before 1780 the Land Tax Returns cannot be used as a cross-reference. Where the title deeds of estates have survived it seems very clear that "recently purchased" meant within the previous two or three years, and often meant within the time between the passing of the Act and the execution of the Award.

¹ In both Warwickshire and Leicestershire there is little evidence of large scale engrossing of estates preceding Parliamentary Enclosure. J.M. Martin, "The Parliamentary Enclosure Movement and Rural Society in Warwickshire", Agricultural History Review, Vol.XV, Pt.1 (1967), p.34; H.G. Hunt, "Landownership and Enclosure, 1750-1830", Economic History Review, 2nd series (1958-9), Vol.XI, pp.497-501; Though Martin makes the rather curious statement later in his thesis that about one half of the Warwickshire awards contained references to the purchase of estates in the interval between the application to Parliament and the drawing up of the award, and this process quickened over time. In spite of everything a market for small properties always existed in the eighteenth century, possibly as a means of rounding-off an estate. See G.E. Mingay, Enclosure and the Small Farmer in the Age of the Industrial Revolution (London, 1968), p.28. However, this market did not in my view exist as a serious attempt to buy out would-be opposition with a view to enclosure. An important point that should always be considered is that the late seventeenth and early eighteenth centuries was a time of considerable indebtedness by many estates. What of the fate of these estates in the later eighteenth century when the burden of debt had grown for one or two generations and more; H.J. Habakkuk, "English Landownership, 1680-1740", Economic History Review, Vol. X (1940), pp.7-8 and "The English Land Market in the Eighteenth Century", Chapter 8 of J.S. Bromley and E.H. Kossman (eds.), Britain and the Netherlands (London, 1960), p.158.

Where land sales are recorded in the awards it is quite evident that the aim was to consolidate ownership within the parish rather than as a means of buying-out would-be opponents of enclosure. In some cases it saved the very small landowners the embarrassment of raising the enclosure fees, and in other cases they sold a proportion of land before enclosure as a method of financing a forthcoming enclosure.²

Table V(a) summarises the land purchases which are recorded in enclosure awards up to 1800. They were sales of a superficial character and not very large, for example the market in cottage common rights. On the one hand the owners of these common rights saw such sales as a method of financing the enclosure of their more extensive open field property, and on the other hand they saw the spectre of enclosure costs on a very small allotment which when fenced would only be large enough to support a small stock.³ At Great Brickhill, enclosed in 1771-2, the Reverend George Purefoy (he was not the incumbent), purchased several common rights from persons without any other field land, not because he feared a possible opposition and not as a method of enlarging his estate, the lands were not important or extensive enough. It was more of an act of charity or goodwill, saving the cottagers the embarrassment of finding funds to pay their fees, though they might justifiably claim that before enclosure they had land and rights, but that enclosure had made them into

2 See Chapter IX *infra*, The Financing of Enclosure; On one occasion however there was a need to buy out an opponent. Henry Allnutt at Weston Turville enclosed in 1798-1800 pronounced on a number of occasions his disapproval of enclosure, but being alone in this view he realised that he would not have much effect. His was the only dissent when the petition was presented to Parliament. He eventually sold his property in 1799, that is after the Act had been granted but before the award was complete. His opposition was an annoyance to the commissioners rather than a genuine threat; See Lowndes Estates Deeds, C.R.O.Ayl., D/19 Item 84, Lease and Release of 4-5 April 1799.

3 For example at Whitchurch enclosed 1771-2, a cottage cow common was worth as little as one quarter acre and at the most only one acre. Fortunately in this example those allotted less than four acres were excused costs. This dispensation however is very rare. Whitchurch Enclosure Award, C.R.O.Ayl., Inrolment, Vol.1.

TABLE V(a): Evidence in Enclosure Awards suggesting land transactions immediately prior to Enclosure.

<u>Parish</u>	<u>Date of Act</u>	<u>Land transacted (nearest acre)</u>
Swanbourne	1761	One transaction involving 14 acres
Shenley	1762	Three transactions involving 456 acres
Westcott	1765	Three transactions involving 13 acres
Winslow	1766	One transaction involving 8 acres
North Marston	1778	Two transactions involving 13 acres
Great Brickhill	1771	Several Common Rights
Tingewick	1773	One Common Right
Stoke Hammond	1774	Two transactions involving 27 acres
Taplow	1779	Two transactions involving 2 acres
Preston Bissett	1781	One transaction involving 9 acres
Wavendon	1788	One transaction involving 74 acres
Little Woolstone	1791	One transaction involving 135 acres
Wendover	1794	One transaction involving $\frac{1}{4}$ acre
Wendover	1794	Three transactions involving 8 Common Rights
Wing	1797	One transaction involving 6 Common Rights
Stoke Mandeville	1797	One transaction involving 34 acres
Adstock	1797	Two transactions involving 75 acres
Adstock	1797	One transaction involving 18 Common Rights
Emberton	1798	Numerous purchases by most people
Weston Turville	1798	Three transactions involving 82 acres
Singleborough	1799	One transaction involving 44 acres
Wraysbury	1799	One transaction involving 284 acres
Iver	1800	Numerous transactions involving 390 acres

Out of a total of 64 awards that exist for the period.

landless labourers. The villainy of enclosure in this sense could be interpreted as the expropriation of the common right owners, though ironically it also recognised the "legal rights of humble men".⁴

It seems clear from the Westbury award of 1766 that the leading landowner, Benjamin Price Withers, made a number of purchases before the enclosure. There are numerous references to the former proprietors. The purchases by William Lowndes at Winslow, enclosed in 1766-7, also suggests a lot of small sales, possibly the smaller owners were off-setting the cost of enclosure by selling-out altogether.⁵ Certainly there is enough evidence of this nature supporting the view that enclosure resulted in at least the partial removal of 'an independent peasant class'.⁶

It was not always resident proprietors who made these small purchases. Thomas Flowers at Adstock, enclosed in 1797-8, was not in possession of any other field land at all except that which he had purchased just before the enclosure.⁷ The frequency of complete outsiders entering the land market must dispel the notion that much of this buying was done to eliminate would-be objectors.⁸ The contention that parliamentary enclosure was preceded by the buying out of freeholds and leases for lives is not borne out by a study of the enclosure records.⁹

On the other hand, it is clear from other evidence that the record of "lands recently purchased" in the enclosure awards is not complete.

4 J.D. Chambers, "Enclosure and Labour Supply in the Industrial Revolution", Economic History Review, 2nd series, Vol.V (1953), p.327.

5 Westbury and Winslow Enclosure Awards, C.R.O.Ayl., IR/139 and Inrol. Vol.18.

6 J.Saville, "Primitive Accumulation and early Industrialisation in Britain", The Socialist Register, Vol.6 (1969), p.253.

7 Adstock Enclosure Award, C.R.O.Ayl., IR/10.

8 J.M. Martin found that the outsiders that were attracted to Warwickshire parishes at the end of the eighteenth century were those with capital wishing to take advantage of a favourably growing food market, loc.cit. (1967), p.30.

9 For example, Jesse Collings, Land Reform (London, 1906) talks of the eviction of copyholders, a quite unsubstantiated point of view, pp. 64 and 70.

Estate deeds give evidence of other land transactions prior to enclosure, and during enclosure negotiations. These details do not always appear in the enclosure awards. In particular the following market existed in Bow Brickhill, enclosed in 1790-93, with acquisitions by Thomas Ager and others up to nine years before the enclosure act was presented to Parliament. This market spread into the neighbouring parishes of Simpson and Water Eaton. (see Table V(b), *infra*)

In 1791 in the same parish, Thomas Kent, a tailor, sold his allotment in lieu of common rights to James Clark, a yeoman from Bow Brickhill, for £30, and Francis Hobbs, a shepherd, also sold his allotment to Clark, this time for £97-18-0.¹⁰ Neither of these transactions were mentioned in the subsequent enclosure award. Hobbs received just over 2 acres in the award so evidently he was off-setting his enclosure expenses. Clark received $1\frac{1}{2}$ acres, which possibly shows that even the most humble of 'yeoman' might be attempting to gain a foothold on the agricultural ladder, even at such great cost.

At Great Brickhill in 1771, John Stevens, a dairyman from neighbouring Soulbury was allotted a little over 21 acres though in fact he purchased most of this land just before the enclosure. Again this is not recorded in the award.¹¹ At Wingrave, enclosed in 1797-8, Mary Collier, a widow from Aston Clinton sold her allotted three cottage common rights which totalled just under one acre, though again this is not recorded in the award.¹² Many small owners, and owners of common rights found themselves in the same position, that is the rather sudden obligation to contribute towards costs and to fence an allotment which after tithe commutation might be little more than a garden.

10 C.R.O.Ayl., BAS Deeds relating to the Brickhill parishes, 531/42, Feoffment of 25 March 1791 and 532/42, Feoffment of 15 June 1792.

11 C.R.O.Ayl., Miscellaneous Series Deeds, Great Brickhill, D/X/1/4-5, and Stoke Hammond D/X/16.

12 Deeds relating to Waddesdon and other parishes, C.R.O.Ayl., D/45, Feoffment of 12 November 1799.

TABLE V(b): Evidence to show the buying of land before the Enclosure of Bow Brickhill and Fenny Stratford (1790-94).

Source: Ager Estate Deeds, C.R.O.Ayl., D/59.

Abbreviations: L = Lease; R = Release.

<u>Date</u>	<u>Vendor</u>	<u>Purchaser</u>	<u>Acreage</u>	<u>Price</u>	<u>Parish</u>
14/15 June 1790 L & R	Edward Cooke	Thomas Ager	103	£1700	1
25 May 1791 Feoffment	John Day	"	$\frac{1}{4}$	£6-6-0	1
14/15 June 1781 L & R	Matthew Hawes	"	$\frac{3}{4}$	£165	3
26/27 Sept. L & R	Thomas Stoney	"	?	£28	1
3 March 1787	Edward Bloxham	"	?	£2100	1
15/16 July 1788 L & R	Mary Stevens	"	1	£30	2
18/19 July 1788 L & R	Mary Field	"	1	£63	1
1/2 Aug. 1788 L & R	Thomas Linnell	"	3	£90	2
15/16 July 1788 L & R	Thomas Day	"	3	£150	2
25/26 Sept. 1788 L & R	John Cooke	"	?	£107	1
5/6 Nov. 1788 L & R	Joseph Alcock	"	$8\frac{1}{2}$	£250	2
9/10 May 1789 L & R	John Bigg	"	1	£30	2
3/4 June 1789 L & R	William Adams	"	1	£35	3
29/30 Sept. 1789 L & R	Thomas Tattham	"	?	£20	2
9/10 May 1788 L & R	John Cooke	Edward Cooke	$2\frac{1}{2}$	£75	1
12 Nov. 1789 Feoffment	Thomas Cooke	? Cooke	?	£10	1
10 May 1783 Bond	Thomas Cooke	John Cooke	$2\frac{1}{2}$	£100	1
4 Sept. 1786 Feoffment	Thomas Day	William Souster	$\frac{1}{2}$	£25	2
28 Sept. 1786 Feoffment	Thomas Day	Thomas Fursell	2	£60	4
5 Sept. 1786 Deed of Exchange	Edward Bloxham	Thomas Day	$\frac{3}{4}$?	2

- 1 = Lands in Bow Brickhill
 2 = Lands in Fenny Stratford
 3 = Lands in Simpson
 4 = Lands in Water Eaton

From the Bow Brickhill Award of 1794, C.R.O.Ayl., IR/27, it would appear that of the parties to the above deeds, the following were still in possession of lands at enclosure:

<u>Name</u>	<u>Allotment</u>	<u>Share of Cost</u>
Thomas Ager	$101\frac{1}{2}$ acres in Bow Brickhill	£138-5-0
	$90\frac{1}{4}$ acres in Fenny Stratford	£138-10-9
John Day	$\frac{1}{4}$ acre in Fenny Stratford	None assessed
Thomas Linnell	$8\frac{1}{2}$ acres in Fenny Stratford	£13-4-6
Thomas Day	$\frac{3}{4}$ acre in Fenny Stratford	£3-12-4
Thomas Cooke	$39\frac{1}{2}$ acres in Bow Brickhill	?
William Souster	$\frac{1}{4}$ acre in Fenny Stratford	£0-14-6

By the time of the Bow Brickhill enclosure Thomas Ager had consolidated an estate of 192 acres.

The impression from an investigation of the estate deeds is not one of buying out to acquire large estates or to eliminate opposition from the parish. An example from Saunderton is as typical as any in which Edward Neighbour sold two acres. He was hardly an influential landowner and was probably avoiding the forthcoming enclosure costs.¹³ This is of course an important social consequence, undoubtedly the threat of enclosure, or more realistically the cost of enclosure, led to a number of hasty sales. It also led to many cautious sales, small parts of much larger estates were sold.¹⁴

The surviving manorial records allow an investigation of the market in copyhold land. Unfortunately not enough of this type of record has emerged for more than just general conclusions to be made. At the Grandborough enclosure of 1796-7 there was the surrender of 33½ acres of copyhold land by John Staley and his son. These were lands to which they were admitted in 1790. They were not re-admitted but instead the land passed to a local dairyman and to Thomas Duncombe, styled as a Gentleman from Aylesbury who already owned a substantial estate in the parish.¹⁵ From the Court Rolls of Long Crendon and the Minutes of the Court a clear picture of copyhold transactions emerges for the years associated with the enclosure (1824-7). The years prior to enclosure were not very active. There were no surrenders in 1821, there was only one in 1822 and 1823 was another very quiet year. However, in 1824, the year that the act was passed, there was increased activity involving the surrender of copyholds by four of the smaller parishioners. At least one of these parties retained possession of his freehold lands. 1825 was another quiet year but in 1826 there was renewed activity with two absolute surrenders and three conditional surrenders [the equivalent of

13 Grubb Estate Deeds, C.R.O.Ayl., D/42/C.25, Sale Agreement of 24 July 1807.

14 See Chapter IX infra on the Financing of enclosure; See also J.D. Chambers, "Enclosure and the Small Landowner", Economic History Review, 1st series, vol.X (1940), p.123.

15 BAS Deeds, relating to Thornborough, C.R.O.Ayl., BAS 375/22/33 and 36.

a mortgage of copyholds⁷. In 1827, the year the award was completed there were two absolute surrenders and one conditional surrender. In 1828 there were two surrenders, in 1829 only one and again one each in 1830 and 1831.¹⁶ The peak in the activity of the copyhold lands was during the enclosure negotiations. There was not a prelude of buying out and the manor did not retain possession of the surrenders, but instead admitted others.¹⁷

The manorial records of Whaddon and Nash, enclosed in 1830-1 also shows increased activity in the years of the enclosure. In 1826 there were three transactions at the court. Thereafter the annual numbers were 8, 5, 6, 16 [in the year of the act, 1830], 6, 2, 2 and 4.¹⁸

As more manorial records are investigated, a more comprehensive history of copyhold adjustments will be seen.

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The superficial picture obtained from the enclosure awards, although it is very important especially since for much of the eighteenth century it is the only extensive landownership record there is, is a static view, a series of cross-sections. The main problem is that they only embrace a single year and fail to distinguish between owners and occupiers and very often deal with only a fraction of the parish. More important, they furnish no indication as to whether the land is retained in ownership or disposed.¹⁹ Conclusions have been reached on this basis. There is no impression of either geographical or historical change. A study of the prelude to enclosure may produce quite different conclusions about the chronological patterns of landownership.

16 Long Crendon Manorial Records, C.R.O.Ayl., D/78, Minutes to the Court 1810-47 and Box 3 Court Rolls.

17 Even though they were copyhold lands they were treated in the same way as freeholders both with regard to the original petition to Parliament and in the assessment of costs.

18 Whaddon Manorial Court Books, C.R.O.Ayl., D/82.

19 See E. Davies, "The Small Landowner 1780-1832, in the Light of the Land Tax Assessments", Economic History Review, 1st series, vol.I (1927), p.88.

Despite many imperfections the Land Tax Returns are the fullest and best method of demonstrating the changing pattern of landownership in the period of heaviest enclosure activity.²⁰ The Returns date from an assessment of 1692 but are only in extant form for the period 1780-1832 when for the first time owners were distinguished from occupiers.²¹

The years 1785 and 1825 have been studied in detail using the Land Tax. They are years chosen because they cover the period of greatest enclosure activity in the county and 1785 is far enough from the earlier enclosures of the 1760's to allow some post-enclosure conclusions to be drawn. In addition, the Returns for the Hundred of Cottesloe, the largest hundred in Buckinghamshire, have survived for 1753 in the collection of deeds attached to the Bridgewater estate of Ashridge.

The following table summarises the results from over 110 parishes in the five northern hundreds of the county, essentially open field Buckinghamshire north of the Chilterns. Needless to say, the problems encountered by the previous students of the land tax have been considered in the present study, and, if necessary, parishes have been eliminated altogether. In particular, G.E. Mingay's complaint that the voluntary redemption of the tax in 1798 meant that either land disappeared from the returns altogether, or was listed in such a way as to make it

20 These imperfections are highlighted by D.B. Grigg, "The Land Tax Returns", Agricultural History Review, Vol.XI, No.2 (1963), pp.82-94, and G.E. Mingay, "The Land Tax Assessments and the Small Landowner", Economic History Review, 2nd series, Vol.XVII, No.2 (1964), pp.381-8, and partially answered by J.M. Martin, "Landownership and the Land Tax Returns", Agricultural History Review, Vol. XIV (1966), pp.96-103; The notable studies using the Land Tax since A.H. Johnson highlighted its existence in The Disappearance of the Small Landowner (Oxford, 1909) have been H.L. Gray, "Yeoman Farming in Oxfordshire from the Sixteenth Century to the Nineteenth", Quarterly Journal of Economics, Vol.XXIV (1910), pp.293-326, E. Davies, loc.cit., (1927), pp.87-113, J.D. Chambers, loc.cit. (1940), pp.118-127, E.O. Payne, Property in Land in South Bedfordshire, 1750-1832 (Bedfordshire Historical Record Society Publications, Vol. XXIII, 1946), and H.G. Hunt, "Landownership and Enclosures, 1750-1830", Economic History Review, 2nd series, Vol.XI (1958-9), pp.297-505.

21 See W.R. Ward, The English Land Tax in the Eighteenth Century (Oxford, 1953), passim.

TABLE V(c): Summary of Owner-Occupancy in the Five Northern Hundreds of Buckinghamshire in 1785 and 1825.

<u>1785</u>	1	2	3	4	5
<u>Type of Parish</u>	<u>Total No. of Owners (Ave/Par)</u>	<u>Total No. of Occupiers (Ave/Par)</u>	<u>Total No. of Owner-Occuriers (Ave/Par)</u>	<u>Owner-Occupiers as a %age of Owners</u>	<u>Owner-Occupiers as a %age of occupiers</u>
37 Parishes old enclosed	299 (8.1)	511 (13.8)	80 (2.2)	26.8	13.2
31 Parishes enclosed pre-1780	957 (30.9)	1036 (33.4)	337 (10.9)	35.2	32.5
20 Parishes enclosed 1780-1800	721 (36.0)	642 (32.1)	261 (13.0)	36.2	40.7
15 Parishes enclosed 1800-1820	524 (34.9)	443 (29.5)	189 (12.6)	36.1	42.6
11 Parishes enclosed after 1820	519 (47.2)	448 (40.7)	212 (19.3)	40.9	47.3
<hr/>					
<u>1825</u>	1	2	3	4	5
37 Parishes old enclosed	208 (5.6)	447 (12.1)	89 (2.4)	42.8	19.9
31 Parishes enclosed pre-1780	809 (26.1)	884 (28.5)	333 (10.7)	41.2	37.7
20 Parishes enclosed 1780-1800	629 (31.5)	621 (31.0)	242 (12.1)	38.5	39.0
15 Parishes enclosed 1800-1820	485 (32.3)	491 (32.7)	208 (13.8)	42.9	42.4
11 Parishes enclosed after 1820	498 (45.3)	426 (38.7)	209 (19.0)	42.0	49.1

Sources: Land Tax Returns for 1785 and 1825, C.R.O.Ayl.

impossible to distinguish between owners and occupiers, is not a problem in Buckinghamshire because in all the returns examined and used, where redemption has occurred, owners and occupiers have been clearly distinguished.²²

The table (Table V(c)) clearly shows that in 1785, parishes of old enclosure or enclosed before 1780 had less landowners than those enclosed after 1780. This can be seen as a direct reason for delayed enclosure, that is, parishes of late enclosure had a larger differentiation and fragmentation of landownership, the late survival of the Buckinghamshire peasantry. The same conclusion can be inferred from the record of occupiers and owner-occupiers. In old enclosed parishes there were both less occupiers and less owner-occupiers. This finding differs significantly from J.M. Martin's study of Warwickshire where he found that in 1780 the owner-occupiers were strongest in parishes that were enclosed in the immediate thirty years.²³ On the other hand it agrees with the studies of J.D. Chambers and E. Davies. In fact Davies found that the majority of old enclosed parishes in his study had no owner-occupiers at all.²⁴ D.B. Grigg in his Lincolnshire study found that this was only true for parishes in a particular physical environment.²⁵ Such a regional variation is not met in Buckinghamshire because north of the Chilterns, the area under consideration, there is more physical uniformity than in the area selected by Grigg. The parishes of old enclosure were therefore characterised by larger holdings both as ownership and production units and greater absentee ownership. The converse was true for parishes still open in 1785, that is, there were generally more occupiers and owner-occupiers per parish, smaller ownership and farm

22 G.E. Mingay, loc.cit. (1963), p.38; See also J.M. Martin, loc.cit. (1966), p.98 and H.G. Hunt, "Short Guides to Records, No.16 The Land Tax Assessments", History, Vol.51 (1966), p.285.

23 J.M. Martin, loc.cit. (1967), p.32.

24 J.D. Chambers, loc.cit. (1940), p.123; E. Davies, loc.cit. (1927), pp.103 and 105.

25 D.B. Grigg, loc.cit. (1963), p.93.

units and less absentee ownerships. All may have been reasons for delaying enclosure, in particular the level of owner-occupancy. It was easier to petition Parliament when there were very few resident owners. H.C. Hunt has used this conclusion in suggesting that many of the leading promoters of Parliamentary enclosure were absentee owners.²⁶

Owner-occupiers as a percentage of all owners were strongest in the open field parishes. They were even stronger if taken as a percentage of all occupiers.²⁷ The percentage of Land Tax paid by owner-occupiers in 1785 is summarised as follows:

<u>Type of Parish</u>	<u>1</u> <u>Owner-occupiers</u> <u>as a %age of</u> <u>land tax owned</u> <u>and occupied</u>	<u>2</u> <u>Owner-occupiers</u> <u>as a %age of</u> <u>all land tax</u> <u>paid</u>	<u>3</u> <u>(The</u> <u>Difference)</u>
39 old enclosed	6.0	16.9	10.6
23 enclosed before 1780	16.4	27.5	11.1
16 enclosed 1780-1800	15.9	19.3	3.4
14 enclosed 1800-1820	21.2	34.7	13.5
8 enclosed after 1820	22.3	28.0	5.7

The first column shows the percentage of the land that the owner-occupiers both owned and occupied. This should be compared with the second column which shows the percentage of land that they actually owned. The third column therefore is the percentage of land that these owner-occupiers leased to others.

Old enclosed parishes were typified by absentee ownership. They were both numerically strong, and owned a greater percentage of the parish. In 1785 the owner-occupiers were strongest in those parishes that were to remain open till the nineteenth century and a relationship

26 H.G. Hunt, loc.cit. (1958-9), p.502.

27 For comparative purposes the following were Martin's findings in Warwickshire, loc.cit. (1967), p.32:

In 56 old enclosed parishes, owner-occupiers were 23% of all owners;
 In 30 parishes enclosed 1730-79, owner-occupiers were 58% of all owners;
 In 13 parishes enclosed 1780-99, owner-occupiers were 47% of all owners;
 In 9 parishes enclosed 1800-22, owner-occupiers were 30% of all owners.

can be seen between this and the level of opposition. The Stewkley Land Tax illustrates this relationship very well. In 1785 there were 98 owners and 69 occupiers, of whom 43 were owner-occupiers. The percentage of land that these owner-occupiers occupied was 31.5%, but the percentage of land that they actually owned was 49.1%. They leased 17.6% to tenants. There was opposition to the enclosure of Stewkley from 1772 until the Act was finally passed in 1811. The level of owner-occupancy may have been instrumental in delaying this enclosure considering that a two-thirds to four-fifths majority by value was the necessary agreement required to successfully petition Parliament. At Bletchley in 1785 there were 37 owners and 13 owner-occupiers but they controlled 55% of the parish. Enclosure here was delayed until 1810.

However, such generalisations cannot always be applied. The conditions for enclosure could mean different things at different times in different places. Some of the parishes of recent enclosure [that is, enclosed before 1780] also had a high level of owner-occupancy, and at Simpson at least they provided stern opposition. The petition to enclose this parish was presented to Westminster three times in the 1760's before the act was finally passed in 1770.²⁸ In 1785 the parish still had 17 owner-occupiers out of 33 owners and 32 occupiers, and they still paid 43.6% of the Land Tax.

The Buckinghamshire figures do not compare very well with those produced by H.L. Gray who analysed the 1785 Land Tax for the neighbouring county of Oxfordshire. He found that only 9% of the county was in the possession of independent farmers [his figure of course was distorted by the inclusion of the Chiltern region, an influence that has been eliminated in this Buckinghamshire study], though in common with the present study he did find that owner-occupiers were strongest in those

28 See Chapter VI *infra* for the full account of the Simpson Enclosure Bill through Parliament and also for Stewkley.

parishes that remained open the longest.²⁹

It is interesting to note that of all the parishes enclosed by act of Parliament, those enclosed in the period 1780-99 [16 in the sample above of which 12 were enclosed in the 1790's], had a lower level of owner-occupancy. It was those parishes, enclosed mainly during the French war that were dominated by absentee owners, and what is more, as the analysis from the awards showed, they were also dominated by owners of the lesser freeholder category. Possibly it was a combination of lesser freeholders, absentee ownership and the chance to capitalise during the inflationary years of the War period that inspired enclosure in these parishes.

By 1825 a number of changes in these general patterns had taken place. The number of owners per parish had decreased, but for all types of parish. Similarly in Leicestershire,

"we can therefore hardly attribute this trend solely to parliamentary enclosure." (30)

The largest decreases were in parishes enclosed before 1800. Similarly the number of occupiers per parish had decreased, with the exception of those parishes enclosed in the first two decades of the nineteenth century, and the greatest decrease was for parishes enclosed before 1780. In other words there was a corresponding decrease in the number of landownership and farming units, a consolidation that could be seen in all types of parish but which was possibly strongest in parishes enclosed before 1780. The numbers of owner-occupiers did not vary very much from 1785-1825, though as a result of the other changes they

29 H.L. Gray, loc.cit. (1910), pp.303-4; and E. Davies found in his study that only about 10% of the Land Tax was paid for by the independent farmer, loc.cit. (1927), p.112.

30 H.G. Hunt, loc.cit. (1958-9), p.503.

became more important.³¹

The next table summarises the position of the owner-occupiers in 1825. Compared with 1785 they had strengthened. Possibly this was a result, not of a continued prosperity for the ancient freeholder, but more as a result of the extension of large-scale tenant-farming and the tendency for landowners after 1790, in the War period, to cultivate their own land.³²

<u>Type of Parish</u>	<u>Owner-occupiers as a %age of land tax owned and occupied</u>	<u>Owner-occupiers as a %age of all land tax paid</u>	<u>(The Difference)</u>
39 old enclosed	7.1	18.3	11.2
23 enclosed before 1780	19.9	31.3	11.4
16 enclosed 1780-1800	19.5	32.1	12.6
14 enclosed 1800-1820	23.1	38.5	15.4
8 enclosed after 1820	32.9	40.2	7.3

This was especially so for parishes enclosed after 1820, thus supporting an earlier contention and offering a second explanation that a strengthening of owner-occupancy resulted in opposition to or delaying of enclosure. More significantly, as a percentage of all owners, owner-occupiers in parishes enclosed after 1820 remained stable from 1785-1825 but at the same time they had consolidated more land in their possession.

31 Once again this differs markedly from the findings in Warwickshire.

Buckinghamshire, owner-occupiers (and as a proportion of all owners):

	<u>1785</u>	<u>1825</u>
37 parishes old enclosed	80(26.8%)	89(42.8%)
31 parishes enclosed before 1780	337(35.2%)	333(41.2%)
20 parishes enclosed 1780-1800	261(36.2%)	242(38.5%)
15 parishes enclosed 1800-1820	189(36.1%)	208(42.9%)

Warwickshire:

56 parishes old enclosed	106(23.0%)	147(34.0%)
30 parishes enclosed before 1780	502(58.0%)	250(44.0%)
13 parishes enclosed 1780-1800	209(47.0%)	132(34.0%)
11 parishes enclosed 1800-1820	66(30.0%)	77(47.0%)

J.M. Martin, loc.cit. (1967), pp. 32-3.

32 E. Davies has also remarked that the size of individual owner-occupied estates was increasing, loc.cit. (1927), especially pp.94-105, 110-111; Conclusions which disagree with those of Dorothy Marshall, English People in the Eighteenth Century (London, 1956), p.235.

This is summarised in the following table. The crucial column is the last one.

Eight Parishes enclosed after 1820

	<u>Owners per parish</u>	<u>Occupiers per parish</u>	<u>Owner-Occupiers per parish</u>	<u>Owner-Occupiers as a %age of all Owners</u>
1785	47.2	40.7	19.3	40.9
1825	45.3	38.7	19.0	42.0

	<u>Owner-Occupiers as a %age of all Occupiers</u>	<u>Percentage of Land Tax paid by Owner-Occupiers (actually occupied)</u>
1785	47.3	28.0 (22.3)
1825	49.1	40.2 (32.9)

These conclusions and tables are vitally important to answer the contentions of left-wing historians that the yeomanry had disappeared by 1750. They also help to answer J. Saville's justification of Marxist history when he adds [the yeomanry had disappeared] "as a substantial element of the rural social structure".³³ In many parishes they were still a very substantial element well into the nineteenth century and in fact had very often increased in strength. A similar conclusion was found by J.D. Chambers for Nottinghamshire.³⁴ The differentiation seen in the enclosure awards also demonstrates this survival, and even after

³³ J. Saville, loc.cit. (1969), p.261.

³⁴ J.D. Chambers, loc.cit. (1940), p.127.

1785 the yeoman was able to maintain his position.³⁵

That the gap between owner-occupiers who own and occupy their land and owner-occupiers who let their land, widens by 1825 would demonstrate the emergence of capitalist farming, that is leasing landlords. But in fact, even though the gap widens there is also an increase in the actual percentage that was owner-occupied. That is, there would appear to be an increase in the yeomanry, and of course this is greatest in those parishes still open in 1825. It would seem therefore that the chronology of enclosure and landownership distribution may have been related. In counties of earlier parliamentary enclosure like Warwickshire, Leicestershire and Suffolk there is less evidence for the survival of the yeomanry.

One wonders if this phenomenon applies to Buckinghamshire alone, or are there reasons to believe that it occurred elsewhere. If studies were made in the counties of Bedfordshire, Cambridgeshire, Huntingdonshire

35 In this light perhaps it is worth reviewing J. Rae's controversial and much criticised essay of 1883 where he maintained a belief that if anything, the yeoman had strengthened his position during the eighteenth century and that the source of his decline was the post-war depression which followed three decades of intensive investment by this class. "Why have the Yeomanry Perished?", Contemporary Review, Vol. 44 (1883), pp.552-3; And E. Davies noted that in 1780 in the six counties that he studied, though owner-occupiers had ceased to be an outstanding feature the tendency in the following two decades at least was for their position to strengthen, loc.cit. (1927), p.110; D. Grigg has shown that the small farms survived the period of enclosure and have survived into the twentieth century. His argument was that the cost of enclosure should have compelled the small owner-occupier to sell his farm and enable the more prosperous farmer to expand his holding. In this sense therefore enclosure would be incidental with large holdings. This was clearly not always the case. D.B. Grigg, "Small and Large Farms in England and Wales", Geography, Vol. XLVIII (1963), pp.268-79; See also G.E. Mingay, "The Size of Farms in the Eighteenth Century", Economic History Review, Vol.XIV (1962), pp.469-488, where he argues that there was a tendency for the number of small farms to decrease in the eighteenth century, but the process was neither rapid nor dramatic but secular in character. Neither was the decline a result of enclosure but rather it had been at work well before the eighteenth century; See also Kino Collins, "Marx on the English Agricultural Revolution: Theory and Evidence", History and Theory: Studies in the Philosophy of History, Vol. 6 (1967), pp.351-81, "The evidence presented by recent research does, in fact, show that Marx's key factual statements concerning English Agriculture in the eighteenth century are incorrect", p.352; see in particular pp.360-67 for a discussion of the disappearance of the yeoman.

and Northamptonshire, similar conclusions may be reached. These four counties with Buckinghamshire comprise a select group of relatively late enclosure, where as late as 1820 at least 3% of the land was still in open fields.³⁶

It might be argued that to take 1785 and 1825 in isolation is not justified, forty years is perhaps too long a period over which to validate conclusions. It was a time also of great and relevant social and economic change with the two decades of the French wars. To counter this problem the year 1805 has been studied in a similar way.

Table V(d): Summary of Owner-Occupancy in the Five Northern Hundreds of Buckinghamshire in 1805.

<u>1805</u>	1	2	3	4	5
<u>Type of Parish</u>	<u>Total No. of Owners (Ave/Par)</u>	<u>Total No. of Occupiers (Ave/Par)</u>	<u>Total No. of Owner-Occupiers (Ave/Par)</u>	<u>Owner-Occupiers as a %age of Owners</u>	<u>Owner-Occupiers as a %age of occupiers</u>
<u>37 Parishes old enclosed</u>	297 (8.0)	446 (12.1)	90 (2.4)	30.3	20.9
<u>31 Parishes enclosed pre-1780</u>	856 (27.6)	920 (29.7)	335 (10.8)	39.1	36.4
<u>20 Parishes enclosed 1780-1800</u>	647 (32.4)	623 (31.2)	289 (14.5)	44.7	46.4
<u>15 Parishes enclosed 1800-1820</u>	472 (31.5)	422 (28.1)	160 (10.7)	33.9	37.9
<u>11 Parishes enclosed after 1820</u>	479 (43.6)	411 (37.4)	226 (20.5)	47.2	55.0

Source: Land Tax Returns for 1805, C.R.O. Ayl.

36 J. Saville, Rural Depopulation in England and Wales (London, 1957), p.9; See also E.C.K. Gonner, Common Land and Inclosure (London, 1912), appendix D, pp.279-281.

In comparing 1805 with 1825 and 1785 it is clear that for parishes of old enclosure the main period of change for owners was after 1805, but for occupiers and owner-occupiers the main period of change was before 1805. In the late eighteenth century there was a consolidation of production units, possibly the continuation of a trend detectable before the land tax records are extant, followed by a consolidation of ownership units in the nineteenth century.

In the late eighteenth century for those parishes enclosed before 1780 there was a consolidation of both production and ownership units, a trend which slowed down appreciably in the nineteenth century. Perhaps this period of change could be narrowed down to the fluid land market of the War period.

Before 1805 in parishes that were enclosed between 1780-1800 there was a marked consolidation of ownership and production units. Perhaps this was an influence of either enclosure or the pending War. Of major importance is the increase in the number of owner-occupiers in the period before 1805 and the subsequent decline of owner-occupiers before 1825. Perhaps the economic effects of the War were an incentive to owner-occupancy and the elimination of the tenant farmer, albeit temporarily.³⁷ The post-War period on the other hand was a time of frequent depression and this may have acted as a disincentive to owner-occupancy, the returns from land were greater as rent than the actual produce of the land. Conversely, perhaps the pre-requisite of enclosure was the establishment of a strong group of owner-occupiers though elsewhere it has been argued, at Stewkley and Simpson for example, that the presence of a large force

37 "The war guaranteed that the 1790's were a golden age of agriculture for the new large-scale farmers and the smaller men alike... There was a marked increase in capital investment in farms." A. Briggs, The Age of Improvement (London, 1959), p.163; and in Leicestershire owner-occupiers increased in numbers during the War, "reflecting the willingness of sitting tenants to purchase their farms during the period of agricultural prosperity". Though the post-War period saw a reversal in this situation, as in Buckinghamshire. H.C. Hunt, loc.cit., (1958-9), pp.503-4; see also E. Davies, loc.cit. (1927), p.98.

of owner-occupiers was the pre-requisite of intensive opposition to enclosure. In short, the pre-requisites of enclosure, if there were any, were very complicated.

For those parishes that were enclosed between 1800-1820 there was a consolidation in ownership and production units in the late eighteenth century, and a decline in the numbers of owner-occupiers. Of the parishes enclosed in this period eight were enclosed after 1805 and seven before, as follows:

7 Parishes enclosed 1800-1805

	<u>Nos. of Owners</u>	<u>Nos. of Occupiers</u>	<u>Nos. of Owner-Occupiers</u>
1785	163	157	60
1805	136	143	44
1825	154	156	16

8 Parishes enclosed 1806-1819

	<u>Nos. of Owners</u>	<u>Nos. of Occupiers</u>	<u>Nos. of Owner-Occupiers</u>
1785	361	286	129
1805	336	278	116
1825	331	335	192

For the first group of parishes there was a large decrease in the numbers of owner-occupiers in the period after enclosure and a relatively large increase, or recovery, in the number of owners. The consolidation process before enclosure gave way to the fragmentation of holdings after enclosure, possibly as a result of the diminution of the owner-occupiers. No single explanation can be put forward because there were a number of influences, though possibly it may have been due to a combination of enclosure costs, the mortgaging of estates and the post-War slump. For the eight parishes enclosed after 1805 there was a late eighteenth century consolidation of ownership units but the

number of farming units remained stable and the number of owner-occupiers declined slightly. In the period after 1805 there was little modification in ownership structure but a marked increase in the number of farming units and the degree of owner-occupancy. This is an unexpected conclusion in the light of other research which tends to suggest that enclosure resulted in the consolidation of farming units, the so-called engrossment that was supposed to follow enclosure. One wonders if the huge increase in the number of owner-occupiers was the result of enclosure or again the influence of the War, or rather the post-War depression. The retrospective evidence from the 1836 Select Committee on Agricultural Distress would tend to suggest the latter as the most likely explanation. The farms were not so much owner-occupied as "in Hand".³⁸

Finally, for the parishes enclosed after 1820 there was an increase in ownership units before 1805, though a consolidation of farm units and the numbers of owner-occupiers. The much vaunted decline of the peasantry did not apply to these parishes. The subsequent twenty years up to 1825 saw an increase in ownership and farm units, though not very large, and a decline in the numbers of owner-occupiers, though again not very large.

To draw general conclusions from the above analysis would be very difficult. Different parishes enclosed at different times had different landownership characteristics at different periods. Whether this determines the chronology of enclosure or is determined by enclosure must remain speculative. Certainly landownership and chronology of enclosure seemed to both influence and be influenced by each other to a greater or

38 Meaning that the landowners may have found difficulty finding tenants who were willing and able to take possession of the vacant farms. The land might therefore be returned for official purposes as being "in hand". See, Reports from the Select Committee appointed to inquire into the State of Agriculture: with the Minutes of Evidence and Appendix. Parliamentary Papers, 1st Report Vol.VIII of 1836, Questions 401, 1141, 1365, 1662, 1665, 1762-4 and 3681; 3rd Report, Question 14137.

lesser degree, but the evidence that is available covers such an important economic period, the War and post-War depression, that other influences must be considered and given due weight. The above analysis has described the changes as they seemed to have taken place. The explanation of these changes must necessarily remain tentative and all embracing of the evidence. The remaining analysis of landownership must bear this conclusion in mind.

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b) Landownership changes in Cottesloe Hundred.

To look more closely at a smaller area it is fortunate that within the Bridgewater Family Deeds relating to the Ashridge Estate, there survives the full land tax for Cottesloe Hundred for the year 1753. In many ways it is a more complete document than the corresponding land tax for the early 1780's.

Of the five northern hundreds with which this study is mainly concerned Cottesloe is by far the largest, and per unit area was the most densely enclosed by Parliamentary act. It could be said therefore that Cottesloe is more than typical and representative of the county. Geographically it extends into the eastern part of the Vale of Aylesbury, and as it includes parishes like Little Horwood enclosed in 1765-66 and Shenley enclosed in 1762-3, it has an extensive north-west projection onto the Oxford clays as well as on the more local Gault and Kimmeridge clays.

The foregoing analysis has established that the number of landowners, for all types of parishes, declined in the period 1785-1825. It can now be demonstrated that this decline was greatest in two periods, before enclosure and while the parishes were undergoing enclosure. The following table summarises the changing landownership structure for

33 Cottesloe parishes enclosed at different times.

Table V(e): Landownership in Cottesloe Hundred, 1753-1825.

<u>Type of Parish</u>	<u>Number of Landowners in,</u>			<u>Percentage change in the number of Landowners</u>		
	<u>1753</u>	<u>1785</u>	<u>1825</u>	<u>1753-85</u>	<u>1785-1825</u>	<u>1753-1825</u>
<u>6 Parishes old enclosed</u>	84	54	53	-35.8	- 1.9	-35.8
<u>9 Parishes enclosed pre-1780</u>	453	349	290	-23.2	-16.4	-35.8
<u>5 Parishes enclosed 1780-1800</u>	295	253	217	-14.2	-14.2	-26.4
<u>5 Parishes enclosed 1800-1820</u>	229	237	212	+ 3.5	-10.6	- 7.4
<u>8 Parishes enclosed after 1820</u>	582	529	375	- 9.1	-28.9	-35.5
<u>Total of 33 Parishes</u>	1643	1422	1147	-13.4	-19.3	-30.2

Source: Land Tax Returns for Cottesloe Hundred in 1753, 1785 and 1825, C.R.O.Ayl.

For parishes of old enclosure there was a large decline in the number of landowners before 1785, but it was a decline that did not continue thereafter. For those parishes enclosed before 1780 there were two periods of decline, but it was greatest before 1785, that is in the period immediately after they were enclosed in the 1760's and 1770's. There was a good degree of consolidation in the years associated with enclosure.³⁹ There were 71 persons who contributed to the land tax in Whitchurch in 1753. At the enclosure of the parish in 1771-2 there were 61 persons named in the award. By 1785 53 persons contributed to the land

³⁹ On this point at least I agree with J.M. Martin, loc.cit., (1967), p.35.

tax and by 1825 the figure was 45.

For the parishes enclosed between 1780 and 1800 there were two periods of equal decline, before 1785, that is before enclosure, and during the years of the enclosure.

For parishes enclosed in the period 1800-20 the second period (1785-1825) was the most crucial, that is, those years before and during enclosure. Indeed the period up to 1785 saw an overall increase in the number of landowners in this group. On the whole however, there was very little change in the structure of landownership for these parishes. The figures for Marsworth, enclosed in 1809-12, were:

1753 - 37 proprietors named in the land tax
 1785 - 36 proprietors named in the land tax
 1812 - 32 proprietors awarded lands at enclosure
 1825 - 32 proprietors named in the land tax.

It is interesting to note that at Stewkley where there was much resistance to enclosure the number of landowners does not fluctuate very much:

1753 - 92 proprietors named in the land tax
 1785 - 98 proprietors named in the land tax
 1814 - 95 proprietors awarded lands at enclosure
 1825 - 89 proprietors named in the land tax.

In the period 1753-85 the group contributing from £1-5, that is owning up to about sixty acres, increased their ownership of the parish from 28-30%, and even in 1825, after the enclosure, they still owned nearly 25%. At the enclosure in 1811-14 those owning from 10-100 acres were awarded over 50% of the lands that were enclosed.

The very impressive decline in the numbers of land-owners from 1753-1825 in the parishes enclosed after 1820 reflects the presence of the Bridgewater Estate, a point that will be expanded in Appendix V(a). Needless to say it is not a true reflection of the change in landownership for most parishes enclosed in this period, and indeed, most of the changes

took place after the accession of John William Egerton as 7th Earl of Bridgewater in 1803.⁴⁰

There were therefore landownership changes over the period from the mid-eighteenth century to the early decades of the nineteenth century. Several questions remain. Was this a simple change or was there a significant restructuring of the distribution of landownership? Did particular landowning groups gain or lose substantial footholds in the parishes and were these changes remotely responsible for, or consequential upon, enclosure? If consolidation meant the whittling down of the smallest landowners it would have had a great effect on the numbers lost but less of an effect on the redistribution of landownership. For example, for nine parishes enclosed before 1780 landowners paying between 10 shillings and £1 in land tax [that is possessing from 10-20 or 20-40 acres depending on the land tax acreage equivalent in the particular parish] declined from 79 to 48 in the period 1753-85. This is nearly a 40% loss, but the percentage of land they held only diminished from 3.0% to 2.2%. In this example the actual decline in the number of bodies was more significant than the consequential redistribution of the land.

The following table demonstrates the changing structure of landownership for 33 parishes in Cottesloe Hundred enclosed at different periods using the land tax of 1753, 1785 and 1825. The figures have not been adjusted in terms of acreage equivalents, though this is possible. Thus Little Horwood and Whaddon were assessed at about 1 shilling per acre, Aston Abbots at about 3.2 shillings per acre and Grove at about 3.6 shillings per acre. The acreage equivalents fell mainly in the

40 Compare Ivinghoe and Eddlesborough, both Ashridge parishes, with Great Horwood and Whaddon:

Numbers of landowners in the years: in the parishes of,	1753	1785	1825
Ivinghoe	148	117	61
Eddlesborough	138	141	76
Whaddon	45	31	32
Great Horwood	91	77	65

TABLE V(f): Landownership in Cottesloe Hundred, 1753-1825.

Type of Parish	Year	Paying Land Tax of:													
		under £½		£½ - £1		£1 - £5		£5 - £10		£10 - £15		£15 - £30		over £30	
		No.	%	No.	%	No.	%	No.	%	No.	%	No.	%	No.	%
6 Parishes old enclosed	1753	27	5.1	9	3.4	19	17.6	10	11.9	8	15.5	8	21.2	3	25.3
	1785	25	4.4	4	1.2	14	17.3	3	5.4	0	0.0	3	11.2	5	60.5
	1825	23	3.5	5	1.6	15	16.7	2	4.5	0	0.0	3	12.9	5	60.8
9 Parishes enclosed pre-1780	1753	154	2.1	79	3.0	126	17.9	47	23.2	24	19.7	21	28.3	2	5.8
	1785	151	2.0	48	2.2	84	12.9	34	16.9	13	11.2	11	13.4	8	41.4
	1825	105	1.2	46	2.2	80	13.4	29	14.3	11	9.7	10	14.8	9	44.4
5 Parishes enclosed 1780-1799	1753	114	2.3	44	2.2	68	16.6	25	14.5	22	19.6	16	22.0	6	22.7
	1785	89	1.8	42	2.3	76	16.7	19	10.1	12	9.8	9	17.1	6	42.2
	1825	86	1.2	24	1.4	57	12.7	19	10.0	10	7.9	16	29.2	5	37.6
5 Parishes enclosed 1800-1819	1753	70	1.6	22	1.6	87	17.8	19	16.0	19	25.4	6	11.8	6	25.7
	1785	68	2.0	32	2.4	99	21.3	16	11.2	9	8.2	5	9.6	8	45.3
	1825	57	1.4	37	2.5	79	17.3	15	9.6	8	7.1	8	16.1	8	46.0
8 Parishes enclosed post-1820	1753	244	3.2	90	3.6	156	21.8	45	16.0	24	14.3	16	22.6	7	18.5
	1785	220	3.0	69	2.6	165	22.7	38	15.2	17	14.1	13	15.3	7	27.1
	1825	155	2.4	56	2.2	105	16.6	28	12.1	11	10.0	12	13.9	8	42.8

No. = Number in Parish;
% = % of Parish owned.

Little Horwood is this pattern not repeated. Table V(g) looks very closely at eight parishes enclosed in the 1760's and 1770's taking the land tax of 1753 and 1785 and also the landownership distribution from the intervening enclosure award. It should be noted that not in every case are whole parish areas included in the awards, hence the discrepancy at Little Horwood and Cublington. In the latter parish the leading landowner at the time of enclosure was in possession of mostly old enclosures. Also, not all the parishes have the same acreage equivalent, therefore the table should be viewed as though there are certain overlaps between the size groups.

Despite these errors, which are indeed very small, a clear picture of estate consolidation emerges for the period from 1753, prior to enclosure, in particular at Swanbourne and Winslow. In the period after enclosure, up to 1785, there was very little change in this situation and if anything there was a slight decrease in the degree of consolidation. The parishes of Soulbury, Swanbourne and in particular Whitchurch share this characteristic. A notable exception was the parish of Shenley where Matthew Knapp, having expended a large sum on improvements, continued to expand his estate.

For these parishes of early parliamentary enclosure the distribution of landownership changed very little from 1785-1825, the all important time was the third quarter of the eighteenth century.

For parishes enclosed from 1780-1800 again there was a consolidation of landownership in the hands of large owners, but this was not as dramatic as for those parishes enclosed before 1780. For example, the consolidation for the parishes of early parliamentary enclosure resulted in the emergence of eight large landowners in 1785 compared with only two in 1753, but in parishes enclosed in the period 1780-1800 there were six large landowners in 1753 and still only six in 1785, though of course they possessed much larger estates. It was a consolidation by a group

Table V(g): Landownership changes in 8 parishes enclosed 1760-80
(using the Land Tax of 1753 and 1785 and an intervening
Enclosure Award).

Parish	Date	Percentage of land held in size groups: (in acres)						
		<5	5-10	10-50	50-100	100-150	150-300	>300
Swanbourne	1753	(4.3)		(33.4)		(49.5)		12.7
	1762	(4.1)		15.5	14.0	(26.0)		40.0
	1785	(4.2)		(21.7)		(38.7)		34.4
Shenley	1753	0.5	3.3	2.8	25.9	33.4	12.9	21.1
	1762	(1.5)		8.4	10.6	15.7	17.3	45.7
	1785	0.9	0.4	3.5	7.5	16.3	--	71.4
Winslow	1753	6.6	9.7	37.4	20.7	13.2	12.4	--
	1766	(7.2)		21.4	8.1	--	--	60.3
	1785	7.0	5.4	13.2	6.8	9.1	--	58.4
Little Horwood	1753	(1.9)		(33.4)		(71.3)		--
	1766	(3.1)		29.8	42.2	24.5	--	--
	1785	(1.3)		(32.2)		(66.5)		--
Cublington	1753	0.5	0.8	8.2	4.2	31.8	23.9	30.6
	1769	(2.1)		20.6	19.5	--	47.5	--
	1785	0.2	1.4	14.5	7.9	7.3	31.4	37.3
Whitchurch	1753	3.4	4.3	27.7	17.9	18.8	27.7	--
	1771	(4.8)		25.0	28.6	18.3	--	23.2
	1785	1.9	1.4	24.5	36.9	13.1	22.2	--
Soulbury	1753	1.9	2.6	24.1	20.7	17.2	33.4	--
	1772	(3.0)		13.4	8.9	--	--	67.3
	1785	1.2	1.2	10.5	12.2	7.3	19.6	48.0
Hardwick	1753	-	-	5.6	14.4	10.9	69.1	--
	1778	(1.0)		5.9	8.1	--	15.1	70.1
	1785	0.1	0.7	5.5	6.9	15.7	--	71.1

that was already quite strong. The greatest numerical decline was in the group that possessed less than five acres, helping to explain the piecemeal nature of consolidation. It was a slow undramatic accretion of land. In terms of acres lost the largest decline was in the intermediate group of landowners, possessing from 100-150 acres. Their numbers declined from 22 to 12 in the period 1753-1785 and the proportion of land they possessed declined from 19.6% to 9.8%. All these changes took place before 1785, before enclosure. The changes after 1785 up to 1825 were very small. If anything a greater balance emerged between the largest landowners. Those possessing over 300 acres were still the strongest, but the next group possessing from 150-300 acres gained considerably.

A closer look at the five parishes enclosed in the period 1780-1800, in fact all in the 1790's reveals some interesting features. Table V(h) looks at the landownership distribution in these parishes for the years 1753, 1785, 1825 and the year of the enclosure as taken from the enclosure awards. Aston Abbots is remarkable because of the differences between the land tax and the enclosure award. It seems clear that there was an accumulation of land into very few hands before 1785. In 1753 eleven people contributed £15 or more to the land tax, that is they owned over 150 acres. By 1785 this same land was in the hands of only three people. This distribution had changed very little by 1825 and yet the award of 1795 gave 51.1% of the lands to be enclosed to two owners of 1-200 acres each. This difference must be because only 29% of the parish was included in the award. It may be that the rest of the parish was enclosed by private agreement between 1753-1785, though if this is so there are no deeds or records that can confirm it. Wingrave is also anomalous. From 1753-85 there was not a strengthening of landownership power among the larger landowners, but rather the acquisition of very

Table V(h): Landownership distribution, 1753-1825, for five parishes enclosed in the 1790's.

<u>Parish</u>	<u>Date</u>	<u>Percentage of land held by size groups: (in acres)</u>						
		<u><5</u>	<u>5-10</u>	<u>10-50</u>	<u>50-100</u>	<u>100-150</u>	<u>150-300</u>	<u>>300</u>
Aston Abbots	1753	0.6	-	-	4.7	3.0	43.3	48.1
	1785	0.5	0.3	1.6	5.1	3.3	4.6	84.6
	1795	(1.6)		12.6	34.2	--	51.1	--
	1825	0.3	0.4	1.4	4.1	10.2	12.4	71.2
Wing	1753	2.1	1.6	10.3	9.3	17.0	9.5	50.1
	1785	1.5	1.3	6.6	8.0	7.0	6.6	69.0
	1797	(1.7)		6.8	16.3	6.9	18.1	49.6
	1825	0.6	0.7	5.8	9.5	7.5	14.0	61.9
Wingrave	1753	2.3	3.0	9.3	11.9	42.7	15.3	15.4
	1785	2.5	3.2	26.5	11.9	22.3	18.2	15.4
	1797	(2.6)		10.6	7.6	25.9	34.6	18.7
	1825	1.9	0.9	8.2	18.0	10.2	48.0	12.8
Drayton Parslow	1753	2.3	0.5	27.5	26.5	24.6	18.7	--
	1785	1.8	1.7	15.5	5.0	--	34.1	41.8
	1797	(1.8)		16.0	--	8.6	(71.2)	
	1825	1.2	-	13.6	8.3	--	34.8	42.1
Singleborough	1753	4.3	5.6	35.9	20.2	10.9	23.1	--
	1785	2.5	5.2	33.1	20.7	16.4	22.1	--
	1799	(1.7)		20.6	19.2	13.3	45.1	--
	1825	2.2	4.9	34.6	9.8	11.6	36.9	--

Sources: Land Tax Assessments and Enclosure Awards, C.R.O.Ayl.

small plots of land by Lavrovsky's middle peasants owning between 10 and 50 acres. By the enclosure twelve years later this group of middle peasants had virtually disappeared and were replaced by landowners of 150-300 acres, who became the dominant group in the parish. It seems that there were two processes at work in this parish. The following is a summary of the numbers of landowners in various groups in Wingrave.

Table V(i): Landownership in Wingrave Parish 1753-1825.

<u>Date</u>	<u>Landownership groups (in acres)</u>							
	<u>10-50 acres</u>		<u>50-100 acres</u>		<u>100-150 acres</u>		<u>150-300 acres</u>	
	<u>Owners</u>	<u>%age owned</u>	<u>Owners</u>	<u>%age owned</u>	<u>Owners</u>	<u>%age owned</u>	<u>Owners</u>	<u>%age owned</u>
1753	9	9.3	5	11.9	9	42.7	2	15.3
1785	26	26.5	4	11.9	5	22.3	2	18.2
1797	8	10.6	3	7.6	5	25.9	2	34.6
1825	9	8.2	6	18.0	2	10.2	5	48.0

Sources: Land Tax Assessments and Wingrave Enclosure Award, C.R.O.Ayl.

Before 1785 there was a large increase in the numbers of, and the percentage of land possessed by the middle peasants, mainly at the expense of the group of owners possessing 100-150 acres. From 1785 until the enclosure of the parish in 1797 there was an equal decline in the strength of this peasant group. They didn't aspire to another group, that is ascend the agricultural ladder. Rather there was a large increase in the land held by the owners of 150-300 acres, though their numbers remained the same. In the period after enclosure this same group increased both in numbers and in the amount of the parish they owned. Since 92.3 percent of the parish was enclosed and part of the missing 7.7 percent must have been the roads and buildings of the village, it seems safe to assume that the land tax and the enclosure award are interchangeable. It seems, in this case at least, that the accumulation of land into a

few hands acted with other factors to forge the chronology of enclosure. The complexity of the war economy in terms of returns on land and investment may have weighed much heavier on certain parishes than the question of landed strength.

Drayton Parslow, another parish almost entirely enclosed by Act (92.1%) most closely represents the pattern to be expected, that is land consolidation before enclosure, but this consolidation had been achieved by 1785. Yet more reason to believe that factors other than land strength contributed to the chronology of enclosure.

Finally in this group of parishes, Singleborough, a hamlet in the parish of Great Horwood. Only 24% of the parish was enclosed but the land tax assessment for the hamlet alone has been extracted. The distribution of landownership from the land tax resembles the award distribution except that in the period from 1785-1799, the prelude to enclosure, there was a concentration of land into fewer hands, though they were all estates under 200 acres.

For those five parishes enclosed from 1800-20 it looks as though the period of greatest land accumulation was between 1753-85 (Table V(j)). Those assessed at over £30 and therefore possessing over 300 acres grew in number from 6 to only 8 but they nearly doubled the proportion of land they held. This was mainly at the expense of those assessed at between £10-15, that is possessing 100-150 acres, who declined in numbers from 19 to 9 and in the proportion of land they owned, from 25% to 8%. Simultaneously, the other group to increase was that assessed at £1-5 possessing from 10-50 acres, Lavrovsky's middle peasants. In the period from 1785-1825, years which span the enclosure of these parishes, there was very little change in the landownership structure of these parishes.⁴³ If anything those intermediate owners assessed at £15-30 and possessing

⁴³ See similar conclusions about the Northamptonshire village of Helpston in, John Barrell, The Idea of Landscape and the Sense of Place 1730-1840. An Approach to the Poetry of John Clare (Cambridge, 1972), pp.193 and 204.

from 150-300 acres gained at the expense, in some small way, of all the other smaller groups. The following table looks more closely at the landownership structure of these 5 parishes:

Table V(j): Landownership distribution 1753-1825 for five parishes enclosed 1800-1820.

Parish	Date	Percentage of land held by size groups: (in acres).						
		<5	5-10	10-50	50-100	100-150	150-300	>300
Weedon	1753	0.2	1.3	15.2	12.9	27.4	26.2	16.6
	1785	-	0.9	15.2	7.6	8.2	16.2	51.9
	1801	(1.3)		15.5	8.2	--	18.3	54.0
	1825	-	1.8	15.3	2.8	--	8.6	71.5
Marsworth	1753	3.2	4.2	9.7	20.8	48.9	12.4	--
	1785	3.9	3.5	17.4	11.9	--	--	63.3
	1809	(5.3)		13.2	17.2	--	24.1	39.6
	1825	2.2	3.3	18.5	17.7	--	22.8	35.5
Slapton	1753	1.3	0.3	17.7	29.5	23.4	--	27.6
	1785	2.9	3.8	26.2	17.2	9.1	13.6	27.2
	1810	(3.9)		10.9	6.1	23.1	12.8	42.8
	1825	1.1	1.8	17.8	5.2	7.8	14.6	51.7
Stewkley	1753	2.2	1.6	27.8	10.7	14.8	20.4	22.5
	1785	1.9	3.0	30.0	14.0	15.8	18.1	17.2
	1811	(7.2)		19.8	28.8	18.0	10.8	14.3
	1825	1.9	4.0	24.7	12.7	14.4	27.7	14.5
Mursley	1753	1.2	0.5	18.6	5.5	12.6	--	61.5
	1785	1.2	0.9	17.4	5.4	8.1	--	67.0
	1814	(2.2)		23.4	30.6	15.0	28.1	--
	1825	1.6	1.8	10.3	9.6	13.4	6.7	56.6

Sources: Land Tax Assessments and Enclosure Awards, C.R.O.Ayl.

A different picture emerges for each of them, highlighting two of the major problems encountered when dealing with the analysis of many parishes. First, to reduce everything to aggregates is to hide many anomalies within the aggregate, because second, each parish seems to

possess unique characteristics, in particular a unique landownership history. An intimate knowledge of all the parishes is essential. Many of them do conform to patterns, many of the early enclosed parishes did share the characteristic of a single large dominant landowner, but for the parishes of later enclosure other equally significant factors emerge.

Weedon and Marsworth both share similar eighteenth century tenurial histories. By mid-century the aspiring groups were those possessing over 100 acres, but there was no single dominant figure. By 1785 two men in each parish had gained the majority of the land tax assessment. This position changed very little by the time of enclosure. Factors other than landownership strength were important in fashioning the chronology of enclosure. It has been said a number of times that the economic influences of the war were probably instrumental in this process. The untested hypothesis of D.N. McCloskey that the returns on land, improved land, were such as to outweigh the cost of enclosure in the war period, might well apply to this type of parish.⁴⁴

In Slapton by comparison, the process of change was less dramatic. In terms of numbers there was a large increase in those possessing less than 50 acres and a corresponding decrease in those possessing from 50-300 acres. Only five landowners from a former twenty remained in this group and only one of any importance emerged. The largest single owner had been the Duke of Bridgewater and he still paid the same land tax contribution in 1785 as he had done in 1753. Here lies the secret of the enclosure of Slapton. This situation remained largely unaltered until 1803, the year of the Duke's death. Thereafter his heir, John William Egerton, the 7th Earl of Bridgewater, entered the land market in this parish and in neighbouring parishes on a massive scale. In the

44 D.N. McCloskey, "The enclosure of open fields; Preface to a study of its impact on the efficiency of English Agriculture in the Eighteenth Century", Journal of Economic History, Vol. XXXII (1972), pp.15-35.

five years before the Slapton Enclosure Act of 1810 there was the classic textbook situation of the buying out of tenures of all descriptions, a pattern which is rarely repeated in other Buckinghamshire parishes for any periods.

The landownership pattern of Stewkley couples well with the history of resistance in the parish. The open fields were considered for enclosure in 1801 but protest in the parish and at Parliament delayed the successful passing of an Act until 1811. If anything, in the eighteenth century there was a devolution of landowning power down the agricultural ladder creating a dogged core of resistance among Lavrovsky's middle and greater peasants, in particular among those possessing less than 50 acres. If ever a parish defied the conclusions drawn by Marx then Stewkley was surely the blueprint. The so called 'peasant' was increasing both numerically and in landowning strength and at the same time the resolve to resist enclosure as long as possible also increased. The parish had been without a resident squire and this may have been an added factor. Certainly by the time of enclosure there was still a well-defined peasantry, a well-differentiated peasantry and an enormous task for the commissioners to allot for 95 allottees, by far the most complicated enclosure in this quadrant of the county. Even by 1811 there was a very large number of individuals who proportionately owned very little of the parish. That the enclosure was not delayed for many more years is surprising in the light of this landownership distribution.

Finally Mursley. This enclosure was delayed until 1814 but it was a parish which in terms of landownership strength contained the essentials for enclosure as early as 1753, two landowners possessing 62% of the parish. In actual fact, by 1814 only 29% of the parish remained in open fields, most of it had come into very few hands in the seventeenth century when it was enclosed by agreement. The largest single allottee

at the enclosure was the Rector of the parish as compensation for the commutation of tithes. Most of the remaining open fields were in the possession of those with less than 100 acres.

The parishes enclosed after 1820 have been included in Table V(g) above, mainly to show the influence of the estate of the Duke and Earls of Bridgewater at Ashridge. Of the eight parishes enclosed after 1820 four were dominated by Ashridge. These were Ivinghoe in 1821, Pitstone in 1853, Cheddington in 1853 and Edlesborough in 1856. The increase in the largest group of landowners, paying over £30 land tax, from 1785-1825 is largely due to the influence and buying activities of the 7th Earl, in particular in Ivinghoe, Cheddington and Edlesborough. Ashridge was already well established in Pitstone. In fact the eight owners paying 42.8% of the land tax in 1825 should rightly be five because the Bridgewaters are included four times. The aggregate distribution in the four parishes not influenced by Ashridge was as follows.

Date	Total owners	Paying land tax of: (in £'s)							
		< ½ No. %	½-1 No. %	1-5 No. %	5-10 No. %	10-15 No. %	15-30 No. %	> 30 No. %	
1753	189	68 2.9	32 3.8	63 25.4	13 16.1	5 10.6	7 27.3	1 13.9	
1785	161	52 2.5	21 2.2	62 24.8	12 14.4	8 19.9	4 11.9	2 23.3	
1825	164	58 2.5	24 2.4	54 23.7	10 12.0	9 18.6	6 14.6	3 26.2	

Source: Land Tax Returns, C.R.O.Ayl., Cottesloe Hundred.

There were only minor changes throughout the period, though, in particular, after 1785. In the period from 1753-85 the largest landowning group doubled in number. Using an acreage equivalent of 1.5 shillings per acre they possessed over 450 acres. They grew at the expense of those in possession of 225-450 acres. In effect, one landowner ascended one rung up the agricultural ladder and others descended one or more rungs lower. The remarkable feature is still the stability of landownership distribution. Of particular importance is the strength of an intermediate

group of landowners paying from £1-10 and possessing from 15-150 acres. Throughout the period they maintained a numerical and proportional strength, such that was not witnessed in parishes enclosed before 1820. This may have been a vital influence on the late enclosure of these parishes, a substantial body of dissent could be mustered, in particular in Great Horwood and Nash.

oOo

Appendix V(b) makes a similar study of 29 parishes in the other northern hundreds of the county, parishes which were enclosed between 1780-1830. Again the two years 1785 and 1825 were analysed and also the year of the enclosure using the enclosure awards. The parishes have been split into different acreage equivalent groups.

The major point is the complexity of landownership distribution, even among parishes enclosed at the same time. In particular those parishes only partially enclosed by Parliamentary Act show no recognisable similarities of landownership. Akeley in 1794, Great Woolstone in 1796, Little Brickhill in 1796 and Clifton Reynes in 1822 are typical examples. Most, if not all of the parishes have unique landownership histories, histories that are obscured when the subject is dealt with in terms of aggregates.

However, certain parishes do conform to specific patterns. At Chearsley enclosed in 1805, for example, in the period 1785-1805 there was an accumulation of land into the hands of one owner who by enclosure possessed three quarters of the parish. This was at the expense of the middle-cum-greater peasant who owned from 50-150 acres. After enclosure there was very little adjustment in this landownership distribution. Turweston enclosed in 1813 and Newton Blossomville in 1810 had similar patterns with the accumulation of land in the hands of owners of 225-450 acres, though in the former case the smaller landowners also gained

strength. Subsequently, in both parishes, there was a division in the relative sizes of the leading landowners and those in possession of more than 450 acres emerged as the most dominant group by the end of and after the French wars. Similarly at Aston Clinton enclosed in 1814, by enclosure the larger landowners possessed over half of the parish though here the smaller freeholders remained both numerically and proportionately very strong, a possible reason for a delayed enclosure.

At Lavendon enclosed in 1801, the period 1785-1801 saw the devolution of landownership power into the hands of the middle peasants owning less than 150 acres. They were strong enough to withhold enclosure and yet enclosure followed. Here possibly the war period promoted enclosure in the way described by McCloskey.

Quite clearly in some parishes, landownership adjustments had no relation with the timing of enclosure at all. Moulsoe in 1785 was dominated by the estate of the Earl of Northampton. He sold it in 1801 to Lord Carrington having already secured a petition to enclose. By 1825 the distribution was almost the same as it had been in 1785.

In other parishes the landownership distribution did not change at all. The relative strengths and weaknesses of 1785 persisted through the period of enclosure and were the same in 1825. Typical examples were the distributions at Castlethorpe enclosed in 1793, Stoke Mandeville in 1797, Long Crendon in 1824 and Weston Turville in 1798. Long Crendon is remarkable in that if a pattern existed at all it tended to maintain the differentiation that already existed. This was a parish where there were many allottees but where the position of the lesser landowners had strengthened rather than weakened. That the enclosure of Long Crendon was not delayed longer than 1824 is the main feature of this parish.

In Sherington from 1785-1825 the landownership structure was focused on those lesser landowners owning from 50-150 acres. By the time of enclosure in 1796 a single landowner had acquired an estate of almost

400 acres, but by 1825 even he had been eclipsed by a number of owners of less than 150 acres.

The feature of Maids Morton enclosed in 1801 was the increase in the largest landowners in the period after enclosure, though it was evidently an accumulation into the hands of the clergy. At enclosure the church received 11.2% of the lands enclosed for glebe and tithe commutation. By 1825 this proportion had risen to 42%. In common with many other parishes the very smallest peasants owning less than 50 acres declined considerably throughout the period, though the middle peasants gained land. Evidently the strongest peasants increased in strength and in some cases ascended the agricultural ladder.

In a parish like Steeple Claydon enclosed in 1795 the period 1785-1825 produced a landownership pattern in which no single group dominated. The enclosure of the parish accentuates this distribution with the emergence of a powerful group owning less than 200 acres and in particular less than 100 acres. This is mirrored in the parishes of Grandborough enclosed in 1796, Bletchley in 1810, Thornborough in 1797 and Adstock in 1797. In fact in the prelude to enclosure at Thornborough there was a strengthening in the position of those groups owning less than 200 acres. Such distributions again support the idea that circumstances other than the accumulation of land into fewer and larger hands promoted enclosure.

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b) Landownership change at enclosure

Whatever change there might have been, the foregoing analysis does not, cannot pin-point the precise moment of this change. In some cases of course there is no precise moment, the change was a relatively slow process. In other cases however the change was centred on a few crucial years, the years associated with the enclosures. This short section will

analyse those years making a hitherto new approach in the use of land tax records.

That the total numbers of landowners declined over the forty year period from 1785-1825 is apparent from the land tax, but for all types of parish, and in most cases this change did not result in a dramatic pruning of landowners. At its most severe there was a decline in the numbers of owners for parishes enclosed from 1780-99 from 44.2 per parish in 1785 to 32.9 per parish in 1825.

In order to look very closely at the effects of enclosure an intensive study of the land tax for 60 parishes has been made, not for two years like 1785 and 1825 suspended in space, but for a critical ten years period incorporating on average the 3-4 years before enclosure, the 3-4 years of the enclosure negotiations and the 3-4 years after enclosure. The analysis is therefore based on 600 separate parish schedules including about 1,800 personal names for each of ten years. The idea is to compare the total number of original owners in the first year of study with the total number of surviving original owners in each subsequent year. That is, taking a base year 3 or 4 years before an enclosure act and comparing ten years later to see who of those originally assessed had survived as owners. The results prove quite crucial in comparison with the aggregated landownership structure.⁴⁵

The results have been tabulated in Appendix V(c). The first part of each table deals with the total numbers of owners in each year. For parishes enclosed before 1780 the years 1782-92 have been used, with a further extension to 1796. For parishes of current enclosure, that is

45 Though E. Davies in 1827 hinted at this possible use, "It is possible to trace the immense transfer of landed property which occurred during the years 1780-1815. Landowners and tenants in parishes undergoing enclosure can be traced for years previous to and after enclosure, and the exact effect of the latter ascertained", loc.cit., p.91; Though no study has emerged demonstrating it, the study of seven Derbyshire parishes by J.D. Chambers went no further than to analyse owner-occupiers and tenants for these crucial years, he left the results as aggregates and did not study the individuals, loc.cit. (1940), p.126.

enclosed between 1780-1832, the critical ten year period that bridges enclosure has been taken. The second part of each table considers the numbers of surviving original owners. The first figure records the absolute disappearance of individuals from the land tax, the bracketed figure allows for family or corporate inheritance. That is, where it can be clearly established that a son or widow inherits the land it is counted as uninterrupted ownership. Similarly where church land is involved, where a new incumbent obtains the living, no change in the continuity of ownership is recorded.

For parishes of old enclosure there was very little change in the total numbers of landowners. There was an overall decline of 30% from 1782-92 which when adjusted for family inheritance was only 17.9%.

For parishes enclosed in the two decades before 1780 again there was a very slight decrease in the number of landowners. The aggregate decline of 9% is upset somewhat by a much larger decline at Westcott enclosed in 1765. The decline in original owners from 1782-92 is 39%, though when adjusted for family inheritance it becomes the more reasonable 20.4%. With both kinds of parish, old enclosed and recently enclosed it is not so much the degree of change that is important as the pattern of change. It was very gradual, one or two of the original owners disappearing each year, nothing catastrophic but a pattern that might be expected in an active land market.

By comparison, for parishes undergoing enclosure there were a series of very dramatic changes which when taking 1785 and 1825 in isolation are completely hidden. Once again the total numbers of landowners did not change very much. In fact for parishes enclosed in the 1780's there was a 13.7% increase in the number of owners. This was due to the recognition for the first time of common right owners, as at Calverton, enclosed in 1782 and Bradwell in 1788.⁴⁶ Similar increases

46 See J.D. Chambers, loc.cit. (1953), p.326.

were seen at Little Woolstone enclosed in 1791, Castlethorpe in 1793, Aston Abbots in 1795, Stoke Mandeville in 1797, Mursley in 1814 and Ellesborough in 1803. Where dramatic declines did occur they coincided with enclosure, notably at Lavendon (award year 1802), Slapton (award year 1812), Little Brickhill (award year 1798) and Whaddon (award year 1831). These declines measure a sudden selling out rather than buying in. It was an effort to avoid enclosure costs rather than to eliminate opponents of enclosure.⁴⁷

More significant than the structure of the ownership was the personal composition of that ownership. The decline in original owners for all parishes enclosed from 1780-1820 was upwards of 40-50%. In some parishes such as Bow Brickhill enclosed in 1790, Little Woolstone in 1791, Little Brickhill in 1796, Stoke Mandeville in 1797 and Newton Blossomville in 1810, this decline in original owners was over 60%. Even when adjustments for family inheritance are made the decline is well above 30% [averages 38.7%], compared with less than 20% for parishes of old enclosure. The main distinguishing feature is that these changes were dramatic, in one or two particular years, not surprisingly the years of the enclosure. Indeed some of these changes followed so closely upon the completion of the award that a comparison with the land tax for the same year shows little similarity in names at all.⁴⁸

An observer of the Thornborough enclosure of 1797-1800 remarked that thirty years after the parish was enclosed only one landowner was still in possession of his allotment. At Princes Risborough enclosed

47 In one case, at Grandborough enclosed in 1796, the year of enclosure saw a sharp decline in the numbers of owners followed by a recovery the following year. In this case it seems very likely that fluctuations in ownership upset the parish so much that the land tax assessors were unsure who owned what.

48 In this light it is necessary to agree with P. Mantoux, who said, "almost everywhere, the enclosing of open fields and the division of common land were followed by the sale of great many properties". The Industrial Revolution in the Eighteenth Century (12th Edition, London, 1961), p.172.

from 1820-23 the quit rents paid to the Manor fell dramatically upon the completion of the enclosure from 23 in 1823 to 15 in 1824.⁴⁹

The analysis runs counter to the conclusions of Professor Mingay and others who would maintain that:

"the land tax evidence... leaves no doubt that on balance small owners could not have been severely affected by Parliamentary enclosure". (50)

The land tax as previously used by Professor Mingay might certainly produce such a conclusion and much of the present and previous chapter corroborates this story. The structure of landownership seemed to change very little, but on the other hand the personal constitution of the landownership was sometimes restructured completely. The conclusions of H.L. Gray and A.H. Johnson that enclosure was not fatal to owners of up to 300 acres are still correct because the actual distribution of landownership seemed to change very little.⁵¹ This hides however this other, very different process of replacement of owners at enclosure.⁵²

The next pertinent question to pose is whether specific groups of landowners were being replaced at enclosure. The simple answer is that every group of landowners could be replaced from the largest to the smallest. At Haddenham enclosed in 1830 it appears that the smallest group were being replaced.⁵³ At Weston Turville enclosed in 1798 two types of landowner were being replaced, those possessing less than one acre and those in an intermediate group possessing from 25-100 acres. At Calverton enclosed in 1782, of the 16 cottagers awarded land by the award of 1783, 8 survived until the end of the period of study, 2 were replaced

49 Grubb Estate Mss. C.R.O.Ayl., D/42/A8 Quit Rents of Princes Risborough Manor, 1820 onwards.

50 G.E. Mingay, op.cit. (1968), pp.24-5.

51 H.L. Gray, loc.cit. (1910), p.325; A.H. Johnson, op.cit. (1909), *passim*.

52 By replacement is meant the direct buying and selling of estates such that the structure of landownership in the parish does not alter. There would therefore be as many large, medium and small landowners after an enclosure as there were before. It is direct replacement within landownership groups and does not imply engrossment.

53 H. Harman, Buckinghamshire Dialect (London, 1929), pp.96-7.

during this time and 6 were never entered in the land tax, they sold out between the completion of the award and the appearance of the next assessment. At Stoke Mandeville enclosed in 1797, of the 12 cottage common rights awarded at enclosure only 7 appeared in the land tax of 1798 and they in turn disappeared the following year.

Even though a number of substantial landowners were being replaced in many parishes it does seem that the largest market was in fact at the lowest end of the scale, in particular among the owners of cottage common rights. As they contributed so little to the land tax it would take the disappearance of very many of them to seriously upset the structure of landownership distribution. Professor Mingay's conclusions in this light are therefore unavoidable. In this sense of course the effect of enclosure on these owners of cottage common rights was to impede their progress up the agricultural ladder. The traditional humble beginning was made for ever extinct by enclosure.⁵⁴ Even so, the above analysis does place the problem in rather more meaningful perspective.

Of the 14 cottagers in the Adstock award of 1797 only 4 appeared in the land tax of the same year, and only one was still assessed in 1802. At Aston Abbots enclosed in 1795 of 4 common rights awarded 2 remained until 1800 but the other 2 were replaced within two years. At Little Brickhill enclosed in 1796 of the 9 cottagers awarded land 2 did not appear in the land tax at all. One of the remaining 7 disappeared within three years of enclosure but the rest remained for at least six years. However, some of these cottage common right owners paid more land tax before enclosure than after. They were more substantial owners at one time but by enclosure only their customary rights remained. Similarly at Bradwell enclosed in 1788, one major landowner gradually sold his

54 "When once the common land was inclosed and had become private property, not only the rights of the then existing peasants were affected, but also those of their discendants"; and "all hope of emerging from their position and rising into a higher grade, however industrious, was taken away". Jesse Collings, *op.cit.* (1906), p.93, quoting from the Royal Commission of 1868 on the Employment of Women and Children in Agriculture.

interest until by enclosure all he possessed was a cottage common right. At Bow Brickhill enclosed in 1790 two of the major owners from three years earlier were only in possession of cottage common rights at the time of enclosure. In some cases the prelude to enclosure was a time of land accumulation, spread over several years, and in some cases such accumulation, or more accurately land selling, was an answer to the threat of enclosure costs. At Wendover, perversely, there was an active market in common rights before enclosure, not the buying out of isolated common rights but the purchase of them by sitting tenants from the landlords.

Very often it is the newest landowners, the ones who appear just before or upon enclosure, who remained the longest, as at Weston Turville enclosed in 1798. At Aston Abbots in 1795 the fifth largest landowner in the enclosure award appears in the land tax for the very first time the same year as the act, and he remained till at least the end of my period of study.

For most adjustments in landownership at and near enclosure it is not difficult to see a relationship with the cost of enclosure. In particular this would seem to be the case considering that so many transactions were conducted to reduce, rather than sell the entire estate.

One important question still remains. Establishing that landownership changes did accompany enclosure, what groups of people were buying the land and what was happening to the original allottees? As Miss Marshall points out, as often as not those that sold their holdings were replaced by men of their own type or absorbed into bigger farms.⁵⁵ The suggestion that the buyers were 'usually' the bigger landlords in the neighbourhood did not always apply.⁵⁶ One possibility that can be established for some parishes is that locally, tradesmen and, in particular, solicitors, and

55 Dorothy Marshall, op.cit. (1956), pp.235-6.

56 As suggested by C.S. Orwin and E.H. Whetham, History of British Agriculture 1846-1914 (Newton Abbot), 1964, p.153.

from elsewhere professional people, were buying-out allottees and on an absentee ownership basis retained the original owners as tenant farmer occupiers. In this context Professor Mingay's conclusions in another study are very important and should be considered, namely the demand for the purchase of lands arising from successful merchants and others previously quite unconnected with a parish, who might borrow at 5% with an immediate return of only 3% but who saw the possibility of a future improvement and thereby entered a parish for the first time.⁵⁷ F.M.L. Thompson cites this as a reason for the continued demand for land in the 1820's in spite of recurring periods of depression, a demand sustained by established large landowners and "new men intent on founding landed families".⁵⁸ This was a time when smaller owners, especially those that had purchased during the war, were the most vulnerable.⁵⁹

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The replacement of landowners, often to become tenant farmers, is no doubt the substance of Professor Saville's criticism of Professors Chambers and Mingay, that they, in emphasising the small tenant farmer blur a fact of more significance, "namely the elimination from the English rural economy of an independent peasant class".⁶⁰ In spite of an ever-growing body of estate material this question remains, in Buckinghamshire at least, but partially answered.

57 G.E. Mingay, "The Large Estate in Eighteenth Century England", in First International Conference of Economic History (Stockholm, 1960), p.380.

58 F.M.L. Thompson, "The Land Market in the Nineteenth Century", Oxford Economic Papers, Vol.IX (1957), p.304.

59 John Rae, loc.cit. (1883), pp.552-3.

60 J. Saville, loc.cit. (1969), p.253.

APPENDIX V(a): The Growth of the Bridgewater Estate at Ashridge.

The inclusion of the parishes dominated by the Ashridge Estate in any discussion of landownership change can lead to major conclusions being formed, but conclusions which simply do not apply in general. The landownership history of these parishes, Slapton, Ivinghoe, Pitstone, Edlesborough and Cheddington from 1803 onwards is ~~very~~ unique and it seems appropriate to describe the process of land accumulation if only as a guideline to the dangers involved if a researcher has not acquired the fullest intimate knowledge of the period and place of research.

The history of Ashridge within the whole Bridgewater interest has unfortunately been overshadowed by the interest in the industrial enterprises of the Shropshire estate and the activities of the 3rd Duke of Bridgewater, the so-called "Canal Duke".¹ Briefly, the 3rd Duke, Francis Egerton (1736-1803) was content to let the Ashridge Estate run itself, but because it was the largest of his estates he insisted on using it as his family seat and the administrative base for his industrial activities. In so doing he resided not in the house but in the gatehouse within the grounds, with the barest possible staff of only a groom and a manservant. On his death in 1803 the packing cases containing a fortune in objets d'art collected on a 'Grand Tour' of the Mediterranean and near East in his youth, remained unopened.

The 3rd Duke died without issue and consequently the Dukedom died with him.² His cousin, John William Egerton became the 7th Earl of Bridgewater and inherited the family seat at Ashridge. He also inherited the late Duke's shares and bank annuities, a staggering sum of £600,000.³ The other Bridgewater estates and the industrial and commercial activities

1 See F.C. Mather, The Canal Duke: A Biography of Francis, 3rd Duke of Bridgewater, (London, 1961), especially pp.10-20, for a brief outline of the successions of the Dukes and Earls of Bridgewater; see also, Henry Gorden, This is Ashridge (London, 1949), passim.

2 A Dukedom can only be passed through the direct male heir.

3 Will in B.M. Add.Mss., 10605.

passed to the Duke's favourite nephew, George, Lord Gower, the future Duke of Sutherland.⁴

The land accumulation began at Ashridge when the 7th Earl took possession. He was clearly determined to restore the estate that was so neglected by the late Duke. This included the rebuilding of Ashridge House, begun in 1808 and completed in 1814 at an estimated cost of £300,000.

The following is the pattern of land accumulation on the Ashridge Estate from 1753-1825.

Percentage of Land Tax paid by the Bridgewater Estates in various parishes.

<u>Parish</u>	<u>Land Tax Year</u>					
	<u>1753</u>	<u>1785</u>	<u>1802</u>	<u>1804</u>	<u>1805</u>	<u>1825</u>
Slapton	27%	27%	27%	27%	27%	52%
Marsworth	0%	under 1%	under 1%	under 1%	under 1%	1%
Ivinghoe	14%	36%	38%	38%	44%	76%
Cheddington	0%	0%	0%	0%	0%	24%
Pitstone	29%	51%	51%	52%	52%	74%
Edlesborough	under 1%	15%	13%	13%	13%	56%

There was some consolidation of the estate by the 3rd Duke from 1753-1785 in the parishes of Ivinghoe, Pitstone and Edlesborough but from at least 1785 until his death in 1803 there were no other land acquisitions of note. The estate that John William Egerton inherited was essentially the same estate that existed twenty years before. There then began the most remarkable piece of pure conspicuous consumption. By the time of his death in 1823 the 7th Earl had consolidated and amassed a vast estate. Only one parish in which the former Duke had land was not part of this empire building, the parish of Marsworth. Money was no object to the 7th Earl, his inheritance was more than adequate to cover anything that came onto the market. One of his earliest acquisitions was the Manor of

4 F.C. Mather, op.cit. (1961), p.171.

Ivinghoe Aston, acquired for £8,300 from Lord Carrington. This included 834 acres and appurtenances, mainly open field land.⁵ He later purchased the Rectory Manor in Ivinghoe for £12,000.⁶

The following table, the result of a survey of all the surviving deeds of the Ashridge Estate now deposited in Aylesbury summarises the land accumulation on the Estate.⁷ The cost details must be regarded as a minimum since there are a number of deeds that do not specify the purchase price. Within ten years of acquiring the seat in 1803 he had purchased at least 3,700 acres at a cost of at least £100,000, in addition to the £300,000 used to rebuild Ashridge House and many purchases in the neighbouring parishes in Hertfordshire.⁸

Possibly the pattern of enclosure followed the pattern of land accumulation. The Duke was already a major landowner in Ivinghoe, Pitstone and Slapton but his total devotion to his industrial enterprises and his disinterest in his agricultural estate kept the parishes in their open field state. Slapton was the first parish of Ashridge to be enclosed. In the award of 1812 the Earl was allotted 43% of all the land to be enclosed. At the enclosure of Ivinghoe in 1821-23, a parish where the Earl made the largest of his earlier investments, he was allotted 81% of all the land to be enclosed and 49 allottees shared the remaining 19%. In a sense, because he had acquired so much open field property, his tenants were virtually farming in severalty. Similarly in the other parishes. If the Earl had not died in 1823 there is every reason to suppose that these other parishes would also have been enclosed. As it happened they remained open until the 1850's, administered by the Trustees of the Earl's will. Ashridge was allotted 56% of all the lands enclosed at both Cheddington

5 The Nightingale Deposit, C.R.O.Ayl., D/12, I 5/5 and I 7/10.

6 Ibid., X/X I 18/2-5.

7 Ibid., arranged under parishes, thus Ivinghoe is I, Edlesborough is E, etc.

8 And in Bedfordshire the 7th Earl and the trustees of his will acquired c.736 acres for £23,235 from 1813-53. Ibid., D/12/45.

Pattern of Estate Accumulation by the 7th Earl of Bridgewater and the Trustees of the Ashridge Estate in Buckinghamshire, 1800-1860.

<u>Parishes</u>	<u>Tenements¹</u>				<u>Acreage</u>	<u>Cost (£'s)</u>
a) 1800-1804						
Marsworth						
Slapton						
Horton						
Ivinghoe					12	?
Pitstone	3 Mess.				16 $\frac{1}{4}$	1,004
Cheddington						
Edlesborough					5	760
Total	3 Mess.				32$\frac{1}{4}$	1,764
b) 1805-1809						
Marsworth						
Slapton	5 Mess.				299	4,982
Horton					23	213
Ivinghoe	1 Ma.	4 Mess.	5 Cott.	1 ct.	1,412	27,432
Pitstone		5 Mess.	2 Cott.		369	10,905
Cheddington					5	?
Edlesborough		11 Mess.	9 Cott.	3 h.	1,086	33,510
Total	1 Ma.	25 Mess.	16 Cott.	1 ct.	3,194	77,042
c) 1810-1814						
Marsworth						
Slapton	3 Mess.				70	1,870
Horton	1 Mess.				5 $\frac{1}{4}$	265
Ivinghoe	9 Mess.	3 Cott.			223	11,188
Pitstone	4 Mess.	2 Cott.			104	5,463
Cheddington					2 $\frac{1}{2}$	50
Edlesborough	1 Mess.	4 Cott.			125	4,661
Total	18 Mess.	9 Cott.			529$\frac{3}{4}$	23,497
d) 1815-1819						
Marsworth						
Slapton						
Horton						
Ivinghoe	1 Ma.	2 Mess.	4 Cott.	1 ct.	448	14,130
Pitstone		1 Mess.			6 $\frac{3}{4}$	1,231
Cheddington						
Edlesborough		8 Mess.	2 Cott.		59 $\frac{1}{2}$	3,691
Total	1 Ma.	11 Mess.	6 Cott.	1 ct.	514$\frac{1}{2}$	19,052
e) 1820-1824						
Marsworth						
Slapton	1 Mess.	2 Cott.			13 $\frac{1}{2}$	1,424
Horton						
Ivinghoe	2 Mess.	3 Cott.			153 $\frac{1}{2}$	4,238
Pitstone	2 Mess.				38 $\frac{1}{2}$	1,375
Cheddington	1 Mess.				118 $\frac{1}{2}$	5,137
Edlesborough	3 Mess.	1 Cott.			408 $\frac{3}{4}$	11,259
Total	9 Mess.	6 Cott.			732$\frac{3}{4}$	23,432

1 Abbreviations: Ma. = Manor; Mess. = Messuage; Cott. = Cottage; ct. = Customary Tenancy and h. = House.

f) 1825-1829

Marsworth						
Slapton						
Horton					168	1,742
Ivinghoe	1 Mess.	1 Cott.	1 ct.		105	7,725
Pitstone	2 Mess.	11 Cott.			59	3,480
Cheddington	1 Ma.				160 $\frac{1}{2}$	5,137
Edlesborough						
Total	1 Ma.	3 Mess.	12 Cott.	1 ct.	492	18,084

g) 1830-1834

Marsworth					333	10,486
Slapton						
Horton						
Ivinghoe	1 Mess.	6 Cott.	1 ct.		40 $\frac{1}{2}$	4,075
Pitstone	5 Mess.				5	922
Cheddington						
Edlesborough	1 Mess.				62 $\frac{1}{4}$	950
Total	7 Mess.	6 Cott.	1 ct.		440$\frac{3}{4}$	16,433

h) 1835-1839

Marsworth						
Slapton						
Horton						
Ivinghoe					1 $\frac{3}{4}$	180
Pitstone		1 Cott.				280
Cheddington						
Edlesborough		1 Cott.			12 $\frac{1}{2}$	1,150
Total		2 Cott.			14$\frac{1}{4}$	1,610

i) 1840-1844

Marsworth	1 Mess.				12 $\frac{1}{2}$	1,150
Slapton						
Horton						
Ivinghoe		1 Cott.			3	680
Pitstone	2 Mess.				44 $\frac{1}{2}$	2,850
Cheddington						
Edlesborough		2 Cott.			0 $\frac{1}{2}$	99
Total	3 Mess.	3 Cott.			60$\frac{1}{2}$	4,779

j) 1845-1849

Marsworth						
Slapton						
Horton						
Ivinghoe		2 Cott.	1 ct.		15	1,251
Pitstone	2 Mess.	1 Cott.			7 $\frac{1}{2}$	796
Cheddington						
Edlesborough		7 Cott.			9	1,005
Total	2 Mess.	10 Cott.	1 ct.		31$\frac{1}{2}$	3,052

k) 1850

Marsworth						
Slapton						
Horton						
Ivinghoe						
Pitstone	1 Mess.	1 Cott.			4 $\frac{1}{4}$	610
Cheddington						
Edlesborough					157 $\frac{1}{2}$	4,792
Total	1 Mess.	1 Cott.			161$\frac{3}{4}$	5,402

and Edlesborough and a staggering 84% at Pitstone.⁹

One suggestion that has been put forward is that the Earl was endeavouring to recover a Dukedom for the family. With an income of £70,000 per year and an estate valued over £2 million, this may have been possible.¹⁰ There is evidence to support this suggestion, namely the Earl's extraordinary will. The Earldom passed to his "eccentric" recluse of a brother resident in Paris. This could not be avoided but the brother did not acquire Ashridge. Instead it was entailed to Lord Alford, then a boy of twelve, with the proviso that he could only take possession on the condition that he acquired the dignity of a Dukedom within 5 years of his succession. Failing this meant the forfeiture of the estate to his brother, Charles Henry Hume Cust, with the same proviso.

Lady Bridgewater died in 1849 and Lord Alford, then 38 years of age had five years to comply with the wishes of the will. He died within two years but the estate, through the intervention of the House of Lords, passed not to his brother but to his son.¹¹

9 The claim made to the commissioner of the Edlesborough enclosure states that there were 1,156 acres of old enclosures in the parish and 964 acres of open fields. Of the latter total, 829 acres were purchased by the late Earl and his Trustees and only 135 acres were devised to the Earl by the will of the late Duke. Nightingale, op.cit., E 39/14, Inclosure Extracts from the Book of Claims, about August 1856.

10 Henry Gordon, op.cit. (1949), p.15.

11 "No man can leave his property clogged and conditioned by his own personal views of public affairs or by his posthumous ambitions", reprinted in Henry Gordon, op.cit. (1949), p.15; See also, F.M.L. Thompson, English Landed Society in the Nineteenth Century, (London, 1963), pp.13-14.

APPENDIX V(b): Comparison of Landownership in 29 Parishes in North Buckinghamshire using the Land Tax of 1785 and 1825 and the Enclosure Award for each Parish.

a) 4 Parishes with an acreage equivalent of 1 shilling per acre on a Land Tax conversion.

<u>Parish</u>	<u>Percentage of land held in the size groups: (in acres)</u>						
	<u>under 10a.</u>	<u>10-20a.</u>	<u>20-100a.</u>	<u>100-200a.</u>	<u>200-300a.</u>	<u>300-600a.</u>	<u>over 600a.</u>
<u>Akeley</u>							
1785	0.9	2.2	21.8	7.4	-	67.7	--
1794 (enclosure)	3.2	12.6	81.5	-	-	--	--
1825	1.1	2.7	21.7	2.7	-	61.8	--
<u>Steeple Claydon</u>							
1785	1.1	3.2	15.6	27.4	7.9	11.2	33.6
1796 (enclosure)	0.5	4.0	31.8	20.7	-	39.6	--
1825	1.0	3.0	14.1	29.2	7.9	11.6	33.3
<u>Grandborough</u>							
1785	2.0	6.9	46.0	25.2	--	19.9	--
1796 (enclosure)	3.3	1.5	32.5	44.6	19.9	--	--
1825	2.4	1.8	23.1	13.6	41.5	17.6	--
<u>Bletchley</u>							
1785	2.0	6.6	33.2	19.6	--	--	38.6
1811 (enclosure)	4.8	4.1	25.7	10.3	--	25.1	28.1
1825	5.4	3.9	20.2	27.6	--	42.9	--

b) 12 Parishes with an acreage equivalent of 1.5 shillings per acre.

	<u>under 7$\frac{1}{2}$a.</u>	<u>7$\frac{1}{2}$-15a.</u>	<u>15-75a.</u>	<u>75-150a.</u>	<u>150-225a.</u>	<u>225-450a.</u>	<u>over 450a.</u>
<u>Calverton</u>							
1782 (enclosure)	(2.6)		5.4	4.8	--	21.0	60.0
1785	3.7	1.4	8.1	7.9	--	18.9	60.0
1825	1.8	0.7	2.9	8.5	14.2	30.4	41.5
<u>Bradwell</u>							
1785	3.5	2.2	18.5	36.6	16.4	22.8	--
1788 (enclosure)	(1.8)		13.3	51.2	25.0	--	--
1825	3.8	4.7	38.2	19.4	33.9	--	--
<u>Wavendon</u>							
1785	2.5	2.6	13.1	12.1	--	--	69.7
1788 (enclosure)	(8.6)		10.4	21.1	6.7	54.2	--
1825	0.8	2.7	8.4	8.0	6.6	--	73.5
<u>Box Brickhill</u>							
1785	4.2	2.6	12.4	18.6	--	33.5	28.7
1790 (enclosure)	(5.1)		15.6	8.8	11.3	54.9	--
1825	4.6	1.9	9.3	18.2	7.9	27.6	30.5
<u>Padbury</u>							
1785	1.9	3.4	41.9	29.3	--	--	24.3
1795 (enclosure)	(3.7)		26.9	33.7	30.7	--	--
1825	2.4	1.6	15.7	35.8	26.5	18.0	--
<u>Thornborough</u>							
1785	2.0	1.4	25.3	18.4	6.7	46.2	--
1797 (enclosure)	(5.3)		20.0	23.8	15.7	34.0	--
1825	2.7	1.2	18.8	22.9	6.9	--	47.5

b) continued:

	<u>under 7$\frac{1}{2}$a.</u>	<u>7$\frac{1}{2}$-15a.</u>	<u>15-75a.</u>	<u>75-150a.</u>	<u>150-225a.</u>	<u>225-450a.</u>	<u>over 450a.</u>
<u>Adstock</u>							
1785	1.8	4.5	35.1	7.1	20.6	20.9	--
1797 (enclosure)	(4.5)		37.9	-	29.6	27.2	--
1825	2.7	1.6	15.3	43.5	14.4	22.5	--
<u>Lavendon</u>							
1785	2.4	3.2	10.6	12.4	11.5	20.2	39.7
1801 (enclosure)	(3.4)		17.1	36.4	--	--	42.0
1825	1.3	0.8	9.9	12.5	6.0	18.9	50.6
<u>Moulsoe</u>							
1785	0.7	0.5	6.1	4.6	--	15.5	72.6
1802 (enclosure)	-	-	-	-	--	22.0	78.0
1825	0.8	1.0	3.2	-	--	15.5	79.5
<u>Newton Blossomville</u>							
1785	4.3	2.2	7.7	16.1	41.5	28.2	--
1810 (enclosure)	(7.0)		-	--	42.6	48.9	--
1825	2.7	1.3	3.9	10.0	29.7	--	52.4
<u>Turweston</u>							
1785	-	-	15.1	7.4	28.3	49.2	--
1813 (enclosure)	(1.3)		--	22.7	--	75.0	--
1825	-	0.7	3.7	23.7	--	29.4	42.5
<u>Aston Clinton</u>							
1785	1.6	2.7	20.5	6.5	14.4	25.0	29.2
1815 (enclosure)	(5.4)		16.4	10.1	16.4	--	51.5
1825	2.7	1.2	18.1	2.3	4.5	18.4	52.8

c) 9 Parishes with an acreage equivalent of 2.0 shillings per acre.

	<u>under 5a.</u>	<u>5-10a.</u>	<u>10-50a.</u>	<u>50-100a.</u>	<u>100-150a.</u>	<u>150-300a.</u>	<u>over 300a.</u>
<u>Preston Bissett</u>							
1782 (enclosure)	(2.4)		34.9	33.8	-	27.3	—
1785	1.5	1.1	23.7	15.4	9.6	—	48.7
1825	1.7	1.5	9.5	35.1	-	17.2	35.0
<u>Castlethorpe</u>							
1785	1.2	1.5	8.2	8.6	-	11.2	68.9
1793 (enclosure)	(3.6)		8.0	7.6	-	78.6	—
1825	0.8	1.5	6.5	4.4	-	16.6	70.2
<u>Sherington</u>							
1785	3.1	2.0	12.7	20.6	42.9	—	18.7
1796 (enclosure)	(2.3)		7.1	26.6	33.8	—	28.2
1825	4.1	2.4	14.2	13.2	56.9	9.2	—
<u>Stoke Mandeville</u>							
1785	1.0	4.4	11.9	28.5	20.9	33.3	—
1797 (enclosure)	(6.6)		22.7	29.9	9.8	30.4	—
1825	1.5	1.1	15.5	21.0	17.9	43.0	—
<u>Dinton</u>							
1785	0.8	1.5	2.8	6.0	6.7	24.0	58.2
1802 (enclosure)	(2.8)		9.0	21.9	11.7	20.0	33.9
1825	1.1	1.8	0.4	7.2	3.7	21.3	64.5

c) continued.

	<u>under 5a.</u>	<u>5-10a.</u>	<u>10-50a.</u>	<u>50-100a.</u>	<u>100-150a.</u>	<u>150-300a.</u>	<u>over 300a.</u>
<u>Maids Norton</u>							
1785	3.7	1.7	29.9	8.4	13.1	43.2	--
1801 (enclosure)	(3.2)		12.1	28.5	5.3	48.4	--
1825	1.6	3.9	15.3	17.8	--	19.4	42.0
<u>Chearsley</u>							
1785	2.1	1.0	1.1	23.7	10.2	15.3	46.6
1805 (enclosure)	(1.5)		6.6	15.1	--	--	76.3
1825	2.3	1.4	-	6.9	10.2	--	79.2
<u>Clifton Reynes</u>							
1785	0.6	0.5	5.5	14.6	9.2	--	69.6
1822 (enclosure)	(2.9)		5.5	18.3	31.5	39.8	--
1825	0.4	-	4.4	3.6	9.3	11.6	70.7
<u>Long Crendon</u>							
1785	1.3	2.6	19.4	24.1	3.5	18.1	31.0
1824 (enclosure)	(4.3)		16.6	21.5	10.0	22.1	24.4
1825	2.5	3.4	18.7	26.9	5.0	30.2	13.3

d) 4 Parishes with an acreage equivalent of 2.5 shillings per acre.

	<u>under 4a.</u>	<u>4-8a.</u>	<u>8-40a.</u>	<u>40-80a.</u>	<u>80-120a.</u>	<u>120-240a.</u>	<u>over 240a.</u>
<u>Great Woolstone</u>							
1785	1.3	2.3	-	13.6	36.4	46.4	--
1796 (enclosure)	(2.6)		5.1	--	92.3	--	--
1825	0.8	-	-	14.1	40.1	45.0	--
<u>Little Brickhill</u>							
1785	2.0	4.0	5.7	15.4	--	72.9	--
1796 (enclosure)	(3.1)		14.3	22.6	17.8	39.0	--
1825	2.6	2.7	7.6	4.7	6.7	13.8	61.9
<u>Weston Turville</u>							
1785	1.2	2.2	12.9	13.7	7.0	24.9	38.1
1798 (enclosure)	(1.1)		18.5	16.7	7.1	8.8	47.1
1825	1.6	0.7	6.7	12.1	12.3	17.7	48.9
<u>Towersey</u>							
1785	2.3	1.5	10.8	14.6	7.4	11.1	52.3
1822 (enclosure)	(3.7)		6.6	15.0	17.5	13.2	37.8
1825	1.2	1.3	11.6	6.9	13.2	8.3	57.5

APPENDIX V(c): Analysis of Landownership using the Land Tax Records for Parishes enclosed at different periods.¹

1) Parishes of Old Enclosure: Total Number of Landowners in the following years.

<u>Parish</u>	<u>1782</u>	<u>1783</u>	<u>1784</u>	<u>1785</u>	<u>1786</u>	<u>1792</u>	<u>1793</u>	<u>1794</u>	<u>1795</u>	<u>1796</u>
Lechampstead	17	16	15	15	15	15	16	?	15	16
Drayton Beauchamp	19	19	19	19	19	21	21	21	21	21
Kingsey	17	17	17	17	17	?	17	17	17	?
Oving	37	36	37	37	36	?	35	35	36	36
Ickford	22	?	22	22	21	?	20	20	20	?
Great Linford	12	13	13	13	13	13	13	13	12	12
Weston Underwood	15	15	15	15	15	15	15	15	14	14

Parishes of Old Enclosure: Total Number of Original Landowners surviving in the following years²
(adjusted to account for family inheritance where possible).

	<u>1782</u>	<u>1783</u>	<u>1784</u>	<u>1785</u>	<u>1786</u>	<u>1792</u>	<u>1793</u>	<u>1794</u>	<u>1795</u>	<u>1796</u>
Leckhampstead	17 (17)	14 (14)	13 (13)	13 (13)	14 (14)	11 (11)	11 (11)	? ?	10 (10)	9 (10)
Drayton Beauchamp	19 (19)	19 (19)	19 (17)	17 (17)	17 (17)	11 (13)	11 (13)	11 (13)	10 (12)	9 (11)
Kingsey	17 (17)	16 (16)	15 (15)	13 (13)	13 (13)	? ?	12 (12)	12 (12)	12 (12)	? ?
Oving	37 (37)	37 (37)	36 (36)	36 (36)	33 (35)	? ?	23 (30)	23 (30)	23 (30)	22 (29)
Ickford	22 (22)	? ?	21 (21)	20 (20)	18 (18)	? ?	8 (9)	8 (9)	8 (9)	? ?
Great Linford	12 (12)	12 (12)	11 (12)	11 (12)	11 (12)	10 (11)	9 (11)	9 (11)	8 (10)	7 (9)
Weston Underwood	15 (15)	15 (15)	15 (15)	15 (15)	15 (15)	12 (13)	12 (13)	11 (13)	9 (12)	8 (11)

1 For the method of research and construction of the following series of tables refer to pp.144-5, supra.

2 Ibid.

2) Parishes recently enclosed, i.e. pre-1780: Total number of Landowners in the following years.

<u>Parish</u>	<u>1782</u>	<u>1783</u>	<u>1784</u>	<u>1785</u>	<u>1786</u>	<u>1792</u>	<u>1793</u>	<u>1794</u>	<u>1795</u>	<u>1796</u>
Shenley (1762-3)	14	—	14	14	14	13	13	13	13	13
Westcott (1765-6)	22	22	22	22	22	—	—	14	14	14
Little Horwood (1766-7)	36	36	35	34	33	32	33	33	—	32
Woughton (1768-9)	34	33	32	32	31	28	28	28	28	28
Loughton (1768-9)	27	27	28	28	29	29	29	29	28	28
Grendon Underwood (1769-?)	14	14	14	14	14	—	—	13	12	12
Cublington (1769-70)	19	19	19	19	19	18	18	18	18	18
Stoke Goldington (1770)	20	20	20	21	21	21	20	20	20	20
Radclive (1773-5)	12	12	12	12	12	11	11	—	11	11
Waddesden (1774-5)	54	54	55	55	55	—	52	53	53	52
Stoke Hammond (1774-5)	17	18	18	18	18	14	14	14	14	14
Stone (1776-7)	20	20	18	18	—	17	17	17	17	17
Ludgershall (1777)	36	36	35	35	35	—	32	32	32	31
North Marston (1778-9)	52	49	49	51	50	—	47	47	47	44
Hulcote (1779-80)	—	13	13	13	—	14	13	13	13	13

2) continued.

Parishes recently enclosed, i.e. pre-1780: Total number of original Landowners surviving in the following years.

	1782	1783	1784	1785	1786	1792	1793	1794	1795	1796
Shenley	14	—	11	11	10	7	7	7	7	7
1762-3	(14)	—	(11)	(11)	(10)	(8)	(8)	(8)	(8)	(8)
Westcott	22	22	20	20	20	—	—	12	11	11
1765-6	(22)	(22)	(22)	(22)	(22)	—	—	(11)	(10)	(10)
Little Horwood	36	34	31	30	27	19	18	18	—	16
1766-7	(36)	(35)	(32)	(31)	(28)	(23)	(22)	(22)	—	(20)
Woughton	34	33	30	29	27	19	17	16	16	12
1768-9	(34)	(33)	(30)	(29)	(27)	(19)	(19)	(19)	(19)	(17)
Loughton	27	26	25	25	23	14	14	14	14	13
1768-9	(27)	(27)	(26)	(26)	(24)	(16)	(16)	(16)	(16)	(15)
Grendon Underwood	14	14	14	14	13	—	—	11	9	9
1769-?	(14)	(14)	(14)	(14)	(14)	—	—	(12)	(10)	(10)
Cublington	19	19	19	18	17	13	12	12	12	12
1769-70	(19)	(19)	(19)	(18)	(18)	(15)	(14)	(14)	(14)	(14)
Stoke Goldington	20	20	20	20	18	14	13	13	12	12
1770	(20)	(20)	(20)	(20)	(19)	(16)	(15)	(15)	(14)	(14)
Radclive	12	12	12	11	10	9	9	—	9	8
1773-5	(12)	(12)	(12)	(11)	(10)	(9)	(9)	—	(9)	(8)
Waddesden	54	54	50	50	49	—	35	32	30	28
1774-5	(54)	(54)	(53)	(53)	(53)	—	(42)	(40)	(39)	(38)
Stoke Hammond ⁴	17	17	15	14	11	8	8	8	7	7
1774-5	(17)	(17)	(16)	(16)	(14)	(11)	(11)	(11)	(10)	(10)
Stone	19	19	16	15	—	13	11	11	11	11
1776-7	(19)	(19)	(16)	(15)	—	(13)	(12)	(12)	(12)	(12)
Ludgershall	36	35	32	32	29	—	22	22	21	21
1777	(36)	(35)	(33)	(33)	(31)	—	(22)	(22)	(21)	(21)
North Harston	52	48	47	48	47	—	32	31	30	27
1778-9	(52)	(48)	(47)	(48)	(47)	—	(38)	(37)	(35)	(32)
Hulcott	—	12	12	11	—	9	8	6	5	5
1779-80	—	(12)	(12)	(11)	—	(10)	(9)	(8)	(8)	(8)

3) Parishes of Current Enclosure, i.e. enclosed 1780-90: Total number of Landowners in the following years.

<u>Parish</u>	<u>1780</u>	<u>1781</u>	<u>1782</u>	<u>1783</u>	<u>1784</u>	<u>1785</u>	<u>1786</u>	<u>1787</u>	<u>1788</u>	<u>1789</u>	<u>1790</u>	<u>1791</u>	<u>1792</u>	<u>1793</u>	<u>1794</u>
Caversfield 1780	19	--	20	19	23	19	19	23	23	24	23				
Preston Bissett 1781-2	25	--	26	26	26	25	25	25							
Calverton 1782-7		20	20	33	33	32	32	32	32	32	32				
Bradwell 1788-9		21	21	20	20	20	20	20	20	27	27				
Wavendon 1788-91						46	48	48	48	45	46	46	44	44	42

Parishes of Current Enclosure, i.e. enclosed 1780-90: Total number of Original Landowners surviving in the following years.

	<u>1780</u>	<u>1781</u>	<u>1782</u>	<u>1783</u>	<u>1784</u>	<u>1785</u>	<u>1786</u>	<u>1787</u>	<u>1788</u>	<u>1789</u>	<u>1790</u>	<u>1791</u>	<u>1792</u>	<u>1793</u>	<u>1794</u>
Caversfield 1780	19 (19)	-- --	19 (19)	19 (19)	19 (19)	18 (18)	18 (18)	18 (18)	17 (18)	17 (18)	16 (17)				
Preston Bissett 1781-2	25 (25)	-- --	25 (25)	23 (23)	23 (23)	20 (21)	19 (20)	19 (20)							
Calverton 1782-7		20 (20)	19 (19)	5 (5)	4 (4)	4 (4)	4 (4)	4 (4)	4 (4)	4 (4)	4 (4)				
Bradwell 1788-9		21 (21)	19 (19)	17 (17)	16 (16)	15 (16)	15 (16)	13 (14)	12 (14)	11 (11)	10 (10)				
Wavendon 1788-91						46 (46)	46 (46)	45 (45)	43 (44)	31 (34)	30 (33)	30 (33)	28 (31)	27 (31)	24 (28)

4) Parishes of Current Enclosure, i.e. enclosed 1790-1800: Total number of Landowners in the following years.

Parish	1787	1788	1789	1790	1791	1792	1793	1794	1795	1796	1797	1798	1799	1800	1801	1802	1803
Bow Brickhill 1790-3	35	35	34	35	35	39	42	41	40	38							
Little Woolstone 1791-5	13	13	11	11	11	15	15	14	16	16	16	16	13	13	13		
Castlethorpe 1793-4				18	18	18	17	25	26	21							
Akeley 1794-6				15	17	18	18	--	17	17	17	17	16	15			
Aston Abbotts 1795-6					14	16	16	16	16	16	19	18	19	19			
Steeple Clayden 1795-6					38	39	41	39	39	39	39	39	39	39			
Padbury 1795-6						46	46	--	45	44	41	42	44				
Grandborough 1796-7							40	39	39	35	29	34	34	34	34		
Little Brickhill 1796-8					28	28	29	28	27	17	21	21	20	--	22	22	
Sherrington 1796-8							46	46	48	48	50	50	49	--	49		
Adstock 1797-8							22	--	22	22	22	22	22	23	23	23	
Drayton Parslow 1797-8							17	20	20	20	20	17	18	18	19	17	
Stoke Mandeville 1797-8								46	44	44	43	53	--	41	40	41	40
Emberton 1798-9								35	36	38	37	30	32	--	31	31	31
Thornborough 1797-1800							55	--	56	57	56	59	59	59	58	56	
Weston Turville 1798-1800									52	49	51	53	52	50	49	48	48

4) continued: Parishes of Current Enclosure, i.e. enclosed 1790-1800: Total number of Original Landowners surviving in the following years.

Parish	1787	1788	1789	1790	1791	1792	1793	1794	1795	1796	1797	1798	1799	1800	1801	1802	1803
Bow Brickhill 1790-3	35 (35)	30 (32)	27 (30)	24 (27)	20 (23)	13 (16)	11 (14)	9 (12)	8 (11)	6 (10)							
Little Woolstone 1791-5	13 (13)	13 (13)	8 (9)	7 (8)	7 (8)	5 (7)	5 (7)	4 (6)	4 (6)	4 (6)	4 (6)	4 (6)	3 (5)	-- (5)	3 (5)		
Castlethorpe 1793-4				18 (18)	18 (18)	17 (17)	15 (15)	9 (10)	9 (10)	8 (8)							
Akeley 1794-6				15 (15)	15 (15)	11 (11)	11 (11)	-- (8)	8 (8)	7 (8)	7 (8)	7 (8)	7 (8)				
Aston Abbotts 1795-6					14 (14)	14 (14)	14 (14)	13 (14)	12 (13)	10 (11)	10 (11)	9 (10)	9 (10)	9 (10)			
Steeple Clayden 1795-6					38 (38)	37 (37)	34 (34)	33 (33)	33 (33)	28 (28)	27 (27)	27 (27)	27 (27)	25 (26)			
Padbury 1795-6						46 (46)	45 (45)	-- (40)	40 (40)	31 (33)	29 (33)	28 (33)	27 (33)				
Grandborough 1796-7							40 (40)	39 (39)	39 (39)	31 (32)	20 (22)	20 (22)	20 (22)	17 (19)	17 (19)		
Little Brickhill 1796-8					28 (28)	28 (28)	21 (24)	20 (23)	17 (21)	8 (9)	8 (9)	8 (9)	8 (9)	-- (8)	7 (8)	7 (8)	
Sherrington 1796-8							46 (46)	45 (45)	41 (43)	40 (42)	28 (33)	28 (33)	27 (33)	-- (32)	26 (32)		
Adstock 1797-8							22 (22)	-- (22)	21 (22)	20 (21)	19 (20)	19 (20)	12 (15)	12 (15)	11 (14)	11 (14)	
Drayton Parslow 1797-8								20 (20)	19 (19)	19 (19)	17 (17)	13 (13)	12 (12)	12 (12)	12 (12)	11 (11)	
Stoke Mandeville 1797-8								46 (46)	43 (43)	43 (43)	40 (41)	22 (25)	-- (19)	16 (19)	16 (18)	16 (17)	15 (16)
Emberton 1798-9								35 (35)	34 (34)	32 (32)	28 (28)	24 (24)	20 (21)	-- (21)	19 (21)	19 (21)	18 (20)
Thornborough 1797-1800							55 (55)	-- (54)	51 (54)	49 (52)	46 (49)	38 (43)	37 (43)	36 (42)	36 (42)	35 (41)	
Weston Turville 1798-1800									52 (52)	46 (46)	46 (46)	30 (35)	29 (34)	26 (31)	26 (31)	26 (31)	25 (30)

5) Parishes of Current Enclosure, i.e. enclosed 1800-10: Total number of Landowners in the following years.

Parish	1797	1798	1799	1800	1801	1802	1803	1804	1805	1806	1807	1808	1809	1810	1811	1812	1813	1814	1815
Maids Moreton 1801-3	21	21	20	19	19	18	20	20	20	21	20								
Weedon 1801-2	18	18	18	18	18	—	—	19	20										
Lavendon 1801-2	43	43	41	—	41	36	36	36	36										
Dinton 1802-4		36	—	42	41	42	—	38	38	38	38	40	40						
Little Kimble 1803-5			21	20	19	—	18	20	20	20	20	20	20	20					
Ellesborough 1803-5			35	33	33	34	34	39	38	37	37	35	34	35					
Chearsley 1805-6					17	17	—	18	18	16	16	17	17	17					
Marsworth 1809-11									37	36	35	34	34	33	33	33	35	33	33

Parishes of Current Enclosure, i.e. enclosed 1800-10: Total number of Original Landowners surviving in the following years.

Parish	1797	1798	1799	1800	1801	1802	1803	1804	1805	1806	1807	1808	1809	1810	1811	1812	1813	1814	1815
Maids Moreton 1801-3	21 (21)	21 (21)	19 (19)	17 (18)	14 (16)	13 (15)	9 (11)	9 (11)	9 (11)	9 (11)	8 (11)								
Weedon 1801-2	18 (18)	18 (18)	18 (18)	18 (18)	17 (18)	— (—)	— (—)	11 (12)	9 (11)	— (—)									
Lavendon 1801-2	43 (43)	43 (43)	40 (41)	— (—)	40 (41)	31 (34)	31 (34)	31 (34)	31 (34)										
Dinton 1802-4		36 (36)	— (—)	34 (34)	32 (32)	29 (30)	— (—)	20 (21)	20 (21)	20 (21)	19 (20)	18 (19)	18 (19)						
Little Kimble 1803-5			21 (21)	20 (20)	18 (18)	— (—)	16 (17)	11 (12)	11 (12)	11 (12)	11 (12)	10 (12)	10 (12)	10 (12)					
Ellesborough 1803-5			35 (35)	33 (33)	31 (31)	30 (30)	28 (28)	23 (23)	21 (21)	17 (18)	17 (18)	16 (17)	15 (17)	15 (17)					
Chearsley 1805-6					17 (17)	15 (16)	— (—)	15 (16)	14 (16)	12 (14)	12 (14)	12 (14)	12 (14)	10 (12)					
Marsworth 1809-11									37 (37)	34 (34)	32 (33)	30 (31)	28 (30)	26 (29)	25 (28)	24 (27)	23 (26)	22 (25)	22 (25)

6) Parishes of Current Enclosure, i.e. enclosed 1810-20: Total number of Landowners in the following years.

<u>Parish</u>	<u>1807</u>	<u>1808</u>	<u>1809</u>	<u>1810</u>	<u>1811</u>	<u>1812</u>	<u>1813</u>	<u>1814</u>	<u>1815</u>	<u>1816</u>	<u>1817</u>	<u>1818</u>	<u>1819</u>	<u>1820</u>	<u>1821</u>	<u>1822</u>	<u>1823</u>	<u>1824</u>
<u>Newton Blossomville 1810-13</u>	20	21	19	19	17	17	17	17	17	16								
<u>Slapton 1810-12</u>	36	32	31	30	25	24	24	24	24									
<u>Bletchley 1810-13</u>	41	39	39	39	43	43	43	44	44	42								
<u>Mursley 1814-15</u>				32	32	31	31	31	32	46	47	49	49	48				
<u>Oakley 1819-21</u>											29	29	29	29	28	28	28	28

Parishes of Current Enclosure, i.e. enclosed 1810-20: Total number of Original Landowners surviving in the following years.

<u>Parish</u>	<u>1807</u>	<u>1808</u>	<u>1809</u>	<u>1810</u>	<u>1811</u>	<u>1812</u>	<u>1813</u>	<u>1814</u>	<u>1815</u>	<u>1816</u>	<u>1817</u>	<u>1818</u>	<u>1819</u>	<u>1820</u>	<u>1821</u>	<u>1822</u>	<u>1823</u>	<u>1824</u>
<u>Newton Blossomville 1810-13</u>	20 (20)	20 (20)	19 (19)	19 (19)	16 (16)	11 (13)	11 (13)	11 (13)	9 (11)	7 (10)								
<u>Slapton 1810-12</u>	36 (36)	32 (32)	31 (31)	29 (30)	25 (25)	25 (25)	22 (23)	20 (22)	20 (22)									
<u>Bletchley 1810-13</u>	41 (41)	35 (37)	34 (36)	33 (35)	24 (27)	23 (25)	22 (25)	22 (25)	21 (24)	19 (22)								
<u>Mursley 1814-15</u>				32 (32)	32 (32)	31 (31)	30 (31)	28 (29)	27 (28)	23 (26)	22 (26)	20 (25)	19 (24)	19 (24)				
<u>Oakley 1819-21</u>											29 (29)	27 (27)	27 (27)	26 (26)	24 (24)	23 (23)	22 (22)	22 (22)

7) Parishes of Current Enclosure, i.e. enclosed 1820-35: Total number of Landowners in the following years.

<u>Parish</u>	<u>1818</u>	<u>1819</u>	<u>1820</u>	<u>1821</u>	<u>1822</u>	<u>1823</u>	<u>1824</u>	<u>1825</u>	<u>1826</u>	<u>1827</u>	<u>1828</u>	<u>1829</u>	<u>1830</u>	<u>1831</u>	<u>1832</u>
Clifton Reynes 1822-4		12	12	12	12	12	11	11	11	11					
Towersey 1822	24	25	26	26	23	25	25	25	25	25					
Whaddon 1830-1									32	32	31	31	30	25	25
Nash 1830-1									29	29	29	29	29	30	30

Parishes of Current Enclosure, i.e. enclosed 1820-35: Total number of Original Landowners in the following years.

	<u>1818</u>	<u>1819</u>	<u>1820</u>	<u>1821</u>	<u>1822</u>	<u>1823</u>	<u>1824</u>	<u>1825</u>	<u>1826</u>	<u>1827</u>	<u>1828</u>	<u>1829</u>	<u>1830</u>	<u>1831</u>	<u>1832</u>
Clifton Reynes 1822-4		12 (12)	12 (12)	12 (12)	12 (12)	12 (12)	11 (11)	11 (11)	11 (11)	11 (11)					
Towersey 1822	24 (24)	23 (23)	23 (23)	23 (23)	21 (21)	20 (20)	20 (20)	20 (20)	20 (20)	20 (20)					
Whaddon 1830-1									32 (32)	30 (31)	29 (30)	28 (29)	26 (27)	21 (22)	21 (22)
Nash 1830-1									29 (29)	27 (27)	26 (26)	25 (25)	23 (23)	22 (22)	21 (21)

CHAPTER VI: OPPOSITION TO PARLIAMENTARY ENCLOSURE IN BUCKINGHAMSHIRE.

A record of opposition to enclosure is fundamental to a discussion of social consequences. It could be interpreted as evidence of social injustice or social crime.¹ This is suitably expressed in the opening verse of the anonymous 'Thornborough Lamentation':

"Ye Thornbro' youths bewail with me;
Ye Shepherds lay your reeds aside;
No longer tune the merry glee,
For we are robbed of all our pride.
The time alas will soon approach,
When we must all our pastime yield;
The wealthy on our rights encroach,
And will enclose our common field." (2)

In Buckinghamshire, before the General Act of 1836, it seems that many enclosure bills were presented to Parliament with some measure of dissent, though this was sometimes very trivial. In some cases it was great enough to delay or postpone the passing of a bill, in one case for forty years, and at a time when one observer at Westminster in 1820 is assured that "Parliament is well disposed at this time to enclosure", opposition in Buckinghamshire seems to have been at its greatest.³ This may reflect the availability of sources or it may be related to the chronology of enclosure. The late enclosures were characterised by many small landowners and these may have presented a greater opportunity for opposition.

1 As intimated by an opponent of the 1756 Edgehill Enclosure in Warwickshire:

"Hedge and Ditch as you please, plant what fence you will, yet let me tell you nothing will be sufficient to secure you from encroachments and incursions into that fair territory... when there are so many thousand of his Majesty's subjects who would be glad to give almost any price for so much of it as one might cover with one's hand."

Reprinted in L. Dickins and M. Stanton (eds.), An Eighteenth Century Correspondence (London, 1910), p.343.

2 Contained in the Dayrell Collection, C.R.O.Ayl., BAS Collection AR/39/53 (n.d., though Thornborough was enclosed from 1797-1800).

3 From Princes Risborough Enclosure Papers, C.R.O.Ayl., IR/M/1/7, letter from C.T. Ellis, Parliamentary Agent to Acton Tindal an Aylesbury solicitor who became clerk to this commission; See also T.W. Davis, The Inclosure of Princes Risborough 1823. Unpublished essay, p.5, C.R.O.Ayl., Miscellaneous Essays.

Opposition could take several forms. Dissent could be registered by the interested parties refusing to sign the original enclosure petition. They could follow this by presenting a counter-petition to Parliament, an expensive though apparently successful venture. They may not defeat a bill but they may provoke Parliament into introducing more favourable clauses. Opposition could take a more violent form. This could be actively destructive such as destroying fences and buildings, or more frequently, threatening and molesting the administrators or promoters of an enclosure. The most common form of such violence was the wilful assault of solicitors and others in their attempts to affix notices of intended enclosure to the parish church doors.

The surviving records for Buckinghamshire do not suggest that violence reached the level described by F.K. Donnelly and others for the enclosure of Sheffield in 1791-1805 where the commissioners and others were threatened, farm properties were destroyed and the militia was summoned to repel rioters, one of whom was executed.⁴ Further examples of violence in opposition to enclosure have been described, notably by J.L. and B. Hammond and more recently by Miss J. Godber who describes an incident in Bedfordshire.⁵ The Home Office papers for the period certainly contain examples of enclosure riots but none have been distinguished for Buckinghamshire.⁶

4 F.K. Donnelly, Popular Disturbances in Sheffield 1790-1820 (Unpublished M.A. Dissertation, University of Sheffield, 1970), pp.33-39; B. Hammond, "Two Towns' Enclosures", Economic History, Vol.2 (1930-33), pp.258-266; Carolus Paulus, Some Forgotten Facts in the History of Sheffield and District (Sheffield, 1907), p.78.

5 J.L. and B. Hammond, The Village Labourer (London, 1911), passim; Joyce Godber, History of Bedfordshire 1066-1888 (Bedford, 1969), p.418.

6 For example, the Enclosure Riots of Milford Haven in Pembrokeshire in P.R.O., Home Office Papers, H.O.40/13 (1820). I am indebted to Mr. F.K. Donnelly for this reference; it would seem that most disturbances of this kind involved the enclosure of common and waste rather than the enclosure of open field arable. For example the cases cited by the Hammonds Ibid., in particular Otmoor in Oxfordshire and Haut Huntre in Lincolnshire where adjoining commons, 18,000 acres in extent, were enclosed by one Act. This is the kind of situation where riots would be expected, that is, enclosures of common and wastes where the villagers, while not possessing open field land did depend on the common for grazing and fuel supply, the loss of which would have been a severe blow. If an analysis were possible it might be found there was much opposition in counties where the enclosure was almost entirely of common and wastes.

Only one case of fence breaking and wilful damage of the new enclosure has emerged for the county.⁷ H.G. Hunt found only one example of an enclosure riot in the entire Parliamentary enclosure history of Leicestershire.⁸ In East Anglia there is little detailed information on labourers' resistance to enclosure to be found. A. Peacock itemises only two cases of conviction for fence-breaking.⁹ Certainly E.P. Thompson's view that riots, fence breaking, arson and threatening letters were more common than historians have supposed, is rather an unsupported suggestion in the light of evidence from completed county histories.¹⁰

Some serious delays are recorded in completing a number of Buckinghamshire enclosures, but the reasons for such delays are not readily apparent. Possibly the incidence of opposition is greater than surviving records have indicated. On the other hand, contemporary literature has indicated or described little active opposition at a time when opinion was extremely mixed. John Byng [later 5th Viscount Torrington] was very strongly opposed to enclosure,¹¹ and on one occasion at least "broke down some rails most courageously".¹² On the other hand, Byng was violently opposed to change in many forms.¹³ The views of the irrepressible Arthur Young changed very much, in particular with regard to the enclosure of commons and wastes. During his 'Eastern Tour' of 1771 he is favourably

7 Iver Enclosure of 1800-03, in Quarter Sessions Records, C.R.O.Ayl., Vol.27 (Michaelmas, 1802 and Epiphany 1803), Quarter Sessions Case Book 1802-10, C.R.O.Ayl., QS/JC/1, (Epiphany, 1803).

8 H.G. Hunt, The Parliamentary Enclosure Movement in Leicestershire 1730-1842 (Unpublished Ph.D. Thesis, University of London, 1956), pp.138-9.

9 A. Peacock, Bread and Blood: A Study of the Agrarian Riots in East Anglia in 1816 (London, 1816), p.20.

10 E.P. Thompson, The Making of the English Working Class (London, 1970 ed.), p.341.

11 "I hate enclosures... I look upon them as the greedy tyrannies of the wealthy few to oppress the indigent many, and an iniquitous purchase of invaluable right". C. Bruyn Andrews (ed.), The Torrington Diaries; Containing the Tours through England and Wales of the Honourable John Byng between the years 1781-94 (London, 1934), Vol.1, p.7.

12 Ibid., Vol.11, p.280; also Bothaina Abd-El-Hamid (ed.), The Torrington Diaries (Cairo, 1958), p.52.

13 In observing Birmingham, Manchester and Sheffield he was moved to denounce the rise of trade and industry, Ibid., Vol.II, p.209, Vol.III, pp.32-3.

disposed to enclosure, but by 1801 he has many doubts, summed up in his oft quoted passage about the poor which begins, "by nineteen enclosure bills out of twenty they are injured".¹⁴ This was an opinion shared by the anonymous writer of 1780 who talks of "the rage of enclosures", which, "scattered its pestilence about the nation", for which, "no reason can defend, no advantage can justify the injury committed by inclosing bills".¹⁵ This statement, like that by Young is an attack upon the enclosure of wastes and commons. In general Young admitted that enclosure led to the improvement of agriculture though often such improvement was achieved at the cost of some injury to a minority of cottagers. He states that the open field farmers at Eaton in Bedfordshire, enclosed in 1796, were against enclosure but were persuaded otherwise and later admitted to the benefits which were realised.¹⁶

A Parliamentary Select Committee of 1800 appointed to:

"consider of the most effectual Means of facilitating... the Inclosure and Improvement of the Waste, Uninclosed, and Unproductive Lands, Commons, Common Arable Fields, Common Meadows, and Common of Pasture",

indicated that there could be considerable opposition. The witnesses believed there would be a greater number of enclosure bills if the quantum of consent needed to present enclosure petitions were lowered. They, in soliciting specific enclosures frequently found difficulty in obtaining the signatures of three-quarters to four-fifths of the interested parties.¹⁷

Opposition in the contemporary literature may sometimes have been large, but active movements in the countryside did not exist. This can

14 A. Young, The Farmer's Tour through the East of England (London, 1771), pp.20 and 23; A. Young, An Inquiry into the Propriety of Applying Wastes to better maintenance and support of the poor (Bury, 1801), p.37.

15 Anon, An Inquiry into Bills of Inclosure (London, 1780), pp.22ff; also reprinted in A. Briggs (ed.), How they lived, An Anthology of original documents written between 1700-1815, (Oxford, 1969), Vol.III, pp.191-2.

16 A. Young (ed.), The Annals of Agriculture, Vol.XLII (London, 1804), pp.27, 38-40 and 323-4.

17 Reports from the Select Committee of the House of Commons... Reports Vol.IX (1803), pp.232-36.

be said in spite of the contention of E.J. Hobsbawn and G. Rude who maintain that the 'Swing Riots' of 1830-31 'correlated' favourably with the incidence of enclosure.¹⁸

P. Mantoux insisted that:

"All the Acts of Parliament on the Statute Book, without exception, are evidence of so many cases when the unanimous consent of the landowners could not be secured." (19)

He meant that where enclosure could not be accomplished by collective bargaining, a measure of opposition must have prevailed. He does not add that enclosure itself may have been agreed upon but the terms of the agreement not. In some cases it appears that tithe commutation was the only reason for petitioning Parliament. Certainly this was the case where a single landowner held a virtual land monopoly.²⁰

W.E. Tate has listed the principal types of opposition encountered on examining the Parliamentary Journals.²¹ Appendix VI(a) below tabulates this record of opposition for Buckinghamshire.

Some of the opposition was very weak. For example, the parties that refused to sign the petitions at Westbury (1765-66), Woughton (1768-69) and Great Brickhill (1771-2) were very small landowners and quite

- 18 E.J. Hobsbawn and G.Rude, Captain Swing (London, 1969), pp.36 and 178-80; In Buckinghamshire at least, of the 39 recorded disturbances involving 22 places only one was remotely associated with enclosure, and then because the parish had been enclosed four years before. See Joyce Donald, Long Crendon. A Short History. Part I (Long Crendon, 1971), p.42; Of those 39 disturbances several were associated with the Paper Mills at High Wycombe, Hobsbawn and Rude, Ibid., Apps. I and III; The 1834 Report of the Poor Law Commissioners makes no mention of enclosure as a reason for the 1830-1 riots. Royal Commission on the Poor Laws. Parliamentary Papers, Vol.XXXIV of 1835, Question 53.
- 19 P. Mantoux, The Industrial Revolution in the Eighteenth Century (12th ed., London, 1955), p.140.
- 20 This would appear to be the case at Moulsoe (1802), where Lord Carrington received 1,325 acres out of 1,582 enclosed, the remainder was glebe and tithe, Moulsoe Enclosure Award Map, C.R.O.Ayl.,; At Monks Risborough it seems that early attempts to present an enclosure petition were delayed because of problems of Tithe Commutation, Monks Risborough Enclosure Papers, C.R.O.Ayl., IR/M/176/1, "Statement on the part of the Promoters of the Bill".
- 21 W.E. Tate, "Parliamentary Counter-Petitions during the Enclosures of the Eighteenth and Nineteenth Centuries", English Historical Review, Vol.59 (1944), pp.392-403; W.E. Tate, "Opposition to Parliamentary Enclosure in Eighteenth-Century England", Agricultural History, Vol. 19, No.3 (1945), pp.137-142.

uninfluential in the parishes. In fact most of these early enclosures met little resistance. The notable exceptions were the petitions for Aylesbury (1771-2) and Whitchurch (1771-2). In the former parish those parties possessed of one-third of the lands to be enclosed opposed the bill, while a further group possessing 162 acres did not choose to sign it, though they would not oppose it either. At Whitchurch, the neutral parties possessed 416 acres which represented 20% of all the lands to be enclosed.²²

In spite of this opposition or refusal to sign the bill, the characteristic phrase in the House of Commons Journals is that, "no person appeared before the Committee to oppose the bill". But then it should not come as a surprise to learn that witnesses did not appear before the Committees at Westminster to oppose bills because the legal fees on presenting a petition to Parliament could be as much as 10-15% of the total cost of an enclosure.²³ The opposition was mainly of relatively small landowners and this would have been a considerable if not an impossible outlay. Moreover, before the Parliamentary Standing Orders were altered in 1774 there was no compulsion to publicise the intention to seek an enclosure petition.²⁴ As the 1775 Committee said:

"Persons residing at a Distance had their Estates cut through by a Canal, or were put to great Expences for an Inclosure, almost without any Notice at all, or at least too late to have an Opportunity of considering the Proposition maturely." (25)

After 1774 notices advertising applications for enclosure bills had to be affixed to the doors of the respective parish church for three consecutive weeks in the summer before the Parliamentary session at which the bill would be considered.

22 (H)ouse of (C)ommons (J)ournal. Vol.33 (1771), pp.98 and 141.

23 See Chapter VIII infra. "The Cost of Enclosure in Buckinghamshire".

24 H.C.J., Vol. 34 (1774), p.608.

25 H.C.J., Vol. 35 (1775), pp.443-4; However, this statement is not quite accurate as Miss Lambert has pointed out. Notices publicising the sittings of Committees in the House of Lords had to be given in the London Gazette after 1733. But, as she further pointed out, on testing the three sessions from 1739-41, notices of only four committees from a possible fifteen actually appeared in these pages. Sheila Lambert, Bills and Acts (Cambridge, 1971), p.130.

A number of the neutral parties at the enclosures of the 1760's may have had no objection to enclosure but their signature of approval was unobtainable. Thus, Mary Woodfield at Westcott (1765-6) was "possessed of three-quarters of a yardland in the said fields", but she "lived at a great distance and could not be applied to".²⁶

The reasons for opposing enclosure bills are not always given, and where they are they were for an assortment of reasons. The single opponent of the Woughton bill (1768-9) stated that he refused to sign because his wife was not willing.²⁷ The only objector to the Great Brickhill bill (1771-2) disliked enclosures and therefore would not sign.²⁸ The Hitcham bill (1778-9) was opposed by proprietors of land valued at £2 per annum (out of a total value of £940), but a second group of owners in possession of lands valued at £46³/₄ per annum refused to sign the bill though they had no objection to the enclosure.²⁹ However curious that sounds it was nonetheless quite familiar, for example at Aylesbury, Whitchurch and Taplow. Why should parties refuse to sign an enclosure bill and yet have no objection to the enclosure? A possible answer can be found in the Princes Risborough enclosure papers (1820-3) where certain documents indicate that while not actively objecting to enclosure, certain parties nevertheless refused to sign the bill for fear of offending friends and neighbours.³⁰

In the period after 1790 there was an increase in the amount of opposition offered to enclosure bills and there were also several counter-petitions. According to Miss Lambert:

"Parliament conceived its function to be to authorise agreements arrived at, rather than to arbitrate between parties. If opposition appeared, the parties were told in effect, to go away, sort it out amongst themselves, and come back next year".

26 H.C.J., Vol. 30 (1765), p.128.

27 H.C.J., Vol. 31 (1768), p.605.

28 H.C.J., Vol. 33 (1771), p.187.

29 H.C.J., Vol. 37 (1778), p.717.

30 Princes Risborough Enclosure Papers, loc.cit., IR/N/1/7, Extracts from the Clerk's Memo Book; also T.W. Davis, op.cit., p.7.

but;

"Later in the century, Parliament began to play a much more active part in regulating the content of the bills". (31)

W.E. Tate was incorrect to suggest that bills "were rarely subjected to any substantial amendment in their passage through either house."³² Bills could be and were recommitted and amendments were made, but the problem arises because these amendments are rarely mentioned in specific detail. They are rarely mentioned in the Journals of either House except that Lords' amendments to Commons' bills usually appear in the House of Commons Journal.³³

Though there was more active participation in the House of Commons on the presentation of enclosure bills after 1790, it should be remembered that earlier enclosure was much easier to obtain because there were fewer petitions and very often very few interested parties, at least very few of the smaller group of landowners who became the most active opponents of enclosure.

The abortive Simpson enclosure bill of 1762 provides one of the earliest examples of opposition in Buckinghamshire. The first Simpson enclosure petition was presented to Parliament late in 1762. It was on behalf of the lord of the manor, the patron of the parish church and several others. In reply, a counter-petition was presented by several owners and proprietors setting forth that:

"the petitioners are Owners and Proprietors of four-fifths part, and upwards of the said fields, grounds and pastures, so intended to be inclosed, and of several rights and privileges incident thereto; and that, if the said bill should pass into a law, it will be greatly detrimental to the respective Rights and Properties of the Petitioners, in such new intended Inclosure, and tend to the ruin of many of them". (34)

31 Sheila Lambert, *op.cit.* (1971), p.136; by the implementation of stricter Standing Orders, see *H.C.J. Vols. 54-56 (1798-1801)*, *passim*.

32 W.E. Tate, *The English Village Community* (London, 1967), p.103; See also, W.E. Tate, "The Commons Journals as Sources of Information concerning the Eighteenth-Century Enclosure Movement", *Economic Journal*, Vol.LIV (1944), pp. 75-95.

33 Sheila Lambert, *op.cit.* (1971), p.136.

34 For full details of the passage of the first Simpson enclosure bill through Parliament see, *H.C.J. Vol.29 (1761-4)*, *passim* and *(H)ouse of (L)ords (J)ournal*, vol.30 (1760-4), *passim*.

This counter-petition was ordered to 'lie upon the table', until a report of the original petition was received from the Committee. At a subsequent meeting counsel representing both the petition and the counter-petition were heard. On reporting back from the Committee to the House, Mr. Lowndes observed that the original petitioners had stated their case to the satisfaction of the Committee but that several parties had refused to sign the bill, for several reasons.³⁵ One woman doubted that she could maintain her fences. Another party would not sign because it opposed the views and wishes of his father, who was violently opposed to enclosure, and yet another said that "he would lose his life before he would lose his land". Also in opposition to the enclosure were six of the eight trustees of the parish poor and also the trustees of certain other charity lands. To add some intriguing variety, it appears that two of the more substantial opponents of the enclosure had in fact signed an Article of Agreement to enclose the parish just two years earlier. It seems therefore that the main opposition were in fact agreed in principle to an enclosure, but remained in dispute with the leading petitioner, the lord of the manor, on several issues.³⁶ The total opposition amounted to a land tax value of £342¹/₂ out of a total land tax value of £799³/₄, a considerable opposition indeed.³⁷ The bill with amendments was ordered to be engrossed though it was very far short of the two-thirds majority advocated by the Reverend Henry Homer as necessary to successfully petition Parliament.³⁸ On consideration in the Upper House their Lordships postponed any judgement. In the event, the bill was dropped on the

35 Lowndes was Member of Parliament for the County of Buckinghamshire from 1741-74. He was a member of a substantial landowning family in Buckinghamshire and had occasion to present a number of enclosure petitions to Parliament.

36 Undoubtedly much opposition to enclosure was not always directed against enclosure per se., but rather against specific clauses contained in the bills; See also W.E. Tate, *loc.cit.* (1944), p.394.

37 The Committees variously considered the acreage to be enclosed, the land tax value of the land and also, though more rarely, the land in terms of a property or poor rate assessment.

38 Henry Homer, An Essay on the Nature and Method of Ascertaining the Specific Shares of Proprietors upon the Inclosure of Common Fields (Oxford, 1766), p.36.

premature prorogation of Parliament. It was very reminiscent of the enclosure bill for the parish of Morton Morrel in Warwickshire in 1756:

"it is said that Morton Morrel having broken the wind in galloping uphill in its first career, will not be able to drag its hindmost legs into the other House this Session. Who is your rider? Much depends on the choice." (39)

an allusion to the members or members of the Committee who would carry the engrossed bill to gain the consent of the Upper House. The Morton Bill was eventually passed but the Simpson Bill was dropped.

A new petition for Simpson was prepared in January 1765. The same petitioners were again defeated and the proceedings did not reach a second reading. A third attempt was made early in 1770. This time the bill was more successful in spite of the presentation of a counter-petition on the third reading in the Commons:

"the petitioners [i.e. the counter-petitioners] are very well satisfied with the Situation and Convenience of the respective Lands and Properties in their present unenclosed State in the said Fields; and the said Bill, if passed into a Law will be a great Injury to the Petitioners there". (40)

The Commons Committee reported that the parties concerned had given their consent to the Bill to the satisfaction of the Committee. From a total Parish value of £773 the opposition totalled £215³/₄ and the neutral parties £83³/₄, still a considerable opposition. The report was ordered to 'lie upon the table',⁴¹ so that counsel both for and against the bill could be heard. It finally received the Royal Assent in March 1770, seven years and three months after the original petition had been presented.

Simpson was the first well-documented example of a counter-petition for Buckinghamshire but it was preceded by the more successful opposition to a proposed enclosure of Iver in 1746. This was an early example of an

39 L. Dickins and M. Stanton, *op.cit.* (1910), p.361.

40 For full details of the passage of the successful Simpson Bill through Parliament; see *H.C.J.* Vol. 30 (1765-66), *passim* and *H.C.J.* Vol. 32 (1768-70), *passim*.

41 For an explanation of the term, see W.E. Tate, *op.cit.* (1967), p.98.

attempt to enclose an expansive piece of common and waste land in a parish that a century before had experienced 'Digger' activity.⁴² The resulting counter-petition of 1746 delayed the enclosure of Iver until 1800.⁴³

For Simpson and Iver there were successful counter-petitions, delaying enclosure for some years. Two other enclosures in Buckinghamshire were also attended by successful counter-petitions, Stewkley (1811-4) and Quainton (1840-3).

A petition was presented to Parliament in 1803 for the enclosure of Stewkley parish. On the third reading of the bill a counter-petition was presented. It must have been a persuasive counter-petition because the proceedings were suspended at the committee stage.⁴⁴ This first attempt to enclose Stewkley was attended by much local rioting. The Quarter Sessions Records report that four men, all of Stewkley and all described as yeomen, were indicted for "Riot and Assault upon John Roberts", to which charge they pleaded not guilty. Roberts was a solicitor's clerk employed to affix a notice to the door of the parish church advertising the intended application to Parliament for an enclosure act. On entering the church yard he was met by a "great mass" of people, fifty or sixty in number. The accused stopped Roberts from affixing the notice and confiscated it, and in so doing committed an assault. The crowd had been advised:

"our lawyers from Leighton [Leighton Buzzard] have told us not to suffer the notices be stuck up".

On attempting to affix the notice a second time, this time in the company of the constable, Roberts was attacked. On leaving the church yard he was pelted with stones. The accused were found guilty and sentenced to three months confinement. Of the four indicted, three were

42 Keith Thomas, "Another Digger Broadside", Past and Present, No. 42 (1969), pp.57-68.

43 For full details see, H.C.J. Vol. 25 (1745-50), pp.194 and 256.

44 See H.C.J., vol. 58 (1803), passim.

in possession of lands when the Stewkley enclosure was completed in 1814.⁴⁵

This particular example of assault has two distinguishing features compared with other Buckinghamshire cases. It is the only detected incident of its kind that is not reported in the House of Commons Journal. Similar incidents at Oakley (1819-21), Princes Risborough (1820-23) and Towersey (1822-25) were all reported.⁴⁶ Also, it is the only case where the 'mob' had acted upon instructions from counsel. The ringleaders were owners of land, whereas in the other examples the rioters were usually assorted labourers.

The final chapter in the Stewkley enclosure was the successful presentation of a petition in 1811, which became law in spite of a counter-petition and in spite of a land tax value of £58 out of a total land tax value of £354,⁴⁷ in opposition.

The most important (because the best documented) Buckinghamshire counter-petition involved the abortive Quainton bill of 1801 which delayed the enclosure of this parish until 1840-2.⁴⁸

The first steps towards the enclosure of this parish were made in 1795 with the unofficial appointment of two well-known commissioners on Buckinghamshire enclosures, John Fellows and William Collisson. They were employed to assess the profitability of enclosing Quainton parish.⁴⁹ A

45 There was in fact an agreement as early as 1772 to enclose Stewkley. Stewkley Enclosure Papers, C.R.O.Ayl., IR/M/10/1, 'Agreement of 14 January 1772 by Thomas Sheppard Esq. and several others'; For details of the first petition to Parliament and the 'Riot', see H.C.J. vol.58 (1802-3), p.397, Quarter Sessions Inrolments, C.R.O.Ayl., vol. 27 (Michaelmas, 1803), and (Epiphany, 1804); Quarter Sessions Case Books, C.R.O.Ayl., QS/JC/1, 1802-10 (Epiphany, 1804).

46 See respectively, H.C.J. Vol. 74 (1819), p.406, vol. 75 (1820), p.334 and vol. 77 (1822), p.213.

47 For the eventual passing of the Stewkley enclosure act, see H.C.J. vol. 66 (1811), passim.

48 Also discussed by J.L. and B. Hammond, op.cit. (1911), passim; and P. Mantoux, op.cit. (1955), passim.

49 Contained in Quainton Enclosure Papers, C.R.O.Ayl., IR/M/9 papers relating to the unsuccessful bill of 1801.

petition was presented to Parliament in 1801 backed by a considerable volume of argument presented by Fellows stating the undoubted advantages of enclosing the parish.⁵⁰ On paper it seemed that the promoters of the bill had a very sound case. The major argument that they presented was the improved value that would result, and the saving in costs because, "Quainton field is the only one in that part of the county of Buckinghamshire that remains uninclosed". Consequently the fencing would be less expensive because the parish was already surrounded by old enclosures.

An ensuing counter-petition alleged that:

"the proprietors of the said commonable lands are very numerous, and the shares or properties belonging to most of them are so small, that the proposed Division and Inclosure would be attended with an Expence far exceeding any improvement to be derived therefrom; and that a great majority, in Number, of the said proprietors dissent to the said Bill, and the proprietors of more than One-third and very nearly One-half Part, in Value, of the lands to be inclosed, also dissent thereto." (51)

The report from the Committee stated that the allegations of the petition met with their satisfaction and that all had signed the bill except those in possession of land valued at £39-12-6¼, who refused to sign, and those in possession of land valued at £3½ who remained neutral, out of a total land value of £246-8-6.⁵² The consenting parties numbered eight and those who dissented numbered twenty-two and there were four neutral parties. Apparently the majority in value had an overwhelming advantage, and it was the majority in value not the majority in numbers that impressed Parliament.

P. Mantoux quotes the above figures and concludes that the average size of the consents was £28-8-3 and of the dissents was £1-16-0, "thus the opposition was of small landowners".⁵³ However, he neglects to read

50 See also Chapter III supra and in particular p. 59, where a letter written by John Fellows in support of the Quainton Enclosure is partly transcribed. *Ibid.*, Letter of 14 May 1801.

51 *H.C.J.*, Vol. 56 (1801), p.298.

52 *Ibid.*, p.544.

53 P. Mantoux, *op.cit.* (1955), pp.170-1.

further in the Commons Journal. Supplementary information suggests that the figures quoted above included the old enclosed parts of Quainton as well as the open fields, and this information is repeated in the surviving Quainton enclosure documents. In fact, in the open fields, a total of $44\frac{1}{2}$ yardlands was proposed for enclosure. The consenting parties totalled $23\frac{7}{8}$ yardlands and the dissenters $18\frac{5}{8}$ yardlands. The neutrals totalled 2 yardlands.⁵⁴ Clearly the opposition was much stronger,

"the present Bill, being an attempt to force an Inclosure of Lands where the Property is nearly equally divided between those who consent to, and those who dissent from, the Bill, and where the Numbers are as three to one against the Bill, it would be contrary to the Usage of Parliament, and to the Reason and Justice of the case if such Bill were permitted to pass into a law". (55)

Apparently this persuaded Parliament because nothing more was heard of the bill until 1814. On this occasion a second petition was presented but it did not even gain a first reading.⁵⁶ Quainton was eventually enclosed by an act of 1840, nearly forty years after the original petition had been presented.

On examining the Parliamentary journals W.E. Tate was of the opinion that whatever the mode of protest against enclosure, counter-petitioning was not the favourite method, though he has described occasions where the counter-petition was successfully employed.⁵⁷ The evidence from Buckinghamshire may support Tate because only sixteen counter-petitions

54 Quainton, *op.cit.*, "Statement of Property" (N.D.), C.R.O.Ayl., IR/M/9; The *H.C.J.* in fact quotes $42\frac{1}{2}$, $21\frac{7}{4}$, $19\frac{1}{2}$ and 1 yardland respectively. The Hammonds quote the *H.C.J.* fully, *op.cit.* (1911), pp.393-4.

55 *H.C.J.*, Vol. 56 (1801), p.545.

56 *H.C.J.*, Vol. 70 (1814), p.34; The commissioners Fellows and Collisson were employed by the failed promoters until at least 1810, the last document being a survey prepared by Fellows, Quainton, *op.cit.*, "Survey Respecting the Proposed Inclosure of Quainton, 7 November 1810", C.R.O.Ayl., IR/M/9.

57 W.E. Tate, *loc.cit.* (1944), p.403; W.E. Tate, "Some unexplored Records of the Enclosure Movement", *English Historical Review*, Vol. 57 (1942), p. 252, describing the abortive attempts of 1781 and 1784 to enclose the parish of Great Lake in Nottinghamshire. The enclosure was staved off as a result of counter-petitions until 1798-9; In W.E. Tate, "Parliamentary Land Enclosures in the County of Nottinghamshire during the 18th and 19th Centuries (1743-1868)", *Thoroton Society Record Series*, Vol. V (1935), he itemises ten occasions for Nottinghamshire where counter-petitions were presented to Parliament, p.183.

were presented for one hundred and thirty one enclosures. However the examples cited for Simpson, Iver, Quainton and Stewkley confirm that where a counter-petition was employed it could be very successful in delaying a bill and possibly forcing favourable clause amendments.

For a number of the counter-petitions presented to Parliament no details of the opposition are given. Upton (1809-19) and Langley Marish (1809-13) are two cases in point.⁵⁸ On other occasions it seems certain that the counter-petitioners did not object to enclosure per se, but rather to the allegations and proposals of pending bills. The familiar phrasing of the counter-petitioners was; "therefore praying, that the bill may not pass into a law as it stands" or "as it is now drawn".⁵⁹ Counsel for both parties would be ordered to attend the Committee where "all have Voice" and the conflict might have been resolved by amending the original bill. Whether such amendments favoured one party or another cannot be examined since details of amendments are rarely given in the Journals. Also, in spite of deliberation in Committee there were usually still some dissenting voices.

The counter-petition presented at the Newport Pagnell enclosure of 1794-5 confirms the opinion that some objections were not entirely against the enclosure as much as against the conduct in which representation to Parliament was made, and against the allegations of the bill. They [the counter-petitioners] "beg leave to councel their petition against certain clauses". The objections were that they had not been consulted upon, or appraised of the terms upon which the enclosure was to take place. They objected to the claim of the lord of the manor for his rights of the soil of the waste, "for there is no land of that description", and they disapproved of the selection procedure for the

58 See H.C.J., Vol.63 (1808), p.254, and Vol.64 (1809), p.181 respectively.
 59 Taken from the counter-petitions presented at the enclosures of Iver (1800-4) and Preston Bissett (1781-2) respectively, H.C.J. Vol.55 (1800), p.513 and Vol.38 (1781), p.443.

commissioners [nominated by the lord of the manor and the leading landowner, the two original petitioners]. In fact the signatories to the counter-petition included every notable landowner in the parish except the two original petitioners. They also objected to the proposed fee of two guineas per day for the commissioners nominated in the petition, stating that this was greater than the usual allowance, and even objected to the commissioners themselves, as they were totally unknown to the counter-petitioners.⁶⁰ Finally, they pointed out that some of them owned land in both the divisions of the parish, Tickford Field and Portfield, and that if Portfield alone were enclosed, then:

"the Expences of such of the Petitioners who are Owners of lands in both fields will be considerably increased in case the Tickford Fields should ever be inclosed"

and besides;

"the land will be very little, if at all improved by the Inclosure when the Expences attending it are considered." (61)

In this parish it seemed that two individuals, exclusive of the rights of the other landowners, wished to exercise undue powers of procedure and selection. The counter-petition resulted in amendments, though the details are not known. The lord of the manor did in fact receive an allotment for his right of the waste, though since this was only half an acre it appears there was only about ten acres of waste to be allotted, and the commissioners received the original proposed fee of two guineas per day.⁶² Even after the amendments those possessing 172½ acres still

60 The first of the objections is invalid. In Buckinghamshire in the 1790's a fee of two guineas per day for the commissioners was normal. See Chapter VIII *infra* for a breakdown of enclosure costs. The second objection is partly valid. One of the commissioners, John Chamberlain of Cropredy in Oxfordshire was very experienced, see W.E. Tate, "Oxfordshire Enclosure Commissioners, 1737-1856", Journal of Modern History, Vol. XXIII, No. 2 (1951), p. 141; and M.W. Beresford, "The Commissioners of Enclosure", Economic History Review, Vol. XVI (1946), p. 132, but this was the first of his four Buckinghamshire commissions.

61 Details of the Newport Pagnell enclosure in H.C.J. Vol. 49 (1794), *passim*. Tickford Field was enclosed by the Act of 47 Geo. III, ch. 30, 1807.

62 The maximum allotment in lieu of the rights of the soil of the commons and wastes was one-twentieth, hence the extent of the waste of Portfield must have been a maximum of 10 acres.

objected to the enclosure, and this represented 20% of all the lands to be enclosed.⁶³

Of the enclosure of parishes situated in the very south of the county on the Thames terrace gravels, four were attended by counter-petitions.⁶⁴ These were enclosed during the first decade of the nineteenth century, during the French Wars, and were parishes containing extensive wastes, marginal lands, ^(that) were to see the plough for the first time. In fact, heaths and commons seemed to cover almost the entire portion of this, the Burnham Plateau, during the eighteenth century.⁶⁵

The Wraysbury counter-petitioners claimed that the parish:

"consists of about 1500 acres of different Qualities, and have for time immemorial been open and uninclosed, and the produce thereof had and taken, in and throughout the same, by the Persons having Right and Interest therein, to their very great Benefit and Advantage, and that dividing and inclosing the same will be injurious to the Petitioners and other having right therein". (66)

Wraysbury and the other parishes on the gravels benefited from the use of those extensive wastes and heaths, especially Iver Heath, and the loss of such valuable grazing, and possibly more important, fuel gathering lands would have been severe. The counter-petitioners at Wraysbury were mainly, if not entirely, small landowners. By the Committee stage in the House of Commons their ranks had dwindled to a meagre £6-18-0 in land tax value, out of a total land tax value of £295-14-0. At Iver the opposition was much more substantial, £167-2-0 dissented out of £838-15-11, with £112-7-0 neutral.⁶⁷

It is interesting to record that the only case of malicious anti-enclosure feeling as measured by fence breaking, occurred in the parish of Iver. In 1802 three defendants appeared before the bench to receive

63 H.C.J. Vol.49 (1794), p.555.

64 They were Wraysbury 1799-1803, Iver 1800-4, Upton 1808-19 and Langley Marish 1809-13.

65 D.W. Fryer, Buckinghamshire; Part 54 of L.D. Stamp (ed.), The Land of Britain. The Report of the Land Utilisation Survey of Britain (London, 1942), p.65.

66 H.C.J. Vol.54 (1799), p.650.

67 See H.C.J. Vol.54 (1799), p.712 and Vol.55 (1800), p.589, respectively.

sentences for convictions on charges of feloniously breaking down fences in the new enclosures at Iver. They were fined six pence each, a strangely nominal sum for an apparently serious felony.⁶⁸ In 1803 four more defendants appeared, all described as labourers from Iver. They were indicted for destroying the fences of the new enclosures and were found guilty. Two were sentenced to four months and two to two months hard labour.⁶⁹ The very different sentences on the two occasions seems grossly unfair. It may be that in the interim the interference of new enclosure fences had become a more common offence.

The Iver enclosure was attended by opposition before the petition was presented to Parliament. The first attempt to enclose the parish was in 1746 with the abortive bill [outlined above, p.182].⁷⁰ Further moves were made in 1791.⁷¹ The opposition to the petition of 1800, similar to Newport Pagnell, included a reasonable amount of opposition on technicalities, on specific clauses in the proposed bill. One of the leading opponents circulated a letter of protest:

"understanding that the Bill may be tendered for your signature before it has been seen by all the proprietors, I ask you to withhold yours until it has been read and considered by everyone. The draft contains inaccuracies and wants important clauses such as protection of various

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- 68 Quarter Sessions Inrolments, C.R.O.Ayl., Vol.27 (Michaelmas, 1802).
 69 Ibid. (Epiphany, 1803) and Quarter Sessions Case Book, C.R.O.Ayl., QS/JC/1, 1802-10 (Epiphany, 1803); On two other occasions, at Marsworth (1809-11) and Upton (1809-19) there were convictions for carrying away rails that had been erected under the recent respective enclosures. They were convictions of individuals but it is difficult to distinguish them as crimes of opposition against enclosure from everyday rural crime such as illegal tree felling, a common enough crime at the time. Possibly the action at Upton was a measure of enclosure opposition since the crime occurred while the commissioners were still engaged on the subdivision of the parish. See Quarter Sessions Inrolments, C.R.O.Ayl., Vol.32 (Michaelmas, 1814) and Vol.31 (Easter, 1813), respectively.
 70 Also contained in an account of money defrayed in opposing the bill of 1746, The MAY Collection, C.R.O.Ayl., D/W/70/14, "Account of Money disbursed by Samuel Jacques in opposing the Bill for empowering the Earl of Uxbridge to Inclose Iver Heath". Dec. 1746-Feb. 1747.
 71 Contained in a letter of 26 September 1791, ibid., D/W/83/1.

ancient rights, and of the poor, and an allotment for the minister". (72)

The objectors refused to return the original draft bill causing a delay while another was constructed.⁷³

Once again the main objection was one of definition rather than of principle. The lord's right to the soil of the waste was objected to even though this was a common enough clause. The terms for committing the tithes were objected to, though once again these terms followed the usual procedure. Finally, the objectors passed comment on the proposed compensation for the poor of the parish, but they were not poor themselves, though they were in fact the lesser freeholders.⁷⁴ The fact that the proposed enclosure included 1172 acres of waste, the largest single piece of waste ground in the county at the time, which the cottagers and poor had enjoyed, illegally or otherwise within memory, was virtually overlooked.⁷⁵ Ironically it now seems that a stronger case could have been made if this last point had been pursued. The Churchwardens Account Book contains an entry for 19 November 1800, after the Act of enclosure had been passed revealing from miscellaneous writings that "Iver Heath

72 Circular letter of 3 April 1800 from Charles Clowes, the principle objector, Ibid., D/W/83/12; Corroborated in a letter from Clowes to Christopher Tower, a leading landowner in Iver, 19 April 1800, The TOWER Collection, C.R.O.Ayl., Miscellaneous documents, "We have found the Bill in many respects imperfect, and several Clauses and parts of Clauses must be expunged, and other Clauses and parts of Clauses must be introduced to make the Bill agreeable to the orders of the House of Commons"; An earlier letter of 14 September 1799 says, "Out riding this morning I learnt of opposition to Mr. Bernard's enclosure of Iver Heath Common Fields, and that the freeholders are being invited to consider the best means of applying for an Act". WAY, op.cit., D/W/83/4; Clearly these letters indicate that not all opposition was against enclosure per se but more a protection by the interested parties of their own rights. That such protection may have resulted in counter-petitions to Parliament is important and must be considered whenever the literature discusses such opposition. W.E. Tate has made a similar observation, loc.cit. (1944), p.394.

73 Contained in a printed circular of 29 April 1800 from Frogatt and Robson, the solicitors to the enclosure, WAY, op.cit., D/W/83/15.

74 The leading opponent of the enclosure was Charles Clowes. He received 71 acres in the Award, Iver Enclosure Award, C.R.O.Ayl., IR/35b.

75 Ibid., the cottagers of Iver were allotted 37½ acres and the poor less than 12 acres.

and other lands in this parish were free Warren".⁷⁶ Though the opponents were no doubt rueful at the proposed partition of the waste, their major concern was the size of the lord's allotment and the proportionate reduction in their own, rather than that the waste should remain open.

At nearby Stoke Poges John Penn, the lord of the manor,⁷⁷ proposed that a sum of £50 per annum should be distributed among the poor as compensation for the loss of the common which he intended to enclose. The ensuing opposition is another of those examples of support for enclosure but dispute over the proposed terms. The two leading opponents of Penn's scheme were Captain R.W.H. Howard-Vyse and the incumbent, the Reverend Arthur Bold. Another opponent, the Reverend William George Freeman considered the proposals nothing less than a "Robbery". Howard-Vyse, when he writes to Penn, makes his attitude perfectly clear:

"so I will finally tell you that if the measure is attempted without any meeting or preparative agreement with regard to the right of the poor people, however reluctantly, yet I shall most certainly give it every opposition in my power". (78)

That important phrase suggests that Howard-Vyse is in agreement with a scheme to enclose, but not under the terms proposed by Penn. There is no record of this opposition at Parliament because by the time the petition had been submitted it had undergone considerable alteration, such that 200 acres of common would be set aside for use as a fuel allotment for the poor.⁷⁹

The Journal of the House of Commons in publishing the amount of

76 W.H. Ward and K.S. Black, A History of the Manor and Parish of Iver, (London, 1933), p.231.

77 John Penn, 1760-1834, was a grandson of William Penn the founder of Pennsylvania, and devoted much of his resources to improving his seat at Stoke Park.

78 The record of opposition at Stoke Poges (1810-22) is taken from Stoke Poges Parish Council Newsletter, Nos. 16 and 21 (March 1971 and March 1972). I am obliged to the Editor of the newsletter, Mr. L. Rigby for this information.

79 From a total of about 1000 acres allotted in Stoke Poges and Wexham, about 300 acres was open fields and 700 acres was common and waste. In addition, nearly 900 acres of old enclosures were reallocated in exchanges.

objection to enclosure only occasionally gives reasons for such objections. Other sources have to be consulted to establish the true nature of opposition. In particular supplementary enclosure sources, the draft petitions and counter-petitions and miscellaneous correspondence, can give useful information. As the Quainton example showed, the quotation at Parliament does not always reflect the true opinion in the parish. Recently, another example of similar misinformation has come to light. The evidence presented to support the Thornborough enclosure petition of 1797 stated that of the $62\frac{1}{2}$ yardlands to be enclosed, only those possessing $9\frac{1}{4}$ yardlands refused to sign and those possessing $5\frac{3}{4}$ yardlands remained neutral. Other evidence for the same enclosure states that of a total of $61\frac{5}{8}$ yardlands to be enclosed, those possessing $14\frac{7}{8}$ yardlands refused to sign and those possessing $6\frac{7}{8}$ remained, not neutral, but unobtainable. They did not appear at the meeting to sign or refrain from signing the petition.⁸⁰ The first source gives the amount of agreement to enclose as 76% of the parish, measured in yardlands. This was short of a four-fifths majority but greater than a two-thirds majority. The second source gives the amount of agreement as 65% which is short of both a four-fifths and a two-thirds majority.

This very limited evidence suggests that the petitioners falsified the information submitted to Parliament. This was probably not so, though it would have been very easy to do since opponents of enclosure were rarely represented by counsel at Westminster. It is more likely that in the interim between drafting the petition and presenting it to Parliament persuasive powers were employed, possibly coercion but more probably buying out opponents, in order to present a more impressive case in

80 H.C.J., Vol.52 (1797), p.425; and STOWE Collection, Henry Huntington Library, San Marino, California. (Uncatalogued) folder of papers concerning the Thornborough enclosure of 1797-1800. I wish to acknowledge a research grant from the Knop Research Fund of Sheffield University for the purchase of a microfilm extract of the Stowe Collection.

Committee. In the Thornborough example six of the seven opponents were named and received allotments in the award.⁸¹ Only one therefore was 'bought out', but for the information in the House of Commons Journal to be correct one or more of the remaining six would have needed to change his mind.

The following table (VI(a)) compares the evidence presented to Parliament, and the evidence at source, where such evidence has survived, that is, at the parish before the enclosure petition was presented.

Thornborough and Quainton have been referred to already. The other notable example in the table is the enclosure of Stoke Mandeville. It seems evident that the neutral parties were subsequently persuaded to change their minds and sign the petition. The single opponent at Stoke claimed that:

"The soil at Stoke is not calculated for a variety of crops or modes of culture; wheat and beans, for which it seems exclusively adapted, succeed very well in its present state; neither is there, as I can find any Quantity of waste to defray a part of the Expences of Enclosure". (82)

That there should be a difference between the evidence at source and the evidence presented to Parliament is quite understandable considering the length of time that conveyancing could take. For example, the single opponent of the Weston Turville enclosure petition was eventually persuaded to sell his interest, though this transaction is not recorded in the Parliamentary sources.⁸³

81 Thornborough Enclosure Award, C.R.O.Ayl., IR/71.

82 Though this excuse seems to cloud what was probably his real, rather more selfish reason for wanting to oppose the enclosure, "where there are long leases, which is my case, if the expence of Enclosure should fall on the landlord the Tenant reaps the profit".

Stoke Mandeville Enclosure Papers, C.R.O.Ayl., IR/M/11, letter of 8 March 1797 by Mr. J. Johnson in reply to a request to sign the petition.

83 The correspondence relating to the Weston Turville enclosure is contained in Weston Turville Enclosure Papers, C.R.O.Ayl., IR/M/3/3; The deed of purchase is in Lowndes Estate Papers, C.R.O.Ayl., D/19/84.

Table VI(a): Evidence of Opposition to Parliamentary Enclosure, a Comparison between the House of Commons Journal and other Sources.

a) Evidence from the House of Commons Journal.⁸⁴

<u>Parish</u>	<u>Date of Act</u>	<u>Consents</u>	<u>Dissents</u>	<u>Neuters</u>	<u>Other</u>
Stoke Mandeville	1797	£165-12-0	£10-6-0	—	£14-4-0
Thornborough	1797	47½ yardlands	9½ yardlands	5½ yardlands	—
Weston Turville	1798	£302-2-10	£4-18-0	£27-3-0½	—
Iver	1800	£548-14-11	£167-2-0	£112-7-0	£10-12-0
Quainton	1801	£203-5-11¾	£39-12-6¼	£3-10-0	—
Olney	1803	—	(No figures given)	—	—
Bledlow	1809	£231-1-11¾	£40-2-3	£76-16-5¾	£0-16-8¾
Princes Risborough	1820	c. 2,090 acres	c. 1,087 acres	c. 701 acres	—

b) Evidence from other contemporary sources.

Stoke Mandeville	1797	£83-10-8	£10-6-0	£78-1-8	£18-4-0
Thornborough	1797	40½ yardlands	14½ yardlands	6½ yardlands	—
Weston Turville	1798	£302-2-10	£4-18-0	£27-3-0½	—
Iver	1800	£548-14-11	£167-2-0	£112-7-0	£10-12-0
Quainton	1801	23½ yardlands	18½ yardlands	2 yardlands	—
Olney	1803	75 Common Rights	—	5 Common Rights	—
Bledlow	1809	£231-1-11¾	£40-2-3	£76-16-5¼	£0-16-8¾
Princes Risborough	1820	£242-15-5½	£154-2-0	£83-9-7	£1-4-3

⁸⁴ The monetary figures refer to the Land Tax Assessments. The Quainton example of course refers to the abortive Bill of 1801.

Apart from the examples of Stewkley and Iver there is very little further evidence to suggest violent opposition to enclosure. There may have been similar actions that were never proceeded with at court, or were never detected. At Haddenham, enclosed in 1830-4, when word spread through the village that notices of intended enclosure had been affixed to the doors of the church,

"the people went and toour [em] down. They were put up agen, but they toour em down". (85)

How violent this became, if at all, is not known. Possibly similar actions took place in many other villages, they would all no doubt be lost to history but for an active 'folk memory' as at Haddenham.

The Stewkley opposition, the wilful assault of the administrators of enclosure, the mob attacking the clerks in attempting to affix notices of intended enclosure to the doors of the parish church, seems to be the only type of violent opposition. In citing cases recorded in the House of Commons Journals, P. Mantoux concluded that:

"This passionate opposition, in strong contrast with the villager's habitual timouressness, may have had no other cause than an instinctive distrust of change" (86)

Considering that enclosure was proceeding apace for many years and the consequences could be observed at close hand, the 'mob' activity was probably more than a simple distrust, it was fear and apprehension. Similar actions took place at Oakley, enclosed in 1819-21, Princes Risborough, enclosed in 1820-3 and Towersey, enclosed in 1822-5.⁸⁷

At Oakley, a representative of a local country attorney:

"was prevented from affixing the said Notices by a crowd of between thirty and forty persons, who had assembled themselves round the said door, and refused to let him approach thereto".

85 H. Harman, Buckinghamshire Dialect (London, 1926), p.95.

86 P. Mantoux, op.cit. (1955), p.175.

87 In all three cases it is reported that the Standing Orders had not been complied with. The particular Standing Order states that it is necessary to affix notices of intended enclosure on the doors of the parish church for three consecutive Sundays in the months of August and/or September before the petition could be presented at the forthcoming Session of Parliament; H.C.J., Vol.34 (1774), *passim* Standing Orders.

Instead he read the notices:

"it not being possible for him to approach the Church Door without personal danger to himself and the two head constables of the Hundred, and the constable of the parish". (88)

Similarly at Towersey, the solicitor;

"was prevented by a mob which was there assembled; and that two of the persons therein concerned have been prosecuted for that riot and convicted, and imprisoned for the same". (89)

The strength of the mob was estimated at one hundred and in the ensuing struggle, John Hollier the solicitor, was thrown from his horse.⁹⁰ The prominent members of the crowd refused to give their names to the constables, but in evidence, the vicar of Towersey identified the two ringleaders. He stated that he had never seen such a large assembly in Towersey before, at least treble the normal divine service crowd, but that it did not contain any strangers.⁹¹ The bell ringer in giving evidence said that no violence was offered, only noise. Two other witnesses minimised the whole incidence. They stated that there were less people and no violence except that offered by Hollier's assistant who broke his umbrella on one woman and kicked another. The two

88 H.C.J., Vol.74 (1819), p.406.

89 H.C.J., Vol.77 (1822), p.213.

90 Quarter Sessions Case Book. C.R.O.Ayl., QS/JC/6 (Epiphany, 1822); John Hollier was a very active solicitor from Thame in Oxfordshire. He served a number of times as clerk to Buckinghamshire enclosures.
 91 An important point, perhaps defining the more or less insular nature of the rural community. This was in direct contrast to the Sheffield riots of 1791 where it is suggested that supporters from Birmingham were assembled for the disturbance. Modern researchers however are sceptical on this point and are inclined to put it down to sensational journalism. F.K. Donnelly, op.cit. (1970), p.34; Where single parishes were concerned it seems very likely that disturbances would have been very small and localised. Where there were larger areas, and in particular large areas of common, as at Sheffield and Otmoor in Oxfordshire, the disturbances would have been proportionately larger, both in terms of sphere of influence and participation. J.I. and B. Hammond, op.cit. (1911), pp.88-96; For this reason none of the Buckinghamshire disturbances reached a level that could not be contained by the local authorities, though Iver, because it involved such a large common was a potential trouble spot.

ringleaders were found guilty and sentenced, one to one month in prison and the other to fourteen days. They were both fined £5 and bound over to keep the peace for one year.⁹²

The Opposition at Princes Risborough and Monks Risborough

The twin parishes of Princes Risborough, enclosed in 1820-3 and Monks Risborough, enclosed in 1830-9 are singled out for special study. A voluminous source material has survived for both of these parishes.

They were enclosures which were petitioned during the years of agricultural depression in the 1820's and 1830's and they were parishes that shared both Chiltern and Vale characteristics, containing wastes and commons, unlike the parishes in the Vale which consisted almost entirely of open field arable. With Towersey, a contemporary enclosure, they experienced much opposition to enclosure, and were all attended by counter-petitions in Parliament. Furthermore, they were parishes enclosed at the height of the post-war agricultural depression and no doubt enclosure served to exacerbate an already severe rural situation.

The 1836 Select Committee Report on Agricultural Distress is retrospective evidence of mounting adversity since 1822, especially in Buckinghamshire. The enclosure of the Risborough parishes should be understood in the light of this report. By 1836 the distress, in Buckinghamshire at least, had reached a critical stage but it was a distress that had grown over the preceding fifteen years. This period embraces the enclosures of both Towersey and Princes Risborough, while Monks Risborough was enclosed at the culmination of the depression in the 1830's. There was a history of rent abatement in Buckinghamshire for

⁹² Quarter Sessions Case Book, op.cit. (Epiphany, 1822), not paginated.

the whole period from the end of the Napoleonic wars, in common with other counties.⁹³ A decline in wheat prices prompted the landlords to reduce rent to obtain at least a minimum return on their lands. On many occasions it is reported that tenants were obliged to exhaust their working capital to meet the annual rents, and not infrequently they left the land altogether.⁹⁴ The landlords were often faced with the problem of finding new tenants. Such was the problem that not infrequently the farms lay idle for considerable periods of time, or else rent collection was discontinued indefinitely.⁹⁵ At Princes Risborough one farm remained unoccupied for four years, and at Aylesbury in 1831 every farm was untenanted and in the hands of the landlords.⁹⁶

Finding new tenants was a difficult task but selling the land proved equally difficult.⁹⁷ As one witness explained, before the war there was a continuity in the occupation of the land, he had lived on the same farm since 1798 and his grandfather fifty years before him;

"but looking round it will be found that there are perhaps half a dozen of my length of standing in the whole neighbourhood". (98)

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- 93 Select Committee appointed to Inquire into the State of Agriculture: with the Minutes of Evidence and Appendix (3 Reports), Parliamentary Papers, Vol.VIII (1836), 1st Report, Questions 320, 322, 679, 1653, 1656, 3680; See also, J. Oxley Parker, The Oxley Parker Papers. From the Letters and Diaries of an Essex Family of Land Agents in the Nineteenth Century (Colchester, 1964), pp.70, 138-9.
- 94 Ibid., 1st Report, Questions 327-8, 355, 526, 1356, 1389, 1773, 1803, 3675
- 95 Ibid., 1st Report, Questions 401, 1365, 1662; This partially answers E.P. Thompson's attack on the motive of higher rents as the only reason for an enclosure, op.cit. (1963 ed.), p.218; At Helpston in Northamptonshire, the scene of John Clare's poem "The Parish" there was a history of rent abatement from 1817 onwards, as described by John Barrell, The Idea of Landscape and the Sense of Place: An Approach to the Poetry of John Clare (Cambridge, 1972), p.207; the enclosure was "conceived at a time of high wartime prices, but paid for at a time of poor credit facilities and low prices", p.208; In Buckinghamshire, in the village of Haddenham Squire Franklin did what he could for those that rented from him. "He gin em stock and in some cases woont taik any rent fur three yeeurs. If thair had bin moour men like him, Hadnum woont a suffered as it did". from H. Harman, op.cit. (1926), p.98.
- 96 Select Committee... op.cit. (1836), 3rd Report, Question 14137; J.K. Fowler, Echoes of Old Country Life (London, 1892), p.258.
- 97 Ibid., 1st Report, Questions 432, 1141.
- 98 Ibid., 1st Report, Question 530, in reference to the North-West of Buckinghamshire.

Of immediate concern to the landowners of Towersey, Princes Risborough and other contemporary enclosures was the extent to which they had mortgaged their estates during the war.⁹⁹ Of wartime prices and mortgages one witness was particularly bitter,

"that is where the great evil has been; farmers having some capital, and looking forward to high prices, have purchased estates, and borrowing the greater part of the money, and now they have to pay the same rate of interest as when their produce was making double what it now makes". (100)

That doesn't mean to say that a correlation can be established between distress and enclosure because the distress was felt in all kinds of parishes, whether open field or enclosed.¹⁰¹ Besides, the 1836 Report, as it relates to Buckinghamshire makes no reference to enclosure. The main point is that enclosures were enacted during this period of distress and included the enclosure of wastes as well as open fields. For the Risborough parishes, with relatively high populations, the value of this waste was considerable.

Princes Risborough

The first steps to enclose Princes Risborough were made with a bill presented in 1819 but with the premature dissolution of Parliament it was not proceeded with.¹⁰² On presenting this bill it was found that the Standing Orders of the House had not been complied with. Due notice of the bill had not been given because the solicitors employed to promote the enclosure while attempting to affix notices to the doors of the parish

⁹⁹ Ibid., 1st Report, Question 886.

¹⁰⁰ Ibid., 1st Report, Question 1268; A major objection at Princes Risborough was that the smaller farms were already mortgaged to the extent of one-half to two-thirds of their value, Princes Risborough Enclosure Papers, Counter-Petition, C.R.O.Ayl., IR/M/1/7 (1); In nearby Haddenham this was also a problem. Those that had secured mortgages on their plots were suddenly faced with the immediacy of meeting the commissioners' expenses. "Unable to raise the money, many parted with their ancestral plots for what they could get". Walter Rose, Good Neighbours-Recollections of an English Village and its People (Cambridge, 1942), p.5.

¹⁰¹ Lord Ernle, English Farming Past and Present (London, 6th edition, 1961), pp.316-331; G.E. Fussell and M. Compton, "Agricultural Adjustments after the Napoleonic Wars", Economic History, Vol.III (1939), pp.184-203.

¹⁰² H.C.J., Vol.75 (1819), p.41.

church, were met by a "Tumultuous mob". This resulted in an indictment:

"for an assault [and] for assembling in a riotous and routous manner and causing a riot in the church yard". (103)

On this occasion, as at Stewkley, the accused were not merely landless villagers but were proprietors of lands, albeit not very substantial proprietors, but such was their influence that they were approached by another proprietor, who pointed out that if found guilty **they** would be liable to both a fine and imprisonment, but;

"he thought he could settle it if he [one of the accused] would sign a paper for the Inclosure",

the inducement was that no witnesses would appear at the trial.¹⁰⁴

"The accused would be liberated because when Captain Grubb the prosecutor called their names, no persons would appear to testify against them". (105)

The offer constituted a bribe, an inducement to sign the enclosure petition, but an inducement which the accused did not accept.

The assault may have been as severe as the promoters of the bill tried to suggest, or they may have been concerned that the case would be dismissed thus adding weight to the opposition counter-petition, or they may have been more concerned to obtain maximum consent to the enclosure petition. In view of the attempted 'bribe' it is a difficult question to solve, though the probable answer is that the promoters wished to secure maximum consent to the petition. In spite of the offered settlement the accused elected to go to trial, though they did change their pleas to guilty. They thus maintained their opposition to the enclosure and were

103 H.C.J., Vol.75 (1819), p.334; See also, STOME Collection, Henry Huntington Library, San Marino, California (Uncatalogued), Affidavit of Thomas Ayres and others, 12 December 1819; Quarter Sessions Rolls, C.R.O.Ayl. (Michaelmas, 1819), Recognizances 38-42 incl., where a "true bill" was brought in against five accused.

104 STOME Collection... op.cit., which states that Mr. Richard Holloway "is a considerable Proprietor of Lands Tenements and Hereditaments in the said parish of Princes Risborough". Though in the sward of 1823 he does not appear as receiving an allotment, Princes Risborough Enclosure Award, C.R.O.Ayl., IR/87.

105 Not only was Captain Grubb the prosecutor but he was also the lord of the manor at Princes Risborough and the leading promoter of the proposed enclosure.

fined sums varying from one shilling to two pounds, and were bound over to keep the peace for a year.¹⁰⁶ Three of the five accused definitely supported the formal counter-petition that was presented to Parliament. In the enclosure award they were allotted $1\frac{3}{4}$ acres, $1\frac{1}{4}$ acres and 12 acres respectively. Such inconsequential proprietors in such a large parish seemed to provoke such a tremendous fuss. Perhaps they had other, more substantial allies who could be persuaded by similar tactics to support the enclosure.¹⁰⁷

The opposition at this time consisted of over one hundred proprietors, which constituted one-half in value and more in numbers of the whole parish. The opposition was strongest among the smaller estates.¹⁰⁸ There were many different reasons for opposition, in particular there was an emphasis on the plight of the small man and the cost of enclosure, and

106 Quarter Sessions Inrolments, C.R.O.Ayl., Vol.35 (Epiphany, 1820), p.145.

107 Of the opposition for which there is information the following are the allotments they received:

<u>Names on the Counter-petition.</u>	<u>Allotment in the Enclosure Award.</u>
John Smith	(one of the accused) 12a-0r-34p
Mary Smith	16-3-9
Edward Smith	56-0-10
William Loosely	{ a surety for the accused } 43-2-19
William Dorsett	{ a surety for the accused } 54-3-37
Mary Stratton	9-3-36
Richard Kingham	73-3-38
Thomas Ayres	{ one of the accused } 1-3-18
John Ayres	{ one of the accused } 1-1-12
Thomas Dell	3-3-38
Ann Dell	(possessed old enclosures only)
J.F. Bristow	52-2-20
Thomas Jarvis	11-1-25
Reverend John Shepherd	40-0-5
Joseph Lindsay	(does not appear in the award)
William Darvill	5-1-34
S. Clinch	27-2-24
D. Ginger	0-2-3
I. Claydon	14-1-1
Thomas Stone	0-0-20
Robert Winslow	(chairman of the opposition) 13-0-14
"and about 100 more proprietors".	

Sources: Princes Risborough Enclosure Papers, op.cit., Opposition of 26 September 1819 and Princes Risborough Enclosure Award, op.cit.

108 Contained in a letter from Robert Winslow, the chairman of the opposition to Mr. Tindal the solicitor for the promoters, T.W. Davis, loc.cit. (unpublished essay), p.3.

also the fear that people might be "thrown upon the parish". One person remained neutral for fear of offending others:

"my mind is for it I wish it was done, but I work for several masters and very likely I may offend some of them. I shall neither meddle nor make ne'er a way". (109)

The Reverend John Shepherd [though he was not the incumbent] was adamant in his opposition. He condemned enclosures and refused to break the eighth commandment:

"by setting my hand to a measure so oppressive, for the purpose of enriching a few individuals", (110)

he invoked others to heed what is said in Proverbs.

Towards the end of 1819 there is an indication that the promoters of the bill had been hard at work persuading the opposition to withdraw. That some people did withdraw is evident, but the numbers are not known. However, Parliament was dissolved and a second application was not made until the following May.

John Grubb, the leading promoter, now expressed renewed fears that Lord Nugent, formerly in favour of the bill, might in fact aid the opposition in Parliament. Grubb suspected that this might be a vote catcher.¹¹¹ A formal counter-petition was presented on June 5th 1820. The counter-petitioners emphasised that their estates were heavily mortgaged, they lamented the loss to the poor and the cottagers of the common and waste and the cost of enclosure to the small proprietors, and cited the enclosure of nearby Bledlow which cost £11 per acre.¹¹²

The statement of property which was attached to the counter-petition is very interesting. Of the 172 proprietors of land [paying a land tax of £478-19-10 per annum] only 31 were in favour of enclosure

109 T.W. Davis, *loc.cit.* (unpublished essay), p.7.

110 *Princes Risborough Enclosure Papers, op.cit.*, letter of 12 October 1819, quoting Proverbs, Ch.14, v.31, "He who oppresses a poor man insults his Maker", and Proverbs, Ch.22, vs.22-3, "Do not rob the poor because he is poor".

111 *Ibid.*, IR/M/1/9, The Legal Papers of John Grubb, 1816-29.

112 *Princes Risborough Enclosure Papers, op.cit.*, "Statement of the Petitioners against the Princes Risborough Inclosure Bill", *H.C.J.*, Vol.75 (1819-20), p.274.

[£205-8-3], 129 were against [£211-8-7], 14 were neutral [£27-9-3] and 8 were uncertain [£34-13-9]. Such figures suggest an overwhelming opposition, almost one half in value but numerically very strong. These figures differ substantially from those printed in the House of Commons Journal and from those inserted into one of the surviving survey books. These figures were:¹¹³

	<u>Total</u>	<u>Consents</u>	<u>Dissents</u>	<u>Neutral</u>	<u>Other</u>
<u>H.C.J.</u> , in acres	3878-1-21	2090-1-18	1087-0-20	700-0-20	
<u>Survey</u> , in £'s	481-11-3½	242-15-5½	154-2-0	83-9-7	1-4-3

Falsification of the evidence would be one reason for such dissimilar results and would be strong evidence supporting a contention of social crime and social injustice, but in this case no such falsification occurred. In the time between the printing of the counter-petition and its subsequent presentation to Parliament a number of the proprietors withdrew their objections, motivated by the proposal to include a clause for defraying the cost of the enclosure by the sale of land.¹¹⁴ The promoters were quick to point this out in Parliament. This is further evidence that sometimes would-be objectors to enclosure were merely trying to introduce more favourable clauses into the bill. The Princes Risborough Act received the Royal Assent on 30th June 1820.

Monks Risborough

The passage of the Monks Risborough bill through Parliament met with considerable opposition.

¹¹³ Ibid., IR/M/1/6, Commissioners Valuation of the Parish, in 3 volumes; Ibid., H.C.J., p.334; It appears that on aggregating the figures given in the Statement, etc., the total number of proprietors was 182 and not 172. The figures quoted above have been extracted accurately and will therefore remain uncorrected.

¹¹⁴ Since the opposition expressed most alarm at the prospective cost of enclosure it was proposed to defray the costs by the sale of land. At the same time, William Collisson, one of the proposed commissioners tried to estimate the probable costs. His estimate was wildly inaccurate and a rate had to be levied on the proprietors. This was exactly what the opposition had been afraid of and the amending clause had tried to avoid.

The first hint of an enclosure is contained in a letter of December 1829 from Joseph Rose to the Earl of Buckinghamshire, the lord of the manor and the leading landowner.¹¹⁵ The resulting petition presented to Parliament stated that the disposition of the landholdings at the time was very inconvenient and the parish was incapable of improvement. There was also about 300 acres of waste ground which was used for common or pasture and for gathering fuel by the poor,

"but this liberty has been so abused as nearly to have destroyed the underwood". (116)

The waste proved to be the source of the ensuing struggle.

No opposition was voiced until the evening before the House of Commons Committee were due to sit. Two counter-petitions were presented against the bill. One was signed by only four proprietors, who payed a land tax of only £3-19-0, and the other was from the poor inhabitants of the village. They stated that the loss of the commons and waste would be injurious and benefit only a small number of inhabitants. They also suggest that the commissioners nominated,

"are not nor are either of them fit and proper persons to be so appointed commissioners",

and similarly they objected to the surveyor.¹¹⁷

The major source of evidence is the correspondence conducted between the Earl of Buckinghamshire and his agent in London, Mr. James Grace. An insight into the workings of the Parliamentary Committees can be gathered from this. Grace states that many attempts were made to introduce new clauses to render the act nugatory or very difficult of execution, and that further attempts would be made to retard the progress of the bill in its future stages through Parliament.

115 Monks Risborough Enclosure Papers, C.R.O.Ayl., IR/M/8/3-9, letter of 15 December 1829; Joseph Rose was a leading Aylesbury solicitor and a frequent member of enclosure commissions both as solicitor and as clerk.

116 Ibid., from an undated "Statement on behalf of the Promoters of the Bill".

117 Monks Risborough Enclosure Papers, op.cit., "Petition of Monks Risborough Poor against the Inclosure". There were in fact 15 clauses contained in this counter-petition.

One amending clause was inserted into the bill, a clause of compulsory purchase. The Earl of Buckinghamshire was to purchase such part of the waste in order to cover costs. This was considered a great point gained in committee in as much that if the waste had been left for sale in the ordinary way, there would have been no person to whom its possession would have benefited enough to induce him to compete with the Earl, whose woodland it adjoined, and who would probably have had it at his own price.

On the third reading of the bill a clause was proposed allowing the counter-petitioners for the poor £150 for their expenses, but this was rejected because it might:

"establish in precedent a dangerous invitation to adventuring lawyers to invite such oppositions and then although they fail, to call on the humanity of Parliament to allow them expences because their clients are poor". (118)

When James Grace informs the Earl of the forthcoming opposition he is convinced from the wording of the petition that such opposition was aimed only with a view to annoyance. On the other hand he, James Grace, having been nominated as a commissioner, might be genuinely objected to on the grounds that such a proposal contravened the Standing Orders of the House, that a steward or agent of any proprietor shall not act as his commissioner.¹¹⁹ This no doubt was the objection which the poor alluded to when suggesting that the commissioners nominated were not fit persons to act. Grace continues to suggest that if the Earl still wished him to act on his behalf then another name could be inserted who might afterwards be persuaded to resign in Grace's favour, or alternatively, if sufficient confidence could be had the person could remain as the

118 From a statement on behalf of the promoters of the bill, Monks Risborough Enclosure Papers, op.cit.

119 Ibid., Letter of 2 April 1830, James Grace to the Earl of Buckinghamshire; Standing Orders of 2 July 1801, H.C.J., Vol.56 (1801), pp.661-3; Though this standing order was broken with the appointment of Mr. Charles Smith as the commissioner for the enclosure of nearby Haddenham (1830-4).

Earl's commissioner. Joseph Rose the solicitor suggested his own son, but again the same grounds for objection might arise. Eventually the name of Edward Horwood, an experienced commissioner from Aston Clinton, was inserted into the bill:

"on the understanding that he would resign in my favour after the bill passes should it be your Lordship's wish". (120)

A week later Grace informs the Earl that the opposition was apparently inspired by persons, who in any case abuse the privilege of common right, that is, they cut wood from the waste and sell it to those commoners who live at a distance with little time to collect their own fuel. Understandably these people would lament the loss of the waste.¹²¹

Suspecting that Lord Nugent would side in favour of the opposition the Earl wrote to him to assure him that no undue advantage was being taken of any of the parties.¹²² By the Committee stage the pattern of opposition is clear. It seems directed entirely against clauses which referred to the Earl. Grace was deeply perturbed that the opponents were so:

"strongly, although most unreasonably and unaccountably supported by Lord Nugent and Sir John Dashwood". (123)

The bill was passed in the House of Commons with Lord Nugent and Mr. O'Connell speaking against it and Lord Chandos, Sir Thomas Fremantle and Mr. Greenhill Russell speaking in favour. Grace saw as his next task to secure the attendance of Peers on the House of Lords Committee,

120 Monks Risborough Enclosure Papers, op.cit., letter of 2 April 1830; Edward Horwood acted as a commissioner on six enclosures in Buckinghamshire, 1809-39. He was willing to serve as a commissioner at Monks Risborough and also willing to resign if necessary.

121 Ibid., letter of 9 April 1830, Grace to the Earl; As explained in Chapter III supra, Monks Risborough was a long narrow parish situated astride the Chilterns and the Vale. The waste was situated high up on the hills at some distance from the settlement.

122 Ibid., letter of 22 April 1830, the Earl to Lord Nugent.

123 Ibid., letter of 12 May 1830, Grace to the Earl.

so that:

"in spite of the indefatigable annoyance of our enemies I do not think the inquiry in the Lords committee can occupy much time". (124)

In due course the bill was passed but not before a unique clause was inserted appointing a special commissioner for the poor. The news was conveyed to the Earl thus, incorporating an equally unique slander:

"Sir John Dashwood King is appointed Commissioner for the poor, it is a matter of no consequence he is a blundering blockhead and in fact will not trouble himself about the matter,"

and the opposition:

"were as meek as mice, they died like cravens and the business of the second day was over in an hour". (125)

It seems very likely that the Earl and his agents underestimated the determination of the opposition and of Sir John Dashwood to act diligently, and possibly overestimated the thoroughness of Edward Horwood. The Monks Risborough Minute Books give evidence of a protracted and expensive struggle. A massive objection to the Earl's claims was made which included the signature of William Rickford the Member of Parliament for Aylesbury.¹²⁶ Sir John Dashwood made regular attendance at meetings and unwittingly, in his efforts to secure a satisfactory and sizeable allotment for the poor, he entered into lengthy and expensive negotiations

124 Monks Risborough Enclosure Papers, op.cit., letter of May 13 1830, Grace to the Earl. The letter begins:

"It must now therefore be our endeavour to secure the attendance of Peers on the committee. I saw Lord Goderich yesterday and hope to do so again tomorrow to make full arrangements with his Lordship. The Duke of Buckingham was kind enough at my request to attend the House today and has promised to attend the Committee with a friend or two. I hope also to procure the attendance of two or three other Peers through the medium of the Marquess of Winchester so that in spite..."

125 Ibid., letter of 21 May 1830, Richard Cumberland(?) to the Earl.

126 Monks Risborough Enclosure Papers, op.cit., "Objections to claims". Rickford, M.P., 1808-42 was the founder of the Aylesbury Old Bank in 1795 with his father, R.S. Sayers, Lloyds Bank in the History of English Banking (Oxford, 1957), p.353.

with the other commissioners.¹²⁷ Further squabbles over claims and prospective situations for allotments continued well into 1832. This was at great expense and one owner at least did not intend to,

"reopen any questions of Objections to claims much less of adding to the severity of the burthen of Expences already but too deeply felt by every proprietor",

and furthermore, this landowner was,

"heartily sick and tired of the conduct of the Commissioners". (128)

One landowner applied to the Courts in London for a settlement and on receipt of the injuncture one of the commissioners announced his resignation.¹²⁹ A year later, with the enclosure no closer to completion, a second commissioner resigned, leaving Horwood and two substitutes in office.¹³⁰

There followed three years of intermittent and inquorate meetings, and adjournments were made without any progress on the enclosure. In fairness, Edward Horwood was the most consistent attender throughout. From 1836¹⁰/_L39 not a single meeting was convened. On a resumption in 1839 the first task was to alter the names in the draft award to take into account deaths, and changes of ownership by inheritance and the sale of land.¹³¹ The award was eventually completed in September 1839, a full nine years after the act was passed.¹³²

Monks Risborough enclosure was bedevilled with problems. Since

127 Monks Risborough Enclosure Minute Book, C.R.O.Ayl., IR/M/8/1, Meetings of August 22, 24, 26, 27, September 7, 10, 22, October 27, November 18, 30, December 15, all 1831.

128 ELY Deposit of the Tarrant Estate in Monks and Princes Risborough, C.R.O.Ayl., D/3, Box 4/150, letter of 27 December 1831 and /148, letter of 14 April 1832.

129 Minute Book, op.cit., 29 June 1832. The commissioners received an order from Kings Bench that they must determine the objections of Mary Smith and Mrs. Robinson. Commissioner Charles Smith disagreed with the other two over the siting of Mrs. Robinson's allotment. He wanted the allotment in question to go to Mary Smith, ELY, Ibid., /149, letter of 3 April 1832.

130 Minute Book, Ibid., 21 August 1833.

131 Second Minute Book, IR/M/8/2, 27-29 May 1839.

132 Monks Risborough Enclosure Award, C.R.O.Ayl., IR/94, 23 September 1839.

it took nine years to complete perhaps the poor of the parish and the smaller proprietors, in embarking upon such protracted objections, exacerbated their poverty at a time of heightened agricultural distress. It would be interesting to discover how many of the original claimants retained possession of their lands, but this must remain an unsolved problem because in spite of a very full dossier of documents on this enclosure, a full list of claims does not exist.

oOo

Opposition to enclosure in Buckinghamshire, though extensive, was passive rather than active. Passive in the stubborn refusal to sign petitions, often to remain neutral. Active in the presentation of counter-petitions rather than in a more violent form such as rioting and fence breaking, though instances of both occurred. Very often such opposition as there was did not disagree with enclosure as a means of improvement, but rather with the compensation proposed in the bills. The degree of opposition may have been exaggerated by the very large numbers of interested parties involved. Perhaps it is significant however, that the greater number of counter-petitions involved parishes containing pieces of common and waste ground, traditionally associated with small landowners and the poor. If a similar study were conducted in a county containing extensive common and waste quite different conclusions might result.

APPENDIX VI(a): Some Indications in the House of Commons Journal of Opposition to Enclosure.

Abbreviation: yards. = yardlands.

Parish	Date of Act or Bill	Consents	Dissents	Neuter	No Person appeared before the Committee	Counter- Petition	Bill dropped or not presented
Ashenden	1738		10 acres		/		
Iver	1746					//	//
Simpson	1763	£457-5-0	£342-10-0			//	//
Westbury	1764		£6		/		
Westcott	1765	3 $\frac{1}{4}$ yards		$\frac{3}{4}$ yard			
Simpson	1765						/
Winslow	1766	1400 acres		27 acres	//		
Little Horwood	1766	910 acres		50 acres	//		
Woughton	1768	1210 acres	30 acres		//		
Simpson	1770	£473-10-0	£215-15-0	£83-15-0		/	
Aylesbury	1771	1820 acres	616 acres	162 acres	//		
Whitchurch	1771	837 acres	360 acres	416 acres	//		
Great Brickhill	1771	1322 acres	4 acres		//		
North Crawley	1772	1503 acres	66 acres		//		
Soulbury	1772	2264 acres	10 acres	1 acre	//		
Stoke Hammond	1774	£94-1-0	£3-7-6		//		
Hartwell and Stone	1776	£1030-0-6		£108-2-1	//		
Ludgershall	1777	43 $\frac{1}{2}$ yards	8 yards		//		
Hitcham	1778	£891-0-0	£2-0-0	£46-15-0	//		
North Marston	1778	46 $\frac{3}{4}$ yards	1 $\frac{1}{4}$ yards		//		
Hanslope	1778	1816 acres	84 acres		//		
Taplow	1779	1240 acres		210 acres	//		
Bierton	1779	2417 $\frac{1}{2}$ acres	158 acres	9 $\frac{1}{2}$ acres	//		
Preston Bissett	1781					/	/
Calverton	1782	1968 acres	30 acres		/		
Mavendon	1788	£156-12-9	£11-8-1	£4-6-0			
Bow Brickhill	1790	1916 acres	8 acres		/		
Little Woolstone	1791	510 $\frac{3}{4}$ acres	193 acres		//		
Wendover	1794	1397 acres		273 acres	//		

Parish	Date of Act or Bill	Consents	Dissents	Neuter	No person appeared before the Committee	Counter- Petition	Bill dropped or not presented
Newport Pagnell	1794	712 $\frac{3}{4}$ acres	172 $\frac{1}{2}$ acres			/	/
Steeple Clayden	1795	86 $\frac{1}{2}$ yards	2 yards		/		
Padbury	1795	1697 acres	3 acres		/		
Little Brickhill	1796	558 $\frac{1}{4}$ acres	14 $\frac{1}{2}$ acres		/		
Grandborough	1796	869 acres	86 acres	13 acres	/		
Wing	1797	3148 $\frac{1}{2}$ acres	254 $\frac{1}{2}$ acres		/		
Wingrave	1797	2709 acres	46 $\frac{1}{2}$ acres		/		
Thornborough	1797	47 $\frac{1}{2}$ yards	9 $\frac{1}{2}$ yards	5 $\frac{3}{4}$ yards	/		
Stoke Mandeville	1797	£165-12-0	£10-6-0		/		
Adstock	1797	33 yards		14 yards	/		
Weston Turville	1798	£302-2-10	£4-18-0	£27-3-0 $\frac{1}{2}$	/		
Horton	1799	£191-0-0	£43-13-0	£40-12-0	/		
Walton	1799	1189 acres	50 acres		/		
Singleborough	1799	£47-11-5	£2-10-8		/		
Wraysbury	1799	£288-16-0	£6-18-0		/	/	
Iver	1800	£548-14-11	£167-2-0	£112-7-0	/	/	/
Quainton	1801	£203-5-11 $\frac{3}{4}$	£39-12-6 $\frac{1}{2}$	£3-10-0	/	/	/
Weedon	1801	1752 acres	45 acres		/		
Maids Morton	1801	30 $\frac{3}{4}$ yards	3 $\frac{1}{2}$ yards	5 $\frac{1}{2}$ yards	/		
(Maids Morton	1801	482 acres	54 acres	99 acres	/)		
Wooburn	1801	765 acres	35 acres		/		
(& of the old enclosures		1271 acres	429 acres)		/		
Dinton	1802	£4360		£82	/		/
Newport Pagnell	1802				/		/
Hanslope	1803	1001 $\frac{1}{2}$ acres	166 $\frac{1}{2}$ acres		/		/
Stewkley	1803				/	/	/
Upton	1805				/	/	/
Upton	1808				/	/	/
Marsh Gibbon	1808				/	/	/
Langley Marish	1809	£454-14-0	£45-1-6	£10-6-10	/	/	/

Parish	Date of Act or Bill	Consents	Dissents	Neuter	No person appeared before the Committee	Counter- Petition	Bill dropped or not presented
Bledlow	1809	£231-1-11 $\frac{3}{4}$	£40-2-3	£76-16-5 $\frac{3}{4}$	/		
Marsworth	1809	1200 acres	72 acres	15 acres	/		
Slapton	1810	1682 acres	10 acres		/		
Stewkley	1811	£290-11-7	£58-1-0	£5-8-0	/	/	
Fulmer	1812						/
Farnham Royal	1813						/
Mentmore	1813						/
Quainton	1814						/
Farnham Royal	1814						/
Kursley	1814	£242-1-8 $\frac{1}{2}$	£19-1-6	£17-9-9 $\frac{1}{2}$	/		
Amersham	1815	£7408-6-2	£542-7-0	£284-16-0	/		
Farnham Royal	1817						/
Oakley	1818						/
Oakley	1819	£127-17-9	£6-18-0	£63-15-6			/
Princes Risborough	1819						/
Princes Risborough	1820	2090 acres	1087 acres	701 acres		/	
Little Marlow	1820	£254-3-0	£11-0-0		/		
Towersey	1822	£130-2-0	£36-19-1	£14-9-10			
Eton	1825						/
Salcey Forest	1825	£865-16-1 $\frac{1}{2}$	£105-12-0	£16-8-6 $\frac{1}{2}$	/		
Eton	1826					/	/
Konks Risborough	1830					/	/

CHAPTER VII: THE PERSONALITIES OF PARLIAMENTARY ENCLOSURE IN
BUCKINGHAMSHIRE.

"Behind the features of the landscape, behind tools or machinery, behind what appear to be the most formalized written documents, and behind institutions, which seem almost entirely detached from their founders, there are men, and it is men that history seeks to grasp." (1)

In many ways men have been the subject of parliamentary enclosure studies but the discussions have tended to concentrate on the relative fortunes of broad socio-economic groups.² Very few attempts have been made to extract the individuals. The notable exceptions have been the essays by W.E. Tate and M.W. Beresford and to a lesser degree the researches by T.H. Swales, W.S. Rodgers and R.C. Russell.³

It is to the administrators of enclosure that this study now turns, not only the central figure, the commissioner, but the solicitors, clerks, surveyors and bankers as well.

The relatively recently acquired source materials (the commissioners' minute books and general administrative papers), are providing for the first time a much more accurate picture of these personalities. They still remain faceless people, portraits have not survived, but biographical portraits can now be attempted. In some cases it can be established how conscientious they were in performing their duties and how resourcefully they tackled the task of enclosure and how well equipped they were in the first place. In some cases a strain of nepotism can be detected and shades of indolence and dilatoriness as well.

One needs to know if the period bred a specific type of administrator or if they emerged from recognised professions or if they were the founders of a new professional elite; and how instrumental was enclosure in promoting a flourishing land market, providing very lucrative subsidiary

1 Marc Bloch, The Historian's Craft (Manchester, 1954), p.26.

2 See in particular J.L. and B. Hammond, The Village Labourer (London, 1911).

3 For fuller details see the bibliography, in particular W.E. Tate, (1951), M.W. Beresford (1946) and W.S. Rodgers (1962).

employment for country solicitors. These questions and many others are now considerably easier to answer.

The essential conclusion that the new sources produce is that earlier generalisations were unfounded. The personalities were neither conscientious nor indolent, they could be both.

a) Buckinghamshire Enclosure Commissioners, 1738-1869.

The central personality of the enclosure period has been and always be the enclosure commissioner. Much of the landscape-cum-manscape was fashioned by these men as they re-sited roads and fields. It is a landscape that has lived on and as architects of the cultural landscape they have left their indelible mark for all to witness. Rural planning indeed has roots in history.

The commissioners were appointed by the Act of Parliament and were invariably named in each individual act. The oath which they took stated that they must act faithfully, impartially and to the best of their ability, an oath which has often survived, appended to the awards.

For the earlier period of enclosure, essentially before the mid-1770's, an enclosure commission might consist of five or more commissioners. Thereafter it was usual for only three to be appointed, and a more formal procedure was adopted at the same time. The Act usually stated that each commissioner was the specific representative of a particular landowning interest, one for the lord of the manor, one for the tithe owner, who was usually the rector of the parish, and one for the majority [by value] of the remaining landowners.⁴ This procedure no doubt prompted the observation by J. Billingsley that the nomination of commissioners was:

4 This was reckoned not as the majority of the landowners numerically, but rather in terms of the extent of their landowning interest in the parish. Thus if one landowner possessed 51% of the parish he would automatically be the 'majority of landowners'. Recourse was usually made to the Land Tax annual assessments to establish this fact.

"a little system of patronage... the lord of the soil, the rector, and a few of the principal proprietors monopolise and distribute the appointments". (5)

In the event of death, or failure to take the oath, or failure to conduct the enclosure faithfully and impartially, replacement commissioners could be appointed by the original nominees or by the surviving commissioners, whichever the act specified. The clauses in individual acts varied on this point according to the wishes of the promoters of the bills.

The partiality of the commissioners has often come into question. The pamphleteer of the 1760's, the Reverend Henry Homer, himself an active commissioner in the Midlands including Buckinghamshire [Calverton in 1782-3] set down his duties early on in his career with the implied integrity that was required.⁶ The scholars who have generally favoured enclosure, like Gonner and Curtler, believed that the commissioners acted conscientiously and fairly.⁷ A more recent work on West Riding commissioners maintains that they were undoubtedly impartial.⁸ One commissioner stated that he always started by considering the allotments of the public interests and the smaller proprietors:

"since there can be no partiality in defending those who cannot defend or help themselves". (9)

Thomas Stone insisted that it was:

"the duty of all commissioners concerned in inclosures, to guard the rights of the cottagers from invasion". (10)

At Wooburn in 1802-4 and Monks Rishborough in 1830-9 the commissioners

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- 5 J. Billingsley, General View of the Agriculture of Somerset (London, 1797), p.59; It will become clear that certain commissioners only attended those meetings which dealt with the compensations to those landowning groups that nominated them.
- 6 H. Homer, Essay upon the nature and method of ascertaining the specific shares of proprietors upon the inclosure of common fields (Oxford, 1766), pp. 61, 63, 93-4 and 108.
- 7 E.C.K. Gonner, Common Land and Inclosure (London, 1912), pp.94-5; W.H.R. Curtler, The Enclosure and Redistribution of our Land (Oxford, 1920), passim.
- 8 W.S. Rodgers, "West Riding Enclosure Commissioners, 1729-1850", Yorkshire Archaeological Journal, Vol. XL (1962), pp.404 and 415.
- 9 Evidence of William Elmhirst of Stainsby, Lincolnshire, in A. Young, General View of the Agriculture of Lincolnshire (London, 1799), pp.84-6.
- 10 Thomas Stone, Suggestions for rendering the inclosure of Common Fields and Waste Lands a Source of Population and Riches (London, 1787), pp.85-6.

state in the awards that they had:

"particular regard to the convenience of the owners or proprietors of the smallest estates". (11)

The opponents of enclosure, like the Hammonds, believed the contrary, that the commissioners could hardly be expected to remain impartial when they owed their appointment to particular landowning interests.¹² The 1844 Parliamentary Committee, apart from minor criticisms, found no evidence of dissatisfaction with commissioners.¹³ The earlier committee of 1801 however found it necessary to recommend that:

"the Commissioner is not to be interested in lands so intended to be inclosed or to be steward, bailiff or agent of any person so intending to inclose... and has not been steward for the last three years". (14)

Arthur Young, for all his earlier enthusiasm for enclosure still referred to the commissioners as:

"hacknied sons of business... having neither integrity, abilities or attention... having the property of the proprietors, and especially the poor ones, entirely at their mercy".

they were:

"vested with a despotic power known in no other branch of business in this free country". (15)

These were comments paraphrased by the General Report of 1808, though then there was some attempt at justification since:

"if more cautious methods [of appointment] were resorted to, it would be impossible to effect the purpose; and the work of an enclosure would be spun through half a century" (16)

W.E. Tate believed the truth to lie somewhere between the two extremes,

11 Enclosure Awards respectively, C.R.O.Ayl., IR/141 and IR/94.

12 J.L. and B. Hammond, The Village Labourer (London, 1911), passim; See also P. Mantoux, The Industrial Revolution in the Eighteenth Century (London, 1928 ed.), p.173; W. Hasbach, History of the English Agricultural Labourer (London, 1908), p.62 says, "They took an oath, but it was too general in its terms to withhold them from prejudicing the weaker parties in face of the interest they had in obliging their patron".

13 Report from the Select Committee on Commons' Inclosure; Together with the Minutes of Evidence. Parliamentary Papers, Vol. V of 1844.

14 House of Commons Committee Reports, 1801... Reports Vol.IX (1803), No.III, p.20.

15 A.Young, A six months Tour in the North of England (London, 1770), pp.252-64

16 Board of Agriculture, General Report on Enclosures (London, 1808), p.61.

but a paucity of sources, even as recently as two decades ago, hindered his demonstration of this point.¹⁷

The evidence for Buckinghamshire suggests that Tate may have been correct. Certain individuals emerge as scrupulously honest men while others are of very doubtful honesty, but most of them remain an unidentified group of assorted evils and virtues. Even for those commissioners for which a lot of material has survived and for which preliminary biographies emerge, there are many missing links, links of origin and descent.

There were 143 different people appointed as commissioners of Parliamentary enclosure in Buckinghamshire including those who acted as Valuers for the Inclosure Commission after the General Act of 1845. Of these commissioners:¹⁸

1 served 29 times;
 1 served 15 times;
 1 served 14 times;
 1 served 13 times;
 1 served 12 times;
 1 served 11 times;
 3 served 10 times;
 1 served 9 times;
 2 served 7 times;
 2 served 6 times;
 2 served 5 times;
 8 served 4 times;
 8 served 3 times;
 28 served 2 times;
 83 served 1 time,

though some of these appointments resulted from deaths, resignations and refusals to act.

The earlier commissions usually consisted of five members. The very first at Ashendon in 1738-9 had seven commissioners but it was the only Buckinghamshire enclosure to employ so many. The practice of appointing five continued until the enclosure of Olney in 1767-8. For this enclosure and thereafter three commissioners or less became the

17 W.E. Tate, "Oxfordshire Enclosure Commissioners, 1737-1856", Journal of Modern History, Vol. XXIII (1951), pp.138-9, "Clearly, what is needed is reliable contemporary evidence, and this seems very difficult to obtain".

18 A full list of Buckinghamshire commissioners can be found in Appendix VIIa.

usual number.¹⁹ It was because a professional approach had not been developed that there were such large commissions in the earlier period. These commissioners came from every walk of life. Of the ten members of the clergy to act in Buckinghamshire eight were active before 1780. One, the Reverend John Lord from Drayton Parslow was appointed ten times. By acting as commissioners they could supplement the income from their livings quite considerably.²⁰ The rest of the body of commissioners were a mixed assortment of people. Edward Elliot at Shipton in 1744-5 was a school master and was joined on this enclosure by three 'yeomen' and one 'gentleman'. Thomas Taylor from Swanbourne, a commissioner ten times in the county, lived and died a humble carpenter.²¹

It was usual for a commission to consist of local dignitaries and farmers. They would conduct the allotting of the parish and the latter would also be employed as surveyors, not as quantity surveyors (that is, land surveyors), but as quality surveyors, assessing the rental value of the lands, a job for which as local farmers they had vast practical knowledge. One objection to enclosure as conducted in the eighteenth century has been that many proprietors found that they possessed greatly diminished allotments compared with their scattered property in the former open fields. They may not have received a proportionate quantity of land but certainly they received a greater quality of land. This point is invariably omitted by the critics of enclosure, though the commissioners' oath did require them to have due regard to quantity and quality.

The practice of separating the quality from the quantity continued until the early 1790's by which time a new breed of commissioner had emerged, the land valuer-cum-surveyor with skills both in quality and

19 With the exceptions of Cublington, 1769-70, Whitchurch, 1771-2, Hartwell and Stone, 1776-7, Ludgershall, 1777 and Calverton, 1782-3.

20 See Diana McClatchey, Oxfordshire Clergy 1777-1869: A study of the established church and of the role of its clergy in local society. (Oxford, 1960), pp.223-7 for an account of the clergy as enclosure commissioners.

21 His will consisted of his carpentry tools and his stock of timber, C.R.O.Ayl., wills D/A/WE/115/18, 28 May 1786, Proved 5 April 1791.

quantity. Earlier, the specially appointed 'quality men' would be assisted by one or two of the commissioners. In time the commissioners would undertake more and more of this quality assessment until special 'quality men' were no longer required. Two of the more notable 'quality men' in the county were John Watts of Sulgrave in Northamptonshire and Thomas Harrison of Stony Stratford in Buckinghamshire. They were also very active commissioners, the former six times in Buckinghamshire, seven times in Berkshire and many times in Oxfordshire, the latter ten times in Buckinghamshire in the very short space of eight years from 1767-75.²²

A number of other commissioners in the early period were also very busy men. Francis Burton of Aynho Northamptonshire, styled as Gentleman, acted fifteen times in Buckinghamshire from 1762-77 and died while engaged on the Ludgershall enclosure of 1777. In addition he acted twenty times in Oxfordshire, once in Wiltshire, five times in Berkshire, once in Hertfordshire and fourteen times in Northamptonshire.²³ In another capacity he was the land steward for the Cartwright family of Aynho.²⁴

Compared with the later enclosures these men were remarkably expeditious in completing their tasks. Possibly the division of labour between quality and quantity was instrumental in this. Not that these commissions progressed completely without altercation. John Weston of South Weston in Oxfordshire, who served four times in Buckinghamshire resigned his post on the Taplow enclosure of 1779-87 a year before it was completed. In a letter to his colleagues he explains that the distance

22 Berkshire information from Inclosure Catalogue, Berkshire R.O.; For Oxfordshire see, A Handlist of Inclosure Acts and Awards relating to the County of Oxford (Oxford County Council, Records Publication, No.2, 1963), passim; Thomas Harrison was a witness to the Select Committee of 1800, House of Commons Committee Reports, Vol.IX (1795-1800), pp.231-2.

23 Berkshire R.O., op.cit., Oxford County Council (1963), op. cit., passim; R.E. Sandell (ed.), Abstracts of Wiltshire Inclosure Awards and Agreements (Wiltshire Record Society, Vol.XXV for 1969, Devizes, 1971), p.96; For information for Hertfordshire I am obliged to Mr. P. Walne, County Archivist; For information for Northamptonshire I am obliged to Mr. J.W. Anscomb of Daventry.

24 I am obliged to Mr. P. King, County Archivist for this information.

was too far for him to travel [though he made no similar complaint in the previous seven years], but more significantly, he adds that having failed to agree and bring the business to a conclusion, he refused to act any further.²⁵ The Hartwell and Stone enclosure of 1776-7 was completed by only three of the five appointed commissioners. A dispute arose over the quality assessment, a very clear record of which appears in the minute book. On August 28, 1776 there is the first indication of disagreement:

"The Commissioners met according to the adjournment of last night when Mr. Burton having declared his Disapprobation of the mode adopted by the Commissioners for the regulation of the Quality, some debate arose touching the power of the Commissioners to proceed in such Regulation and whether any appeal from the judgement of the Quality men lay to the Commissioners. It is ordered that the Clerk do forthwith draw a State of the case and take the opinion of Council." (26)

On September 7, 1776 the quality book was produced by John Watts:

"which was approved by Francis Burton and Robert Weston and Disapproved by Thomas Green and John Brickwell".

["Be it remembered that we do hereby withhold our Determination on the Quality and only sign our consent to the above adjournment."]

Thereafter, until and including the signing of the award on March 19, 1777, neither Burton nor Weston attended any meetings and the business of the quality and the allotting continued without them, as if no protest had been made. No official resignation was received from either of them.

The transition in the last quarter of the eighteenth century to a more professional type of commissioner was relatively slow, but that men such as Francis Burton, Thomas Taylor, John Watts and John Lord had served so many times in the earlier period indicates that a species of commissioner had been born that had gained a good reputation. Some of them were in office for many years notably Thomas Green of Whitchurch

25 Taplow Enclosure Award, C.R.O.Ayl., IR/70.

26 Hartwell Enclosure Minute Book, C.R.O.Ayl., IR/M/7.

who served on the eighth enclosure in the county at Winslow in 1766-7 and died in attendance in 1795 on the forty-seventh enclosure at Aston Abbots, having served nine times altogether. Locally he was a much sought after man, attending Cublington in 1769-70, Hardwick in 1778-9 and Aston Abbots in 1795-6, all parishes contiguous to his home parish of Whitchurch.²⁷ His other appointments were in parishes all within eight miles of Whitchurch. During his lifetime there were only six enclosures within that eight miles that escaped his attention.²⁸ He must have developed a considerable local reputation. No doubt he was very friendly with many of the local large landowners so possibly his popularity may have been born out of patronage by his friends. He was of course involved in the dispute over the Hartwell quality.

John Lord was another commissioner who served locally, attending ten enclosures within ten miles of his home parish of Drayton Parslow, and Thomas Harrison from Stony Stratford in serving ten times in the county only once worked more than ten miles from his home.

The early roots of professionalism are demonstrated by the activities of Francis Burton who served on at least 64 enclosures before he died in 1777, still actively engaged on several enclosures. No other commissioner has emerged from the printed sources for this earlier period as active as Burton. Perhaps this is what should be expected in view of the Select Committee findings of 1800 which saw the adoption of commissioners:

"of peculiar qualifications as well as a reputation for experience and integrity",

which,

"confined the choice of them within no very large limits". (29)

27 He was himself quite a substantial landowner in Whitchurch and was awarded 366 acres when the parish was enclosed in 1771-2, Award, C.R.O.Ayl., Inrolments Vol.1.

28 They were Swanbourne 1762-3, Westcot 1765-6, Little Horwood 1766-7, Aylesbury 1771-2, Soulbury 1772-3 and Stoke Hammond 1774-5.

29 Commons Reports, op.cit. (1800), p.230.

By the mid-1790's commissions were increasingly dominated by land agents and surveyors and a professionalism arose simultaneously, but it was a professionalism that clearly had roots in the previous three decades.³⁰ Indeed, some of the notable commissioners of the 1790's and 1800's had served a kind of apprenticeship earlier. One can imagine John Brickwell gaining a reputation as a fine 'quality man' finally to be called upon as a full commissioner. Similarly with John Watts of Sulgrave. Robert Weston of Brackley in Northamptonshire served five times in the county between 1776-82 but he had previously gained experience as a surveyor on at least eleven other enclosures.³¹ John Fellows, the busiest commissioner in the county, was engaged twenty-nine times between 1788-1825, but he had served a lengthy 'apprenticeship' as a surveyor on eleven other enclosures between 1773-81. Another active commissioner, William Collisson of Brackley in Northamptonshire, also served for a long time as a surveyor. Joseph Burnham, an Aylesbury solicitor acted three times as a commissioner in the 1790's but had earlier gained experience as both the solicitor and clerk to several commissions. Thomas Harrison stated that he worked on more than twenty commissions,

"Sometimes as Solicitor, as Commissioner frequently, and often as Agent for the parties concerned". (32)

Such professionalism is demonstrated in the number of commissions a particular person undertook, and also in the origins of the commissioners. Of those who were engaged on Buckinghamshire enclosures

before 1790: 33 came from Buckinghamshire;
 10 came from Northamptonshire;
 7 came from Oxfordshire;
 7 came from Warwickshire;
 3 came from Berkshire;
 2 came from Bedfordshire and
 1 came from Hertfordshire, Lincolnshire, London,
 Middlesex and Staffordshire.

30 A point made by W.S. Rodgers, loc.cit. (1962), p.404.

31 At least, because not in every enclosure award is the surveyor named or capable of identification, and for three enclosures an award has not survived.

32 Commons Reports, op.cit. (1800), p.230.

With the exceptions of Lincolnshire and Staffordshire, all of them came from within thirty miles of the Buckinghamshire Border, and with the exceptions of Lincolnshire, Staffordshire and Warwickshire they all came from contiguous counties.

Of those who were appointed between 1790-1819 the pattern is somewhat different, more diffuse:

- 11 came from Buckinghamshire;
- 8 came from Bedfordshire;
- 7 came from Middlesex;
- 6 came from Oxfordshire;
- 4 came from Northamptonshire;
- 3 came from London, Lincolnshire, Hertfordshire;
- 2 came from Gloucestershire;
- 1 each from Derbyshire, Warwickshire, Wiltshire, Cambridgeshire, Hampshire and Huntingdonshire.

Between 1820 and the enclosures under the General Act of 1845:

- 7 came from Buckinghamshire;
- 5 came from Oxfordshire;
- 3 came from Hertfordshire;
- 2 came from Middlesex;
- 1 each from Yorkshire, Cambridgeshire, Bedfordshire, Northamptonshire, Surrey, Berkshire and Huntingdonshire.

and of those who acted after 1845 as Valuers:

- 4 came from Buckinghamshire;
- 3 came from London;
- 2 came from Hertfordshire;
- 1 each from Huntingdonshire, Essex, Nottinghamshire, Wiltshire and Oxfordshire. (33)

In contrast, a study of West Riding commissioners revealed that from over 200 that were appointed, almost all were resident in the West Riding and on only a few occasions were outsiders employed.³⁴

The earlier enclosures therefore were characterised by local men. In time, as the more professional body of men emerged so promoters were prepared, perhaps forced, to search further afield. Recommendation may have been important or certain commissioners may have worked for the same

³³ Added together the total number of commissioners comes to over 143. This is due to double counting, thus John Fellows is included three times because he served from 1788-1820.

³⁴ W.S. Rodgers, *loc.cit.* (1962), p.402, though of course the West Riding is a much larger area than Buckinghamshire.

landowners in a number of parishes. For example, the only time that John Hudson from Louth in Lincolnshire worked in Buckinghamshire was on the Hanslope enclosure of 1778-80. He was the representative of the Corporation of Lincoln as lay impropriators of the tithes. There is therefore a possible connection in his appointment and no doubt he represented the Corporation on other enclosures in Lincolnshire.³⁵

For the Stoke Mandeville enclosure of 1797-8, John Fellows having secured his own appointment forwarded the name of Edward Platt as the third commissioner.³⁶ Christ's Hospital wanted Thomas Bainbridge, but it was Fellows' recommendation that was accepted.³⁷

"It was only natural for a landowner looking for a suitable Commissioner to think of those already experienced". (38)

In Oxfordshire certain commissioners served the same parties on several different enclosures.³⁹

The period between 1790-1820, the most active decades in Buckinghamshire enclosure history, saw a relatively small number of commissioners employed, but geographically there was a wider sphere of influence. Certain men appear repeatedly in the awards and five men, John Fellows, William Collisson, John Davis, Richard Davis and Thomas Hopcraft appear on 79 commissions, though of course a number of them overlap. For example, Hopcraft and John Davis worked four times together and Collisson and Fellows worked six times together. Specific men were singled out and the professional enclosure commissioner can be recognised.

35 Hanslope Enclosure Award, C.R.O.Ayl., IR/135; Hudson was a surveyor for at least 25 Lincolnshire enclosures and a commissioner for at least 19, R.C. Russell, The enclosures of Market Rasen, 1779-81, and of Wrawby-cum-Brigg, 1800-05. (Workers Educational Association, Market Rasen Branch, 1969) p.34.

36 Stoke Mandeville Enclosure Papers, C.R.O.Ayl., IR/M/11, Communication of 23 March 1797.

37 Ibid., Communication of 15 March 1797.

38 M.W. Beresford, "The Commissioners of Enclosure", Economic History Review, 1st series, Vol.XVI (1946), p.132.

39 W.E. Tate, loc.cit. (1951), pp.143-4.

Famous commissioners from other counties visit and work in Buckinghamshire during this period including George Maxwell of Fletton Lodge in Huntingdonshire, John Burcham from Coningsby in Lincolnshire, John Chamberlain from Cropredy in Oxfordshire and Joseph Outram from Derby.⁴⁰ They only appeared a few times each but they were all influential men elsewhere. Maxwell appeared five times in Buckinghamshire but to the 1800 Select Committee he boasted over 100 commissions. John Burcham appeared twice but is very famous for enclosures in Lincolnshire.

One accusation that can be levelled against these men is that they undertook too many enclosures at any one time. They were unable to devote sufficient time to each enclosure and as a result the business of allotting became very piecemeal and protracted. There were long gaps between commissioners' meetings and this was one very material reason for the length of time taken to complete enclosure after 1790. Not only that, but if a commissioner died while engaged on enclosures he could leave several of them in a state of semi-completion until a replacement could be found. John Trumper of Harefield in Middlesex died while engaged on three enclosures. Contemporary objections about the length of time taken to complete enclosures were well founded.

In an attempt to ensure the speedy completion of enclosures special clauses were slowly introduced into acts. Such regulations came as early as the 1770's. At North Marston enclosed in 1778-9 the surveyors took their oath of office on April 16, 1778. The 'quality men' were ordered to value the fields before the 1st June following and the surveyor was ordered to complete his survey by September 1st.⁴¹ At Hanslope enclosed

40 For George Maxwell see Commons Reports (1800), op.cit., pp.233-5; John Burcham was a commissioner on at least 70 enclosures and was already engaged on 38 when he began the enclosure of Caistor Moor in 1811, and before it finished in 1814 he had accepted nomination for 10 more, R.C. Russell, The Enclosures of Searby, 1763-5, Nettleton, 1791-5, Caistor, 1796-8 and Caistor Moors 1811-4 (Nettleton Workers Educational Association, 1968), p.9; For John Chamberlain see M.W. Beresford, loc.cit., (1946), p.132; For Joseph Outram see the Diary of Arthur Elliott as Commissioner for several local enclosures, 7 November 1795- 1 June 1800 Sheffield City Library, Wheat Collection, W.C. 2219.

41 Quoted in North Marston Enclosure Award, C.R.O.Ayl., IR/129.

in 1778-9 the 'quality men' took their oath on May 4th, 1778 and were ordered to complete the valuation of the open fields by July 3rd, and of the old enclosures by July 6th.⁴²

By 1830 it was usual practice to define the working day accurately. It consisted of eight hours from 25th March to 29th September and six hours for the rest of the year. Anytime less than this which the commissioners were engaged on an enclosure would automatically be charged as half a day. In addition:

"a book shall be kept by the Commissioners, or their clerk, in which shall be entered the several days on which the said Commissioners shall hold their meetings, and in such book shall also be entered at what hour the said Commissioners and their clerk were present at such meetings, and at what hour they respectively left the same; and such book shall be signed by the said Commissioners and their clerk at the termination of each meeting, and shall be open to the inspection of any person or persons interested". (43)

Also, it became common practice to penalise the commissioners for delaying enclosures. At Whaddon enclosed in 1830-1, the clerk and the commissioners would be paid at a rate of four guineas per day,

"for each and every day they respectively shall be employed in travelling to, returning from, and attending at the sittings to be holden for the execution of this Act... in satisfaction of the expence and trouble to be incurred by them in the execution of the powers hereby or by the said recited Acts given, such sum of four guineas to be allowed and paid during the first three years next after the passing of this Act; and after the expiration of the said three years until the powers and provisions of this Act shall be fully executed and performed, the sum of two guineas and no more, for each and every day they shall actually attend and be employed as such commissioners or clerks as aforesaid". (44)

For four enclosures the commissioners were contracted for a specific fee, and not a daily fee. By comparison with other contemporary

42 Quoted in Hanslope Enclosure Award, C.R.O:Ayl., IR/135.

43 Extracted from the Draft Bill of Whaddon Enclosure of 1830-1, C.R.O.Ayl., IR/M/13; Only one such attendance book has been discovered for Buckinghamshire, Monks Risborough Enclosure Commissioners' Attendance Book, C.R.O.Ayl., IR/M/176/1, though in fact the Minute Books quite likely acted as attendance books.

44 From Whaddon Enclosure Act, 11 Geo. IV, 1830, C.10, pp.10-11; Also the same applied for Monks Risborough in 1830-9, Quainton 1840-3 and Great Horwood 1841-2; See also W.S. Rodgers, loc.cit. (1962), p.414.

enclosures these commissioners were remarkably expeditious in completing the awards.⁴⁵ For example, the Great Horwood enclosure of 1841-2 took only thirty three days to complete including a curtailment of business on four days because of illness to one of the commissioners, and a series of objections to common rights claims had occupied another four days.

Sometimes the commissioners blamed the proprietors for delays in completing enclosures. They blamed them for withholding fees, without which they felt they could not close the business. Sometimes one of the final duties was to issue warrants of distress upon those proprietors who had not contributed a proportionate share of the costs. For the enclosures of Little Woolstone in 1791-2, Stoke Mandeville in 1797-8, Weston Turville in 1798-1800 and Bledlow in 1809-12, several proprietors remained in arrears of the fees they were to pay, thus preventing the commissioners from closing the accounts and completing the business. The Stoke Mandeville commissioners circulated a letter in which they said:

"Solely on account of some of the proprietors not having paid their proportions of the rate, the commissioners were not able at their last meeting to close their accounts and sign the award, and they lament the necessity of increasing the general expences by further meetings, and are further determined that unless all the arrears are forthwith paid into my [the Clerk] hands they will levy the same by distress and sale of the goods and chattels of the defaulters or by entering upon their allotments in pursuance and according to the directions of the Act". (46)

The Weston Turville enclosure of 1798-1800 was delayed for nine months because of rate arrears.

On the other hand, some blame for delays can be laid against the commissioners who sometimes conducted themselves in an indolent and dilatory manner. Harsh words perhaps but sometimes they undertook so many enclosures simultaneously that very often they needed to be in

45 The parishes were Walton 1799-1800, Wavendon 1788-91, Great Horwood 1841-2 and Buckland 1842-4. See also Chapter IX infra, p.314.

46 Undated letter inserted in Stoke Mandeville Minute Book, C.R.O.Ayl., IR/M/11.

several places, many miles apart, within a very short space of time. Absenteeism from meetings is recorded by many commissioners and the resulting adjournments served to prolong the enclosures unnecessarily. The commissioners for the Weston Turville enclosure met on only 59 days between June 1798 and July 1800 and the Langley Marish minute book records 17 meetings of a total length of only 53 days between April 1809 and February 1813. This was an enclosure prolonged by three adjournments of six months each.⁴⁷ The Olney enclosure of 1802-3 was subject to an adjournment of nine months.⁴⁸

An early minute book that has survived is for the Hanslope enclosure of 1778-9 in which is recorded absenteeism by all of the commissioners. They met on only 62 days, that is 12 meetings of various duration, between May 4th 1778 and July 29th 1780.⁴⁹ James King representing the majority of the landowners attended 59 days, John Mitchell for the lord of the manor attended only 40 days and John Hudson for the Corporation of Lincoln, as tithe owners, attended 55 days. King came from Daventry in Northamptonshire, Mitchell from South Weston in West Oxfordshire [Hanslope is in north-east Buckinghamshire] so he could claim travelling as an excuse for arriving late at meetings, except that Hudson was travelling from Louth in Lincolnshire and yet managed better attendance. Mitchell may have been hindered by his duties at the enclosures of Ludgershall, Hitcham and Taplow, but then King was also engaged at Ludgershall and Hudson was a very busy commissioner and surveyor in Lincolnshire.⁵⁰ The disparate fees received by these three commissioners are interesting. King received £100-16-0, Mitchell £175-17-6 and Hudson £206-6-6.⁵¹ Hudson would of course be charging for a day or

47 Weston Turville and Langley Marish Minute Books respectively, C.R.O.Ayl., IR/M/3/5 and IR/M/55/1.

48 Olney Minute Book, C.R.O.Ayl., IR/M/16, 24 January 1803-21 October 1803.

49 Hanslope Minute Book, C.R.O.Ayl., IR/M/22.

50 R.C. Russell, op.cit. (1969), p.34.

51 Hanslope Account Book, C.R.O.Ayl., IR/M/22.

more either side of the meetings for travelling but Mitchell, considering he only attended 40 days at $1\frac{1}{2}$ guineas per day must surely have claimed undue expenses.

Where there is opposition to Buckinghamshire enclosures the geographical immobility of the commissioners is never an issue raised. Thus Lincolnshire men could be employed without opposition and at Towersey in 1822-4 Henry Sanderson from Sheffield was employed.

While the Hanslope commissioners were in attendance they seemed to work expeditiously, though the correspondence and much of the allotting would have been left in the hands of the clerk and the surveyor. At one meeting towards the end only King attended, and since any decisions had to be approved by a majority of the commissioners he was forced to adjourn without conducting any business. He called for a meeting the following January in 1780 but in fact the next meeting was not for another six months in late July. Such lengthy delays were not uncommon, in fact they became very frequent once a recognised profession had emerged, a profession of selected commissioners who frequently worked at great distances from their homes.⁵²

For the 17 meetings, that is 45 days of the Bierton enclosure of 1779-80, commissioner William Pywell was absent for 20 days, Thomas Green for 14 days but Thomas Taylor attended all the meetings.⁵³ Of the 56 days of the Drayton Parslow enclosure of 1797-8 John Chamberlain missed only four, Thomas Hopcraft missed only one but John Fellows, unaccountably, since he seems to have been a very conscientious commissioner, missed 19 days.⁵⁴ Very early in the negotiations Chamberlain had to adjourn a meeting because he was the only one to attend. The last recorded meeting

52 Arthur Elliott of Sheffield attended many meetings in and near the city but was also engaged in Derbyshire enclosures, Wheat Collection, op.cit.

53 Bierton Minute Book, C.R.O.Ayl., AR/32/60.

54 Drayton Parslow Minute Book, C.R.O.Ayl.; While engaged on the Weston Turville enclosure of 1798-1800 Fellows sent a letter to his colleagues apologising for his delay on an enclosure in Bedfordshire, Weston Turville Enclosure Papers, C.R.O.Ayl., IR/M/3/3, letter of February 10th 1799 from the Sugar Loaf Inn, Dunstable.

took place in June 1801, a full three years after the award was signed and enrolled. John Trumper had to adjourn a meeting of the Iver Enclosure of 1800-4 as did Joseph Smith at Stoke Mandeville in 1797-8, and at the enclosure of Kimble in 1803-5 William Rutt was the only commissioner to attend one of the meetings, his colleagues were delayed for a day. Twice William Collisson was the only commissioner to attend the Bledlow enclosure of 1809-12 and towards the end of the negotiations he was the only one to finalise the outstanding financial business.⁵⁵

On all of these occasions absenteeism by one or more of the commissioners resulted in the postponement of the enclosures. In fact it was not unusual for only one commissioner to attend the advertised meetings and have to adjourn them without conducting any business, as happened at Princes Risborough in 1820-3 and Amersham in 1815-6 three times.⁵⁶

As bad as actually adjourning the meetings without conducting any business was the case of the Quainton enclosure of 1840-3, where only one commissioner was appointed. The draft award was completed by July 1842 but the commissioner fell seriously ill and the execution of the award was delayed for eight months.⁵⁷ On the other hand, for economy some enclosures only appointed two commissioners. The problem arising with such small commissions is that the non-attendance of one of them halted the proceedings altogether, as happened at Whaddon in 1830-1. It was more serious at Great Horwood in 1841-3 where the illness of Davis delayed the execution of the award for five months. The other commissioner engaged on this enclosure was powerless to proceed and could not take any

55 Iver Minute Book, C.R.O.Ayl., Tower Collection IR/122, meeting of October 12th 1801; Stoke Mandeville Minute Book, C.R.O.Ayl., IR/M/11, meeting of July 9th 1798; Kimble Minute Book, C.R.O.Ayl., AR/54/65/19, meeting of April 29th 1805; Bledlow Minute Book, C.R.O.Ayl., IR/M/2/6, meetings of July 5th and August 13th, October 15-17 and December 14-15, 1812.

56 Princes Risborough Minute Book, C.R.O.Ayl., IR/M/1/5, meeting of June 17-18, 1822; Amersham Minute Book, C.R.O.Ayl., IR/M/4, meetings of March 15th, September 3rd and October 1st, 1816.

57 Quainton Minute Book, C.R.O.Ayl., IR/M/9, the meetings of August 16th and January 3rd 1842-3 were both adjourned.

decisions without Davis's approval. When a similar situation arose at Amersham in 1815-6, William Collisson the only commissioner in attendance, did not adjourn the meeting but worked alone day by day preparing the draft award, hearing objections to allotments and ordering letters to be sent to those still in default of their fees. He could not make any major decisions on his own but was able to clear his table of much of the paperwork.⁵⁸

John Trumper was habitually late in arriving at the meetings of the Bledlow enclosure of 1809-12. He would invariably make an appearance midway through a meeting of five or six days and just as frequently he would leave it prematurely. It could be that as the representative of Eton College he only attended those meetings that concerned the interest of the College as lord of the manor. On the other hand, he died shortly after the completion of the enclosure in 1814 and may have suffered a prolonged illness.

The surviving minute books provide good evidence regarding commissioners' attendances and help support the claim that some of them were very dilatory in their approach to enclosure. The 1800 Select Committee at one point criticises the amount of power entrusted to them:

"This latitude of confidence, however necessary for some of their functions, may, in some cases, lead to abuse, particularly in the charges which may be occasioned by neglect in not proceeding regularly, and with as little interruption as possible, in the dispatch of the business entrusted to them".

and further, commissioners meetings were:

"sometimes rendered more frequent than is necessary, by the practice of the Commissioners transacting the business of two Inclosures on the same day, which must necessarily interfere with the dispatch of one or both of them; that meetings are sometimes held, at which little or nothing is done, and that charges are sometimes made for the attendance of all the Commissioners, where one or more may not actually have been present, though they may afterwards have signed the minutes".

58 Whaddon Minute Book, C.R.O.Ayl., IR/M/13, meeting of May 3rd, 1831; Great Horwood Minute Book, C.R.O.Ayl., IR/M/20/1 meetings from July-November 1842; Amersham Minute Book, op.cit., meeting of February 26-29, 1816.

The Committee, with respect to the Commissioners:

"Upon whose ability and integrity so much depend",
did not see fit to suggest specific controls upon their mode of
appointment and duties:

"Lest men of respectability should be deterred from
engaging in so laborious and useful an employment"

but saw as a remedy to check the abuses that had occurred:

"defining in some degree the number of hours which
ought actually and bona fide to be devoted to each
meeting and requiring that it should not be occupied
by attention to any other business; and also by
regulating, according to the place of residence of
each Commissioner, the charges to be allowed for
travelling expences. With a view to ascertain how far
the former of these regulations had been complied with,
it might be desirable that the Clerk should be required
to keep a register of all the days and times employed
in the business of the Inclosure; which as well as the
books of accounts, should be open to the inspection of
all persons concerned". (59)

Thus many of the problems that can be discovered from the surviving
minute books and papers were in fact recognised and acted upon at the
time.

Table VII(a) summarises the history of absenteeism for those
enclosures for which minute books have survived. It is not so much the
number of days of non-attendance that is important as the timing of that
non-attendance. John Trumper only attending those meetings that concerned
Eton College. John Davis at Stewkley only attending those meetings
concerning the tithe allotment to the Bishop of Oxford, and William Pywell
at Bierton only attending the early stages of the enclosure.

However, it is clear from other sources that the minute books may
not record the total work done by some commissioners on some enclosures.
They do not record those occasions where they acted independently, at
home on paperwork, or those days engaged in travelling. At Amersham
enclosed in 1815-6, Collisson worked on 47 days according to the minute
book but in fact was engaged a total of 88 days on the enclosure. At

TABLE VII(a): The Attendances of Commissioners at Enclosure Meetings.

<u>Parish</u>	<u>Date</u>	<u>Number of meetings</u>	<u>Number of Days</u>	<u>Attendances of Commissioners (in days).</u>
Hanslope	1778-9	12	62	King: 59, Mitchell: 40, Hudson: 55
Bierton	1779-80	17	45	Green: 31, Taylor: 45, Pywell: 25
Little Woolstone	1791-2	9	25	No absenteeism recorded
Drayton Parslow	1797-8	11	56	Chamberlain: 52, Hopcraft: 55, Fellows: 37
Stoke Mandeville	1797-8	16	73	Jos. Smith: 73, Platt: 72, Fellows: 67
Weston Turville	1798-1800	16	59	Bainbridge: 36, Rd. Davis: 56, Fellows: 59
Olney	1803	4	4	No absenteeism recorded
Moulsoe	1802	8	32	Jn. Davis: 16, Collisson: 29, Fellows: 32
Kimble	1803-5	26	152	Rutt: 143, Collisson: 138, Fellows: 147
Langley Marish	1809-13	18	54	No absenteeism recorded
Bledlow	1809-12	28	127	Trumper: 90, Collisson: 126, Rd. Davis: 112
Stewkley	1811-14	49	216	Jn. Davis: 26, Bevan: 133, Horwood: 205, Fellows: 206
Amersham	1815-16	18	50	Wm. Davies: 47, Collisson: 47
Princes Risborough	1820-23	35	141	Ch. Smith: 131, Collisson: 138, Horwood: 139
Towersey	1822-24	28	77	No absenteeism recorded
Morks Risborough	1830-39	79	236	Horwood: 228, Ch. Smith: 107 (out of 122), Dixon: 152 (out of 176), Glenister: 96 (out of 114), Allen: 41 (out of 114)
Whaddon	1830-31	17	64	Watford: 63, John Davis: 64
Quainton	1840-43	25	40	Only one commissioner, John Davis, who suffered an illness delaying the enclosure.
Great Horwood	1841-42	21	33	Hart: 33, John Davis: 29
Buckland	1842-44	29	41	Hart: 39, John Davis: 39

Sources: Minute Books, C.R.O.Ayl.

Princes Risborough enclosed in 1820-3 he attended 138 days according to the minute books, but was actually engaged for 188 days. No doubt some of these extra days were spent in travelling.⁶⁰ Even so, the minute books seem to be an accurate way of assessing the commissioners' attendances.

Not all commissions ran smoothly and some delays in completion can be attributed to disputes among the commissioners. Two of them at Hartwell refused to act leaving an extra burden on the shoulders of the remaining three [cited supra, p.220]. Of a more serious nature were the disputes between the commissioners at Princes and Monks Risborough in 1820-3, and 1830-9 respectively. Acton Tindal, an Aylesbury solicitor and active enclosure clerk approached William Collisson of Brackley for his advice concerning the prospective enclosure of Princes Risborough.⁶¹ The next that was heard was that John Grubb, the lord of the manor, wanted Collisson as a commissioner, the lay improPRIATOR of the tithes, Lord George Cavendish, wanted James Grace and the choice of the major landowners remained a blank, though the names of a Mr. Hussey of Wycombe and a Mr. Stratford of Amersham had been recommended.⁶² Grace's nomination was objected to since he would be occupying a farm in the parish after enclosure, so Edward Horwood of Aston Clinton was substituted. It seems certain that there was a measure of animosity between Horwood and Collisson. The latter was determined that his son Richard should secure the post of surveyor, not so much because he was his son but because Horwood had obtained his own surveyor for the Aston Clinton enclosure of 1814-6, much against Collisson's wishes. Charles Smith of New Windsor

60 Memo book of William Collisson of "Business done and Journeys taken in and about the Inclosure of Amersham", and Memo book of his "Expences as Inclosure Commissioner at Princes Risborough", C.R.O.Ayl., Brown and Merry Collection, AR/51/70 (L); See also the Diary of Arthur Elliott, op.cit., Wheat Collection, Sheffield City Library, where it is clear that he conducted enclosure business from the premises of his private practice.

61 This and other correspondence contained in Princes Risborough Enclosure Papers, C.R.O.Ayl., IR/M/1/7.

62 Stratford was possibly recommended by Collisson as he acted as Collisson's surveyor on the earlier enclosures of Amersham in 1815-6 and Saunderton in 1806-7.

was eventually named in the bill as the third commissioner, a man whom Collisson had not heard of in connection with enclosures. There was no mention of a surveyor in the Act, so Collisson endeavoured to obtain Smith as an ally in securing the post for his son. This collusion was shortlived because Smith proved to be alone in a series of disputes with the other two.

Smith objected to the allotments being staked out in the fields before they had been seen a second time by the proprietors. He then disputed the calculations which exonerated the old enclosures from tithes and refused to sign the circular letters sent out to the proprietors of these old enclosures. He also objected to a private road being flinted at public expense.⁶³ Finally he refused to approve a supplementary rate to cover the cost of the outstanding bills. He felt that the rate was "not a fair and equitable one", maintaining that he had yielded to the others on two or three points during the enclosure and had subsequently been proved right. He added that he could not agree to some of the parties named contributing to the rate, even though the amounts were small, because they had exchanged lands at the request of the commissioners or to suit others. He would prefer a rate was levied on those who had benefited from the exchanges and had thereby added to the cost of the award.⁶⁴ He wanted it clearly understood that if Collisson and Horwood cared to take the responsibility for the rate on themselves, they could do so.⁶⁵

All of Smith's objections were very reasonable. He represented the majority of landowners and was merely working in their best interests, first by wanting to delay the staking out of the allotments so that the proprietors could have a final view of their future lands, and secondly

63 Princes Risborough Minute Book, C.R.O.Ayl., IR/M/1/5, meetings of 25-28 June 1821, 1-6 October 1821 and 30th September 1822.

64 The more exchanges that were included in the award the more skins of parchment that would be needed. Each extra skin added to the cost of the award in clerical fees and because each skin or series of skins required a substantial stamp duty.

65 Contained in a letter from Smith to Acton Tindal, the clerk, 4 February 1824, Princes Risborough Papers, op.cit.

by wishing to minimise the costs of the enclosure.

Smith may again have been involved in dispute with Horwood on the enclosure of Monks Risborough. This was an ill-fated enclosure, accompanied by much local opposition and hints of malpractice at Westminster. Sir John Dashwood King had been appointed as special commissioner to represent the poor. He proved to be a considerable thorn to the other commissioners until a satisfactory compromise was reached on the site and situation of the poor's allotment. Smith resigned in June 1832 having earlier missed several meetings. This action followed two rather fruitless years during which King had made his forceful assertions on behalf of the poor and many objections were submitted over the situation of allotments. The final act for Smith was an order from Kings Bench for the commissioners to appear and answer the complaints and objections of one of the proprietors. On receipt of this order Smith tendered his resignation.⁶⁶

A year later a second commissioner, Henry Dixon, also refused to act any further and resigned. He had earlier been a rather inconsistent attender at meetings and by then the commissioners' fees had been reduced from 3 guineas to 2 guineas per day, in accordance with the Act. Horwood continued to conduct the enclosure with two replacements.

By 1834 the enclosure seemed near to completion. The minutes record a memo of September 15th 1834 ordering those in default of their fees to pay them as soon as possible so that "an early date can be fixed for completing the award".⁶⁷ That the enclosure dragged on for a further five years in the light of this statement is remarkable unless the commissioners found it impossible to agree on a number of points. The award was finally

66 His resignation could not have been provoked by ill-health because he continued as commissioner on the contemporary enclosure of Haddenham in 1830-4. Travelling difficulties can also be eliminated because Haddenham and Monks Risborough are parishes close to one another.

67 Monks Risborough Minute Book, C.R.O.Ayl., IR/M/8, meeting of 15th September 1834.

concluded in September 1839.

If the commissioners disagreed among themselves or if the proprietors disagreed with the commissioners there were ways of obtaining an independent settlement. In those enclosures where an odd number of commissioners were appointed a majority decision by them would decide any differences of opinion. Thus Smith was overruled by Horwood and Collisson at Princes Risborough on several occasions and at Hartwell in 1776-7 the dispute among the commissioners divided two each way with the fifth commissioner abstaining. Even though an impasse had been reached two of them refused to act any further. Where there was an even number of commissioners and a majority decision could not be reached it was usual to elect an Umpire or Arbitrator to decide the issue. At Stewkley in 1811-4 the four commissioners could not agree on the mode of setting out the allotments to the lord of the manor. William Collisson as umpire decided the issue. He was not named in the Act but was elected by the commissioners at a preliminary meeting and was of course a man well known to them having worked with two of them on earlier commissions. His duties were not very demanding for he only received 12 guineas in fees, at the most only four days attendance.⁶⁸

At Whaddon in 1830-1 where only two commissioners were appointed an umpire was actually named in the Act. This occurred in most of the enclosures where only two commissioners were appointed dating from the Emberton enclosure of 1798-9 where John Chamberlain was to adjudicate on points of difference and disputes. Chamberlain was himself a respected commissioner as were most of the umpires and arbitrators. At Iver in 1800-4 three commissioners were named in the Act, and in addition two arbitrators were named, Sir William Young and William Long Kingsman Esquire.⁶⁹

⁶⁸ Stewkley Minute Book, C.R.O.Ayl., IR/M10/2, meeting beginning March 11th 1812 and Account Book, IR/M/10/6, entry of July 28th 1813.

⁶⁹ Iver Enclosure Act, 49 Geo.III, c.55, 1800; Sir William Young later became M.P. for the Borough of Buckingham, Members of Parliament, op.cit., Vol.II, passim, member from 1806-7.

This was a curious clause to add since three commissioners could surely reach a majority decision. No doubt the appointment was prompted by the opposition to this enclosure. The Minute Book shows that these arbitrators were employed several times.

The unique conclusion by the commissioners of the Whaddon enclosure of 1830-1 may summarise the general relationship between them,

"The Commissioners having concluded the Business of the Inclosure and executed the Duties devolved upon them by the Act of Parliament separate in good Fellowship and congratulate themselves their Clerk and Surveyor upon the termination of a Business which has been carried on from its commencement to its conclusion without any dissention or disagreement and now adjourn sine die". (70)

If the proprietors were in dispute with the commissioners they also had certain safeguards. If objections were made to claims or the siting of allotments and roads then the commissioners would listen to such objections and adjudicate. Often they would change earlier decisions to accommodate the proprietors. The minute books are testimony of much adjudication between the two parties and, if they are a fair testimony then most of the commissioners emerge with unstained characters. Enclosure meetings carry with them an overwhelming sense of fair play and the proprietors took full advantage of the commissioners powers to authorise exchanges of land whether open field or old enclosures. This saved them much expense in conveyancing as the enclosure award became the only deed necessary.

Sometimes the proprietors were not satisfied with the commissioners' arbitration and sought a higher authority. The General Act of 1801 introduced a right of appeal to a meeting of the General Quarter Sessions for raising any objections over the conduct of enclosures.⁷¹ Earlier the registration of roads had come under the jurisdiction of the Quarter

70 Whaddon Minute Book, C.R.O. Ayl., IR/M/13, meeting of 19th July 1832.
71 See H.C.J., Vol. 56 (1801), pp. 639 and 661.

Sessions by a Standing Order of 1781. This made it compulsory for all roads to be declared complete, and fit for use, by a justice of the peace.⁷² Sometimes the roads were not fit to be registered. The road surveyor at Bledlow in 1809-12 was forced into debt and threatened with arrest for the non-payment of bills. It appears that some proprietors had withheld their contributions to the road fund. One of them explains:

"I cannot let slip this opportunity of re-iterating my Complaints of the shocking and neglected state of the roads".

The justice required to certify the roads wrote in 1815:

"Mr. Turner took me there to certify a Road two years ago which I found in so Shocking a state, that I could not comply with his wish". (73)

Of course it was the commissioners who were ultimately responsible, it was they who made the original appointment of a road surveyor.

Appeals to Quarter Sessions were rare, so presumably disputes were settled out of court, at the commissioners' meetings. The first appeal was at the Grendon Underwood enclosure of 1769-?, for the stopping-up and obstructing of two ancient roads. It was ratified.⁷⁴ In 1810 Sir John Dashwood King appealed against the boundary between the parishes of Bledlow and West Wycombe as set out by the Bledlow commissioners of 1809-12. His case was dismissed and he was charged £65-17-0 for costs. Commissioner John Fellows was the court's arbitrator on this occasion.⁷⁵ Another boundary was disputed by the churchwardens, overseers of the poor and the inhabitants of Drayton Parslow against the Stewkley commissioners of 1811-4, but again the case was dismissed.⁷⁶ The inhabitants of Leckhampstead appealed against the Akeley commissioners of 1794-6 who stopped-up a road running from the old enclosures of Leckhampstead into

72 Ibid., Vol.38 (1780-2), February 27th and March 14th 1781.

73 Bledlow Enclosure Papers, C.R.O.Ayl., IR/M/2(2), letter of 14th August 1813 and letter of 21st May 1815.

74 Quarter Sessions Records, Vol.19, Michaelmas 1770 and Midsummer 1770, pp.178 and 1541

75 Ibid., Vol.30, Easter 1810, Epiphany 1811; Also Bledlow Minute Book, C.R.O.Ayl., IR/M/2/3, meetings of July 6th and October 2nd 1810.

76 Ibid., Vol.31, Michaelmas 1812; Also Stewkley Minute Book, C.R.O.Ayl., IR/M/10/2, meeting of September 19th 1812.

Akeley. The case was dismissed and they were ordered to pay £40 costs.⁷⁷
 Scrope Bernard, one-time M.P. for Aylesbury [1790-1802], appealed for another road to be formed at the Stoke Mandeville enclosure of 1797-8. His appeal was allowed and another road was ordered.⁷⁸

It might be that appeal to Quarter Sessions was not very common because of the expense in the event of losing the case, an expense which a body of people or someone like Scrope Bernard with influence and wealth could more easily muster.

The most persistent appeal was that made by John Tupp against the commissioners of the Horton enclosure of 1799-1800. In 1800 he objected to the size and siting of his allotments, and against the diversion of a brook over his lands, and the building of a new drain. The first part of the appeal was dismissed but the second was partly upheld. The commissioners were ordered to widen the watercourse and maintain the drain. In 1802 he appealed again. The court ordered Richard Gee of Turvey Bedfordshire, a noted surveyor, to inspect the drain and watercourse to see if the orders of the former court had been complied with. Gee reported that the watercourse was not sufficient to render Tupp his former enjoyment of it. A weir was ordered to be erected and Tupp was awarded costs of £92 against the commissioners. He appealed again in 1805 and another independent surveyor found that the commissioners had refused or neglected to comply with the orders of 1802. The court ordered the commissioners to heighten and maintain the weir and for failing to appear to defend the case they were ordered to pay costs of £95 to Tupp.⁷⁹

The most interesting appeal was the one made by Edward Walter, the Marquis of Winchester, the Earl of Chesterfield and the Earl of Portsmouth against the commissioners of the Dinton enclosure of 1802-4.

⁷⁷ Quarter Sessions Records, Vol.24, Epiphany 1795.

⁷⁸ Stoke Mandeville Minute Book, C.R.O.Ayl., IR/M/11, entry of 10-12 January 1798.

⁷⁹ Quarter Sessions Records, Vol.26, Michaelmas 1800; Vol.27, Midsummer 1802; Vol.28, Michaelmas 1805 and Epiphany 1806.

The most interesting because they did not receive lands in the award, they only owned old enclosures. They were appealing against a rate levied to defray the enclosure costs, part of which they were expected to bear themselves because the award commuted old enclosures from tithes. The appeal was dismissed, the precedent no doubt was the many enclosures of the eighteenth century where tithes were commuted thus and the proprietors of old enclosures were charged a proportionate fee. The calculation of a corn rent required a survey of both quantity and quality. The commutation would be recorded in the award and on the award map, therefore it was fair that costs should be levied.⁸⁰

That actions against the commissioners were rarely taken may be a reflection of their fair judgements but could also be a reflection of the obstacles imposed by the courts, by way of costs, if appeals should fail.

The professionalism of the commissioners is demonstrated in their all-round abilities. They had to perform many tasks. They figure prominently in the stage of soliciting the bill. Those eventually named in the acts were often approached long before the passing of the act and employed by the leading promoters to sound out opinion in the parish, and, since many of them were land surveyors and valuers, they might undertake preliminary surveys. William Collisson prepared a plan of Stoke Mandeville in 1793, a full four years before the enclosure act was passed.⁸¹ John Fellows prepared a survey of the rector's estate in Radclive in the year of the Tingewick-cum-Radclive Act in 1773, and James Collingridge produced one for the Lordship of Tingewick.⁸² Fellows and Collingridge

⁸⁰ Quarter Sessions Records, Vol.27, Michaelmas 1803; Dinton Enclosure Award, C.R.O.Ayl., IR/63; it is true to say that on some occasions owners of old enclosures were made to contribute to costs regardless of tithe commutation because the enclosure survey included the old enclosures, but this was also regardless of whether these proprietors had requested the survey be made.

⁸¹ Stoke Mandeville Enclosure Papers, C.R.O.Ayl., IR/M/11, "A copy of the totals collected from a book of reference to a plan of Stoke Mandeville in the County of Buckinghamshire taken in 1793 by William Collisson of Brackley".

⁸² 'Map of the Rector's Estate in 1773' by John Fellows and 'Map of the Lordship of Tingewick in 1773' by James Collingridge, New College Oxford, L.M. No.1.

were both appointed as surveyors to this enclosure. In accounts the commissioners and surveyors often received substantial incomes for employment rendered before acts were passed.⁸³

In addition to conducting the enclosure a commissioner had to display a wide variety of other skills and experience. Experience to assess claims and reduce them in terms of quality and quantity, and to set out the roads and allotments, though much of this work might devolve upon the surveyors. Perhaps more important is that the economy of the village had to be conducted by them. They became in a sense the Court Baron and the Meeting of the Select Vestry, with responsibility for governing the field rules of the village, for ordering the ploughing of the old fallow and the intercommonage of the stubble.⁸⁴

When the commissioners for the Hanslope enclosure of 1778-9 began their first series of meetings they ordered that the husbandry of the fallow and arable fields should continue as if no act had been passed. They had little choice because that year's cropping had already been decided, the ploughings and seedings had already taken place. After harvest but before the following year's ploughing they ordered all common rights to cease and made all leases at rack rent void, as directed by the Act, but guaranteeing sufficient compensation for the outgoing tenant.⁸⁵ The commissioners at the first two meetings of the Bierton enclosure of 1779-80 suspended common rights, ordered all fallow fields to be sown with clover and ended quit rents upon 35 years purchase. After harvest, rack rents were suspended and common rights opened again on all the open fields except those sown with clover. The following March, as the

83 The Bledlow commissioners in 1809-12 received a total of £444 for their attendances before the passing of the Act. Bledlow Account Book, C.R.O.Ayl., IR/M/2/4.

84 See also W.S. Rodgers, loc.cit. (1962), p.407; and T.H. Swales, "The Parliamentary Enclosures of Lindsey", Architectural and Archaeological Societies of Lincolnshire and Northamptonshire, Vol.XLII (1934-5), p.272.

85 Hanslope Minute Book, C.R.O.Ayl., IR/M/22, meetings of May 5th 1778 and 1-8 March 1779.

enclosure neared completion they extinguished common rights and allowed the proprietors to enter their newly staked out allotments to fence them and cultivate them as they wished.⁸⁶

At Princes Risborough in 1820-23 the commissioners devolved the administration of the open fields upon three of the small local farmers, one each for the upper, lower and middle hamlets. Soon after their appointments they presented field reports from which future tillage decisions were made. Similarly at Monks Risborough the commissioners from the outset appointed three proprietors to be inspectors of the fallow field cultivation.⁸⁷ At Moulsoe in 1802 the commissioners complained that:

"several of the farmers and occupiers of lands in the common fields... had ploughed their lands in the said common fields in a very unhusbandlike and injurious manner and that some of them have neglected to do the necessary ploughing the commissioners took the same into their consideration and appointed Robert King of Moulsoe aforesaid Farmer and Baker to carefully inspect the ploughing". (88)

In this example the argument that the farmers and occupiers would no doubt present would state that since they did not know where their new farms would be situated (or they might not even retain their farms on the completion of the enclosure), they did not see the fortune in working the land for someone else to reap the benefits.

As soon after the harvest as possible the Bledlow commissioners began to direct the course of husbandry, and before the following season they had ordered the ploughing of the fallow.⁸⁹ The Towersey commissioner on assuming control in the parish ordered that the previous year's fallow, beans, vetches, peas or seeds should be sown with wheat and no other

⁸⁶ Bierton Minute Book, C.R.O.Ayl., AR/32/60, meetings of 1st June, 18th June and 15th September 1779 and 1st March 1780.

⁸⁷ Princes Risborough Minute Book, C.R.O.Ayl., IR/M/1/5, meetings of 18th July 1820, 13-15 and 27-29 September 1820; Monks Risborough Minute Book, C.R.O.Ayl., IR/M/8, meetings of 22nd July 1830 and 25-28 May 1831.

⁸⁸ Moulsoe Minute Book, C.R.O.Ayl., Carrington Mss., Moulsoe Settled Estates Box 8a, Bundle No.2.

⁸⁹ Bledlow Minute Book, C.R.O.Ayl., IR/M/2/3, meetings of 23rd August and 15th November 1809 and 30th March 1810.

white crop. Where there had been wheat, oats or barley it was to become beans, peas or vetches, and the remainder of the open fields were to stay as was the usual custom.⁹⁰ At Whaddon in 1830-1 the commissioners ordered the ploughing and cultivation of the fallow land,

"all due and reasonable compensation shall be made for the tillage of the said lands... all persons refusing or neglecting to comply with the above Order and Direction will be liable to forfeit and pay a sum not exceeding £10 for every acre of such tillage land with regard to which such Refusal or neglect shall happen". (91)

At Haddenham enclosed in 1830-4 the commissioners delayed the siting of the new allotments for so long that for a whole year the proprietors did not know in which parts of the parish the land allotted to them was placed. In consequence very little was sown and the villagers experienced the loss of a whole season's arable crop.⁹²

The cost schedules in Chapter IX below show that a husbandry fee was an important part of the cost of an enclosure. The Wavendon Award has a separate schedule showing the charge each allottee had to contribute towards the cost of clover seed and for ploughing and sowing.⁹³

W.E. Tate has suggested that occasionally commissioners syndicated, offering their services en bloc to enclosure promoters. M.W. Beresford has made the same suggestion:

"in some cases commissioners seem to have worked in groups, undertaking as a team (although of course engaged as individuals) work in many parishes".

Similar findings have been made in Bedfordshire and Yorkshire.⁹⁴

This was possibly so, although when one considers the number of enclosures a top commissioner like George Maxwell, John Burcham or John Davis undertook, it is very likely that some of them were engaged

90 Towersey Minute Book, C.R.O.Ayl., IR/M/19/1, 16th November 1822.

91 Whaddon Minute Book, C.R.O.Ayl., IR/M/13, meeting of 28-29 July 1830.

92 H. Harman, Buckinghamshire Dialect (London, 1929), p.96; Walter Rose, Good Neighbours (Cambridge, 1942), p.4.

93 Wavendon Enclosure Award, C.R.O.Ayl., IR/74.

94 W.E. Tate, loc.cit. (1851), pp.142-3; M.W. Beresford, loc.cit., (1946), p.132; W.S. Rodgers, loc.cit. (1962), p.415; P.L. Hull, "Some Bedfordshire Surveyors of the 18th Century", Journal of the Society of Archivists, Vol.1 (1955), p.33.

together on several enclosures, quite by chance. Also it should be remembered that they were nominated in the first place by particular landowning groups.

In the earlier period the busier commissioners gained considerable reputations, mainly very local ones and therefore it would have been quite usual for the same ones to be engaged on the same enclosures several times. The best example was John Lord who for five of his ten commissions was accompanied by Thomas Harrison. The surprising thing is that Lord only shared two commissions with Thomas Green, they lived in adjacent parishes. The other major 'combination' in the earlier period was between Francis Burton of Aynho and John Watts of Sulgrave. For five of his six commissions Watts was accompanied by Burton, but then Burton was engaged fifteen times in Buckinghamshire which perhaps adds weight to coincidence as a factor, though on the other hand they were both actively engaged on the same enclosures in Oxfordshire and Berkshire, perhaps adding weight to the suggestions of Tate and Beresford.⁹⁵

In the later period, essentially after 1785, there were very few local commissioners of experience from which to chose and in a sense "demand was simply greater than supply".⁹⁶ It is understandable therefore that the names of William Collisson, John and Richard Davis, John Fellows and Thomas Hopcraft, of whom only Fellows was a native of Buckinghamshire, should occur in enclosure after enclosure. This later period therefore is notable for apparent (?) syndication. John Davis shared nine of his thirteen commissions with Fellows. Whether this was planned by the enclosure promoters is not known. Certainly both men had considerable reputations and it may be that the promoters chose to play the one off against the other because Fellows usually represented the majority of landowners and Davis often represented the tithe owner. For four of his

95 Oxon. Co. Council, op.cit. (1963), passim; Berkshire R.O. Enclosure Index.

96 W.S. Rodgers, loc.cit. (1962), p.407.

commissions Davis was accompanied by Hopcraft.

The most likely intended relationship was the one between Fellows and Collisson. They were the most active commissioners in the county in the most active period of enclosure in the 1790's and 1800's. For five of his fourteen commissions Collisson was joined by Fellows. They both made their debuts as commissioners at Bradwell in 1788-9. In addition though, Collisson was a surveyor seven times when Fellows was a commissioner, and made his surveying debut as the joint surveyor with Fellows at Preston Bissett in 1781-2. On two occasions Collisson 'the younger' was a surveyor when Fellows was the commissioner and on one of these, at Stewkley in 1811-4, both father, son and Fellows acted together. These two personalities were associated together on fifteen commissions in Buckinghamshire.⁹⁷ They were obviously very familiar with each other's work and there is reason to believe that their partnership was by design. Certainly for the abortive Quainton Bill of 1801 they were in collusion and were both the nominees of the majority of landowners, also they were both witnesses at Westminster.⁹⁸

A more striking example of syndication was the employment of surveyors on commissions where Collisson was one of the commissioners. For his first commission William Russell and John Weston were his surveyors, both from Brackley, and for the next seven enclosures his surveyor was Michael Russell, also of Brackley (son or brother of William Russell?). Twice Richard Stratford of Amersham acted and three times his own sons William and Richard acted.⁹⁹ A professional approach certainly had emerged, an approach that was based perhaps on joint appointments but certainly on recommendation. One of these surveyors, Michael Russell, acted as joint surveyor twice each with Collisson and Collisson junior.

97 At Bledlow in 1809-12 and Amersham in 1815-6 Collisson was a commissioner and Fellows acted as Umpire, and at Stewkley in 1811-4 the roles were reversed. In addition in his only appearance in Oxfordshire at Bicester in 1793-4 Fellows was commissioner and chose as his surveyor William Collisson, Oxon.Co.Council (1963), *passim*.

98 Quainton Enclosure Papers, C.R.O.Ayl., IR/M/9 Draft Bill and Papers.

99 F.L. Hull, loc.cit. (1955), p.33 points out that the Welstead family of commissioners and surveyors often worked together.

It seems too much of a coincidence that the Russells and the Collissons should both come from Brackley. Collisson was certainly the head of a family firm of land surveyors and agents. Could it be that Russell was in Collisson's employ? An unanswerable question from the documents but such a very important question to pose if professionalism and syndication are to be established. The coincidence goes even further because Collisson himself may have inherited his position from Robert Weston, also of Brackley, who acted five times as commissioner and eleven times as surveyor in Buckinghamshire from 1762-82. Brackley produced a remarkable generation of commissioners-cum-surveyors. There were the Westons, the Collissons, Michael Russell and another surveyor named James Collingridge who acted five times in the county in the 1760's and 1770's. There was also John Mitchell of Brackley who acted once as a surveyor. In fact from 1760-1820 out of 88 commissions of enclosure in Buckinghamshire a Brackley commissioner or surveyor or both was engaged on at least 52 occasions. In addition, Brackley personalities had considerable employment in other counties.¹⁰⁰

The emergence of Brackley as a major source of commissioners-cum-surveyors adds considerable weight to an argument of syndication.

oOo

This section on commissioners will conclude with short biographies of three of the most active Buckinghamshire commissioners, John Fellows, John Davis and William Collisson.

¹⁰⁰ Only at least because for one enclosure there is no surviving documentation (Grendon Underwood, 1769-?), and two others were enclosed privately (Haversham 1764 and Dunton 1774), and four others do not name the surveyors in the award or on the award map (Stoke Goldington 1770, Padbury 1795-6, Adstock 1797-8 and Newton Blossomville 1810-1).

John Fellow(e)s of Foscott near Buckingham, Enclosure Commissioner.

Of all the commissioners to serve on Buckinghamshire enclosures John Fellows, a native of the county, served more than any other. From 1788 to 1825 he was a commissioner 29 times, by far the busiest commissioner in the busiest decades of enclosure and yet surprisingly, little is known about him. His father, grandfather and great-grandfather at least have left wills, but John Fellows himself has left nothing, that is nothing save some minute books and correspondence, and of course a landscape.¹⁰¹

Fellows and his father, also John Fellows, were both petty landowners and tenants in at least four Buckinghamshire parishes, though it is clear that they accumulated land to no great size. The main source of evidence is the land tax schedules of 1782-1832.

The family originally hailed from the hamlet of Westcot in the parish of Waddesdon. When the hamlet was enclosed in 1765-6 father and son received 21 and 159 acres respectively. The 1782 land tax shows that the estate was almost equally divided between the two and they were respectively the third and fourth largest contributors. The father was an owner-occupier but Fellows was an absentee-owner. This pattern continued until the father died in 1790. Thus the land tax for Westcot in 1791 shows John Fellows in possession of all of the land, and this situation continued until 1809, at which time a Joseph Marriott was contributing to the land tax for what was formerly Fellows' land. In addition, from 1782-90 the father was a tenant of Earl Temple in nearby Ashendon and an absentee owner in North Marston.

John Fellows himself left the family village to become a tenant of the Marquis of Buckingham at Foscott, near the extensive Stowe estates.

¹⁰¹ Wills, C.R.O.Ayl., D/A/WE/115/11, D/A/WE/101/58 and D/A/WE/68/146; If it is at all significant the great-grandfather, John and grandfather, Thomas were both styled as yeomen, and the father and Fellows himself both held the title Gentleman.

In most of the enclosure documents he is styled as a Gentleman from Foscott. It would seem very likely that he employed an under-tenant because his enclosure activities from the 1770's onwards would surely have prevented his occupation of the farm. It would be useful to learn how he became proficient as a land surveyor for his yeoman origin would have dictated a more direct association with the soil. From 1807 onwards the documents style him as a Gentleman from Buckingham, and, since this almost coincides with his disappearance from the land tax it may be that he set himself up as a professional land agent-cum-surveyor in that town.

That both father and son emerged from the yeomanry and began to ascend the agricultural and social ladders is undeniable. In addition to becoming a very active enclosure administrator Fellows followed his father in acting as a land tax assessor, first for the Hundred of Ashendon and later for the Hundred of Buckingham.

Fellows made his first professional appearance in the county as the surveyor to the Tingewick enclosure of 1773-5. Thereafter he was a surveyor on seven other commissions terminating with his appointment at Preston Bissett in 1781-2. His appointments included acting as surveyor at Hartwell and Stone in 1776-7 where his father was one of the commissioners. Fellows therefore served a very lengthy apprenticeship as a surveyor and one that was clearly very instructive for his later duties as a commissioner. Undoubtedly the enclosure surveyors had to know every aspect of enclosing, they had to know the precise functions of the commissioners and they were invariably given extra tasks by the commissioners. It would have been an easy task to change from surveyor to commissioner and that a number of commissioners were surveyors-cum-commissioners is evidence of this.

Fellows' first appointment as a commissioner was in 1788 for the enclosure of Bradwell. Thereafter he was appointed a further 28 times in the county, his last being at Ivinghoe, an appointment as a replacement

for John Field who died in 1825. This incidentally was an appointment after the award had been signed and completed. In addition he was an Umpire twice, at Bledlow in 1809-12 and Amersham in 1815-6. Outside of the county he was also quite busy. In Bedfordshire he was a surveyor four times from 1775-1800. Curiously three of these appointments were very late, that is after he had established his reputation as a commissioner. He was a commissioner for a further 15 Bedfordshire enclosures from 1793-1817.¹⁰² In Oxfordshire he served once as a surveyor and once as a commissioner.¹⁰³ Oxfordshire is much more local to both Westcot and Foscot than is Bedfordshire yet his major non-Buckinghamshire work was in the latter. He worked on seven commissions in Northamptonshire from 1797-1821 and once each in Hertfordshire and Somerset.¹⁰⁴ The reason for his appearance so far from home in the last example appears to be through the landed interests of the Buckingham family.

Minute Books can be used to plot the movements of the more active commissioners and for 7 of the enclosures on which Fellows served these books have survived. Three of these enclosures took place in the year 1797-8 but at the same time he was engaged on three others in the county, one in Northamptonshire and nine in Bedfordshire. The following Table VII(b) is a possible reconstruction of part of the diary Fellows may have kept.

Not a lot may have survived with which to construct a biography of Fellows but to his memory there is a long letter he wrote in connection with the abortive Quainton bill of 1801. This remains as a symbol of his local knowledge and expertise and is a vastly superior description of

102 My thanks to Mrs. McGregor of the Bedford Record Office for this information.

103 Oxon. Co. Council, op.cit. (1963), *passim*.

104 My thanks to Mr. J.W. Anscomb of Daventry and Mr. P. Walne of the Hertford Record Office for information; for Somerset see Tate Mss., University of Reading, MS 1093/6/2/16, correspondence relating to Buckinghamshire, letter of 11 May 1964, Henry Huntington Library California to W.E. Tate.

TABLE VII(b): The Diary of John Fellows, Enclosure Commissioner, 1798.

<u>Parish</u>	<u>Dates</u>	<u>Venue</u>	<u>Source</u>
Drayton Parslow	January 1st	Failed to attend	
Stoke Mandeville	January 10-12	Aylesbury	Minute Book
Stoke Mandeville	January 22-27	Wing	Minute Book
Drayton Parslow	January 24 - February 2	Failed to attend	
Drayton Parslow	February 6-8	Winslow	Minute Book
Stoke Mandeville	February 19-24	Aylesbury	Minute Book
Drayton Parslow	March 5th	Failed to attend	
Stoke Mandeville	March 26-30	Aylesbury	Minute Book
Drayton Parslow	May 21-26	Winslow	Minute Book
Stoke Mandeville	May 29 - June 2	Failed to attend	
Weston Turville	June 20-21	Aylesbury	Minute Book
Drayton Parslow	July 2-7	Winslow	Minute Book
Weston Turville	July 18-19	Aylesbury	Minute Book
Stoke Mandeville	July 30 - August 3	Aylesbury	Minute Book
Weston Turville	August 20th	Aylesbury	Minute Book
Wingrave	September 1st	?	Award
Weston Turville	September 24-29	(Wendover) ¹	Minute Book
Stoke Mandeville	September 24-29		Minute Book
Weston Turville	October 18-20	Aylesbury	Minute Book
Wing	November 30	?	Award
Weston Turville	December 10-15	(Aylesbury) ¹	Minute Book
Stoke Mandeville	December 10-15		Minute Book

¹ It appears that for these meetings the enclosure of Weston Turville and Stoke Mandeville were conducted at the same time, at the same inns in Wendover and Aylesbury. The Bledlow act of 1809 provided that if any of the commissioners nominated by the act should attend any other meeting on any of the days for which the Bledlow commission met, the commissioner or commissioners would not be paid for double days expenses and attendances.

mid-Buckinghamshire agriculture than is found in either of the General Agricultural Reports of 1794 and 1813.¹⁰⁵

John Davis of Bloxham, Gentleman, Enclosure Commissioner.¹⁰⁶

The Handlist of Inclosure Acts and Awards published by the Oxfordshire County Council lists three commissioners bearing the name John Davis, all of whom hailed from Bloxham, near Banbury in Oxfordshire.¹⁰⁷ My own study in Buckinghamshire reveals that there were at least four commissioners with this name. They were in fact all related. The first two were father and son, the third was the nephew of the second and the father of the fourth.¹⁰⁸

The first John Davis, the Reverend John Davis acted on seven commissions in Oxfordshire before his death in 1789 at the age of 57. It was often stated that he came from Cropredy but in fact his incumbency was at Bloxham where he was vicar from 1762-1789.¹⁰⁹ In his only appearance in Buckinghamshire he was a replacement commissioner at the enclosure of Ludgershall in 1777. In addition he served twice in Wiltshire, once each in Gloucestershire and Northamptonshire, and twice in Hampshire.¹¹⁰

W.E. Tate says that he usually represented the collegial, rectorial or vicarial interests.¹¹¹

105 Reprinted above p. 59 , Chapter III; W. James and J. Malcolm, A General View of the Agriculture of the County of Buckingham (London, 1794); Rev. St. John Priest, A General View of the Agriculture of the County of Buckingham (London, 1813).

106 Expanded from M.E. Turner, "John Davis of Bloxham, Enclosure Commissioner", Cake and Cockhorse. The Journal of the Banbury Historical Society, Vol. IV, No.2 (Spring, 1971), pp.175-177.

107 Oxon. County Council, op.cit. (1963), passim.

108 Thus providing an impressive succession of commissioners from the mid-18th to mid-19th century, Information supplied by Mr. J.S.W. Gibson who consulted the papers of Mr. R.D'o.Aplin of Bloxham, a descendant of the family.

109 Ibid., and recorded in Bloxham Church, east Window.

110 R.E. Sandell, op.cit. (1971), passim; Information of Gloucester supplied by Mr. A. Randall of Westbury, Wiltshire. Information on Northamptonshire supplied by Mr. J.W. Anscorb of Daventry; Hants R.O. Leckford Award of 1780, Q0/19, and Headbourne Worthy Award of 1788-91, Q0/22.

111 W.E. Tate, loc.cit. (1951), p.142.

The most celebrated John Davis was the son of the Reverend Davis. He acted on more occasions in his home county than any other commissioner, appearing on 36 commissions between 1793-1819. Outside his home county he was an equally busy and sought after man. In Buckinghamshire from 1796-1813 he was engaged 13 times, making him the fourth busiest commissioner in the county. In Berkshire he was a commissioner 34 times and an Umpire 3 times from 1786-1820. On one of these enclosures at Warfield in 1814 his nephew, also John Davis was appointed the surveyor. In Gloucestershire from 1801-19 he was a commissioner 6 times but refused to act on one of them. In Northamptonshire he was a commissioner 7 times from 1797-1815. In Hampshire he served twice, for one of which his nephew was the surveyor. In Bedfordshire he served four times from 1799-1811 and in Wiltshire 4 times and 3 times as an Umpire, and finally in faraway Leicestershire he acted as a commissioner 5 times.¹¹² His final total therefore was 116 enclosures in 9 counties from 1786-1824, at which point he retired at the age of 68 years. This was more enclosures than the celebrated John Burcham, but less is known of John Davis.¹¹³ From other sources it can be established that Davis never served on enclosures in the counties of Middlesex, East and West Yorkshire, Sussex, Cumberland, Nottinghamshire, Staffordshire, and Cambridgeshire.¹¹⁴

Arthur Young in visiting Bloxham was particularly impressed by two farmers, Messrs. Warrimer and Davis. The latter he described as an excellent

112 References as already footnoted and in addition, Hants. R.O., Weyhill and Appleshaw Award 1812-18, No. 19, and South Stoneham Award 1813-15, Q.E.2; H.G. Hunt, The Parliamentary Enclosure Movement in Leicestershire, 1730-1850 (London University Ph.D. Thesis, 1956).

113 R.C. Russell, op.cit. (1968), p.9.

114 From the Index of Enclosure Records in Middlesex Record Office; Vanessa Neave, Handlist of East Riding Enclosure Awards (Beverley, 1971); W.S. Rodgers, The Distribution of Enclosure in the West Riding (Univ. of Leeds, M.Comm. thesis, 1953); Catalogue of Enclosure Maps and Awards as supplied by Sussex (East and West) R.O.'s; Cumberland Enclosure Awards, (Joint Archives Committee for the counties of Cumberland and Westmorland and the City of Carlisle, 1968); W.E. Tate, Parliamentary Land Enclosures in the County of Nottingham (Thoroton Society, Record Series, Vol. V, 1935); Tate Mss., Univ. of Reading, MS 1093/10/2/10, Catalogue of Enclosure Awards in the Staffs. C.R.O., and MS 1093/10/1/50, Catalogue of Enclosure Awards in the Cambridgeshire C.R.O.

practical farmer who had a great deal of experience as an enclosure commissioner, "having been employed upon twenty six at the same time". Indeed in compiling his General View of the County of Oxford, Young paid close attention to the opinions given by Davis on the question of enclosure. It was Davis' belief that enclosure had greatly increased arable production and that as much could be grown on half the number of acres after enclosure. Also he believed that rents would improve and that there would be very little difference to the situation of the poor. Regarding costs, he offered one very material way to lessen the expense of enclosure, that is by not using post and rails fences to support the young quicksets, it was only required to restrain the sheep from being without a shepherd. Needless to say he did not post and rail his own farm.¹¹⁵

It was not surprising that a commissioner like Davis could undertake so many enclosures, even 26 at one time. For a fee of 2 guineas and later 4 guineas per day plus expenses, it proved to be a very rewarding profession. On the other hand it must have been prohibitive to undertake as many commissions as Davis did. Indeed the surviving minute books are testimony of considerable absenteeism. The minute books for Moulsoe and Stewkley reveal that Davis was possibly the worst offender of them all. At Moulsoe in 1802 he only attended half of the recorded meetings and for the seven years of the Stewkley enclosure of 1811-17 he only attended those meetings which dealt with the draft award. Of 49 meetings lasting 216 days Davis only attended 5, that is 26 days. This does not compare very favourably with the other commissioners. Messrs. Fellows and Horwood attended 206 and 205 days respectively. Understandably therefore he only received a small share of the commissioners' fees, £138 compared with Fellows' fee of £801. His last meeting at Stewkley was in May 1813 though the enclosure was not completed until May 1817:

"Mr. Davis's bill on all his enclosures has not amounted to above 100 pounds per enclosure, though not attending so much as some". (116)

115 A. Young, General View of the Agriculture of Oxfordshire (London, 1813), pp.93-5.

116 A. Young, (1813), op.cit., p.93.

In spite of his dilatory approach Davis still earned full marks from Young, but his feelings for the poor in the light of his own behaviour were not too kindly. Their standards had not changed very much, but there was "not so much pilfering; far better for their morals".¹¹⁷ Strong words from a man who was engaged on 26 enclosures at the same time, that is, barely one day per month per enclosure.

For his 36 Oxfordshire commissions he represented Lords of the manor five times, tithe owners six times, "other proprietors" nineteen times and the rest of his commissions were made up of various combinations.¹¹⁸ In Buckinghamshire he represented lords of the manor three times, tithe owners three times (New College twice and the Bishop of Oxford once), and on all other occasions he represented the major landowners. It could be that he chose to be present only at those meetings which concerned his sponsors, thus at Stewkley he may have felt that he had completed his obligation by only attending those meetings where the tithe commutation to the Bishop of Oxford was discussed.

The third commissioner named John Davis acted five times in Oxfordshire and four in Buckinghamshire. For two of these enclosures he was unable to complete his duties, dying in 1845 at the age of fifty four, but both times he was able to put his name to the completed award, Quainton in 1843 and Great Horwood in 1842 though there were certain post-award duties left unfinished. For the Quainton enclosure he was replaced by his son, yet another John Davis. This fourth and final Davis acted only once in Buckinghamshire. In Oxfordshire he served only once also, and then only as a surveyor.

¹¹⁷ *Ibid.*, p.65.

¹¹⁸ W.E. Tate, *loc.cit.* (1951), pp.142-3.

William Collisson of Brackley, Northamptonshire.

Much has already been said about the commissioner-cum-surveyor, William Collisson and his very close association with a group of surveyors and land agents from his home town of Brackley.

He was a commissioner 14 times in Buckinghamshire from 1788-1823. His first appearance was on the Bradwell enclosure when he also began his lengthy association with John Fellows. In addition he was also a very active surveyor. If anything it appears he was financially more successful as a surveyor.¹¹⁹ For one of his commissions, at Aston Abbots in 1795-6 he was originally appointed as the surveyor. It was one of those rare occasions (rare for the eighteenth century at least) which was attended by only two commissioners. In addition to being the surveyor he was empowered to act as arbitrator in the event of any disputes between the commissioners. On the death of one of the commissioners the remaining one elected Collisson as a replacement. So, rather uniquely, Collisson attended the enclosure as both commissioner and surveyor.

It seems he was prepared to turn his hand to almost anything. At the Preston Bissett enclosure of 1781-2, where he was the surveyor, he also undertook to form and maintain the Rector's fencing for a period of eight years, and the fencing of the cottagers' allotment for twelve years. The cost of this fencing was over £233 but it is not clear how much was for materials and how much was for his fee. Possibly he intended to sub-contract at a later date to a carpenter and merely allowed his name to be inserted in the award in order to complete it.¹²⁰

Like all of the busier commissioners Collisson worked on several enclosures in other counties also. In Bedfordshire he was five times a surveyor. He was a commissioner once each in Hertfordshire and Berkshire. In Cambridgeshire he was a surveyor twice and in Gloucester four times and

¹¹⁹ See Chapter IX, *infra*, especially pp. 315-16.

¹²⁰ Preston Bissett Enclosure Award, C.R.O.Ayl., IR/22.

Huntingdonshire once. In Oxfordshire he was a representative on thirteen enclosures from 1775-1829, a commissioner ten times and a surveyor three times. Most surprisingly, in his home county of Northamptonshire he was a commissioner only three times and a surveyor six.¹²¹ He has the distinction of being very closely involved in the infamous enclosure, or for him, attempted enclosure of Otmoor.¹²² He presented the bill to Westminster in 1816,

"as the attorney of Alexander Croke, Esq., Judge at the court of Vice Admiralty at Halifax, in Nova Scotia". (123)

The act was granted but fourteen years later when he died in 1829 the enclosure of the Moor was still not completed.

b) The other Personalities of Enclosure

The Commissioners loomed large in every stage of enclosure, before the act had been passed, during the actual enclosure and after the award had been signed. Most of the documents that have survived bear their names and they must therefore command a prominent chapter in any discussion of social consequences. The previous section shows that in spite of a growing collection of documents very little is still known about them. Some are still simply names but for others very incomplete biographies can be constructed. If so little is known about the commissioners, even less is known about the enormous group of supplementary personalities, the solicitors, clerks, bankers, surveyors and road and fence contractors. An enormous group of people, impossible to catalogue, too important to forget.

Many of the surveyors almost write their own biographies. They gained reputations as surveyors and later became commissioners of equal

121 Sources of information as per former footnotes and Huntingdon Record Office, Orton Waterville enclosure 1805-10, 100 SRS 5.

122 See in particular J.L. and B. Hammond, op.cit., (1911), passim.

123 H.C.J., 43 (1787-88), p.402, even as early as 1788 Collisson was involved with the enclosure of Otmoor when he was called as a witness to the abortive Otmoor Drainage Bill; Vol. 70 (1814-16), pp. 393, 402, 420 and 475.

note. Robert Weston, William Collisson, John Watts, John Fellows were all surveyors-cum-commissioners and in the mid-nineteenth century William Brown of Tring became a surveyor-cum-valuer for enclosures passed after the 1845 General Act. Of less importance in Buckinghamshire were Richard Gee of Turvey in Bedfordshire who was surveyor at Lavendon in 1801-2 and Newport Pagnell in 1807-8 and a commissioner at Olney in 1803,¹²⁴ and Thomas Bainbridge of Grays Inn who was commissioner at Weston Turville in 1798-1800 and surveyor at Wraysbury in 1799-1800. These two parishes are a considerable distance apart, no doubt the reason for Bainbridge's absenteeism at Weston Turville.¹²⁵

The usual practice before about 1794 was to appoint two kinds of surveyor, a quantity surveyor and a quality surveyor. The latter would assess the parish in terms of rental value giving the commissioners a better idea of the size of allotment as an equitable substitute for the old open field land. After 1794 it becomes clear from the surviving minute books, accounts and other documents that the commissioners and the quantity surveyors undertook this work. The most active quality man in Buckinghamshire was Richard Shortland of Holinden in Northamptonshire. Between 1766-82 he was engaged eleven times as a quality surveyor. Very often one or more of the commissioners would also be appointed as quality surveyor, notably Thomas Harrison of Stony Stratford and John Watts of Sulgrave in Northamptonshire. The second busiest quality man was John Brickwell, styled as a grazier from Dunton and later Eythrope and Waddesdon. Between 1769-79 he was appointed ten times and worked with all of the most notable commissioners of the day (Francis Burton, Thomas Taylor, John Lord, Thomas Green and later Robert Weston and John Fellows). No doubt he developed a sound reputation to be appointed so many times, and

124 He was also surveyor on six Bedfordshire enclosures, see P.L. Hull, *loc.cit.* (1955), p.33; Incidentally, at Olney his surveyor was Thomas Denton also of Turvey. Possibly they were members of the same firm of estate agents and land surveyors.

125 See Table VII(a), *supra*. A record of his attendances at Wraysbury is not available.

like most of the quality men he was a practical farmer. His expertise was rewarded with his appointment as commissioner at Hartwell and Stone in 1776-7. Thomas Hopcraft of Crowton in Northamptonshire, a very busy commissioner in Buckinghamshire also began his career as a quality man.

Sometimes the surveyor would be appointed to act as both quantity and quality man, but on no occasion was a recognised quality man, apart from commissioners-cum-surveyors, ever appointed a quantity surveyor. They were clearly two distinct jobs, one a profession and the other a temporary appointment. The minute books leave no doubt on this point. The quality man's job was clearly less exacting and less rewarding.

Some of the more notable commissioners served lengthy apprenticeships as surveyors. The experience they gained was invaluable as the commissioners often delegated much subsidiary work in their direction. Apart from preparing an accurate plan of the land involved in the enclosure they could also be responsible for staking out the allotments prior to possession and for calculating the rate that was levied on the proprietors to defray costs.¹²⁶ The cost of the survey varied from about 9-18 pence per acre for new allotments, and somewhat less for old enclosures. The average size of a Buckinghamshire parish was about 2-2,500 acres therefore the cost of the survey would only be between £75-190.¹²⁷ The schedules in Chapter IX below show that the surveyors received much more than this. A breakdown of their fees reveals that they received supplementary income for attendances at commissioners' meetings and for such specific items as fees for calculating the rate of costs.

One task they were often given was the collection of enclosure charges from the proprietors for disbursal as fees to the other

126 See also P.L. Hull, *loc.cit.* (1955), pp.35-6.

127 This is a generous estimate since there are several large parishes in the Chilterns which were not affected or hardly affected by enclosure, such as Hambledon with 6,598 acres, Hughenden with 5,828 acres and Wycombe with 6,533 acres. The average size of parishes undergoing enclosure was often less than 2,000 acres.

administrators. They completed this duty in collaboration with the clerks and continued to do so in at least the 1760's and 1770's. The earlier awards not infrequently finish by stating that the accounts are left in the hands of the surveyor and the clerk for final disbursement.

Some surveyors became successful commissioners but others remained as surveyors all the time. Michael Russell and James Collingridge both of Brackley in Northamptonshire were notable examples in the eighteenth century. Some family associations can be identified, father-son relationships, notably the Collissons and Thomas and Edward Webb (brothers or father and son?) and also the Bloodworth family. Charles Bloodworth of Kimbolton in Huntingdonshire acted three times as a surveyor in Buckinghamshire and later, Thomas Bloodworth (son, brother?) acted twice.¹²⁸ In the nineteenth century, apart from the activities of the Collissons the only other family enterprise was John King of Nash, later Winslow. King was a surveyor nine times in Buckinghamshire from 1810 until his death in 1846. He was also a commissioner twice. On one occasion his son, another John, acted as his surveyor. He died in 1846 whilst still engaged as a commissioner at Buckland and a surveyor at Great Horwood. On both occasions his son was appointed to his position. He would have assisted his father on these and was the obvious choice.

In a similar way that the profession surveyor-cum-commissioner developed in the eighteenth century, so another joint profession came into being, the clerk-cum-solicitor. Of the major personalities of enclosure these are the most difficult to identify. They were never named in the act as were the commissioners (always) and the surveyors (sometimes) and were rarely named in the awards. Sometimes they can be identified if a cost schedule was appended to the award. The solicitor was not

128 Charles Bloodworth was surveyor on twelve Bedfordshire commissions and commissioner on eleven, P.L. Hull, *loc.cit.* (1955), p.33; Also on surveyors, see F.M.L. Thompson, Chartered Surveyors: the growth of a Profession (London, 1968), especially pp.32-38.

automatically appointed the clerk but it was more usual than not for this to happen. Their duties were many and varied. They would attend pre-enclosure meetings, draw up a petition for Parliament and prepare a draft bill, obtain some measure of parish opinion as to enclosure and solicit the bill through Parliament. This pre-Act stage of soliciting the bill was often very expensive. The solicitor to the Drayton Parslow enclosure of 1797-8 received £274-12-0 for soliciting the act and later shared a bill of £256-11-9 as clerk to the commission.¹²⁹ As commissioners' clerk they would prepare notices for the local newspapers and the parish church door, send circular letters to proprietors advising them of the progress of the enclosure and their contribution to the costs, attend commissioners' meetings and transcribe the proceedings into the minute book, draw up and engross the award and temporarily bear the expense of parchment and stamp duty for the award.¹³⁰

Understandably the solicitor to an enclosure was very often from a nearby town, one of a local firm of solicitors and very often a representative for local landowners in cases of litigation and land transactions, and sometimes a direct representative of a particular estate, perhaps the land steward. The solicitor-cum-clerk, John Hollier of Thame, for example, was the steward of Long Crendon Manor.¹³¹ The solicitor and clerk of the Princes Risborough enclosure of 1820-23 was the private representative of John Grubb, the leading petitioner in the parish. The solicitor-cum-clerk to the Winslow and Little Horwood enclosures, both of 1766-7, was also the private solicitor of William

129 See Chapter IX *infra*; Drayton Parslow Enclosure Minute Book, C.R.O. Ayl., not accessioned as such.

130 The large collection of Cambridgeshire Enclosure Commissioners' Minute Books which now lie in the University Library survive because one man, Christopher Pemberton was the clerk on 45 enclosures, see M.W. Beresford, "Bibliographical Aids to Research, No. XI, Minutes of Enclosure Commissioners", Bulletin of the Institute of Historical Research, Vol. 21 (1946-8), p.60; Stamp Duty could be very expensive. Each page or skin of the award required a stamp, see T.H. Swales, loc.cit. (1938-9), p.86.

131 Long Crendon Manorial Records, C.R.O.Ayl., D/78, deposited by Lightfoot and Lowndes, solicitors from Thame.

Lowndes, a landowner in both parishes.¹³² J.F. Congreave of Stony Stratford solicited the Whaddon act of 1830 and was also the private solicitor of the lord of the manor, William Selby Lowndes.¹³³ As W.S. Rodgers concludes:

"It is evident that some of the commissioners [sic. and other administrators] had strong links with the larger estate owners and quite possibly this connection meant an unintentional bias in the often difficult and delicate task of adjusting the claims of large and small proprietors". (134)

The Swanbourne enclosure of 1762-3 was attended by Joseph and James Burnham of Aylesbury and Winslow respectively, as clerks. James also solicited the act. This firm later acted at both Winslow and Little Horwood. James acted on his own at North Marston in 1778-9 and Bradwell in 1788-9, as both solicitor and clerk. Joseph in his turn acted at Aylesbury in 1771-2, Whitchurch in 1771-2 and Bierton in 1779-80 again as both solicitor and clerk. Apart from Bradwell, where a solicitor from Newport Pagnell would have been more convenient, all of these enclosures were local to either Aylesbury or Winslow. Many other examples of employing local solicitors can be found. For instance John Loall of Newport Pagnell who was engaged at Shenley in 1762-3, Thomas Holt also of Newport Pagnell who was engaged at Loughton in 1768-9 and Woughton in 1768-9, John Miller and Walter Reade of Buckingham who were engaged at Shalstone in 1767-8 and Charles Morgan of Northampton who was engaged at Hanslope in 1778-9, a parish on the Northamptonshire border.

No single firm of solicitors could rightly claim any dominance in eighteenth century enclosures though the Burnhams worked on more occasions than any other practice. A Burnham was clerk at Swanbourne in 1762-3 and at Great Woolstone in 1796-7. The precise relationship within the Burnham family is not very clear except that it was almost certainly the same firm

132 See B.A.S.Deeds, Whaddon, C.R.O.Ayl., 370/22/2 Nos. 6 and 20.

133 Ibid., 370/22/17.

134 W.S. Rodgers, loc.cit. (1962), p.415.

that was engaged on these two enclosures. They were engaged on at least¹³⁵ twelve enclosures in the eighteenth century either as clerks or solicitors and in addition Joseph Burnham was appointed as a commissioner three times in the 1790's.¹³⁶ He was the only solicitor-cum-clerk in the county to become a commissioner. His experience from earlier enclosures no doubt influenced his appointment. Before the Little Woolstone enclosure of 1791-2 Joseph Burnham displayed his many talents when he calculated the possible rental improvement that an enclosure of the parish might bring about. It is a rare example of primitive cost benefit analysis:

The rental of pre-enclosure Little Woolstone	£ 500-0-0 per annum.
The Improved rental expected upon enclosure	£ 681-0-0 per annum.
Therefore the annual improvement	£ 181-0-0
At 25 years purchase	<u>£4,525-0-0</u>
Supposed expences of 570 acres @ £3 per acre	£1,710-0-0
and 44 acres of Old enclosure @ 5 shillings	£ 11-0-0
	<u>£1,721-0-0</u>
Hence margin of profit	<u>£2,804-0-0</u> (137)

The Burnham family were in fact substantial landowners in the county, mentioned many times in enclosure awards. At Grandborough, enclosed in 1796-7, James Burnham was the leading landowner with 261 acres.¹³⁸

The solicitor-cum-clerk was not always a neutral party. Often he might be in receipt of lands in the particular parish where he was officiating, for example the Burnhams at Bierton in 1779-80 and at Aylesbury in 1771-2 (where they acted as the solicitors and later the clerks). The solicitor-cum-clerk of the Little Woolstone enclosure of 1791-2, Richard Ambrose Reddall of Woburn in Bedfordshire, was the trustee of a substantial estate in that parish, and the firm of James James and

135 At least, because for many enclosures the clerks or solicitors cannot be identified. They were not automatically named in the Acts or Awards. It is only where minute books and other materials have survived that they can be positively identified, and also where cost schedules have been appended to awards.

136 At Little Woolstone in 1791-2, Little Brickhill in 1796-8 and Adstock in 1797-8

137 Little Woolstone Enclosure Papers, C.R.O.Ayl., AR/11/58, Accounts and Valuations; In fact the cost of this enclosure was 30 shillings per acre. Presumably Burnham's over-estimate took into consideration the cost of fencing.

138 Grandborough Enclosure Award, C.R.O.Ayl., IR/53.

Joseph Rose were substantial landowners at the enclosure of the Kimble parishes where they also officiated. John Hollier was solicitor and clerk to the enclosures of Towersey and Long Crendon and was also an allottee both times. At the former he was in disagreement with the commissioner over the situation of his new allotment.¹³⁹

Some very notable local figures were active as clerks and solicitors, in particular the firms of Chaplin and Tindal and William Minshull. Apart from their duties on enclosures, Minshull, Acton Chaplin, Thomas Tindal and Acton Tindal were successively Clerks of the Peace from 1764-1880.¹⁴⁰

Enclosures could certainly be a rewarding sideline for a firm of solicitors and in Buckinghamshire in the last half of the eighteenth century it was probably the most prominent sideline. In addition they would benefit from any stimulation in the land market that might result. There were hazards however, such as molestation of solicitors' clerks as they attached notices to the doors of the parish church, the instances at Stewkley in 1803, Oakley in 1819, Princes Risborough in 1820 and Towersey in 1822 have already been outlined.

In the process of soliciting the Act the solicitors would be expected to provide, from their own funds, the Parliamentary fees and the expenses of the witnesses that attended Westminster. They would be duly rewarded with interest of 5% on all the monies they expended, and as Part III demonstrates, these monies were often quite considerable. While engaged in attendance with the commissioners the clerks would receive two guineas per day as a fee, though this varied over time in phase with the changing rate of the commissioners' fees. An analysis of the various cost items shows that the solicitor-cum-clerk received higher 'income' than any other individual personality.¹⁴¹ It was perhaps the only profession involved in enclosure that did not arise out of enclosure. The

139 Towersey Minute Book, C.R.O.Ayl., IR/M/19, entry of 1-5 March 1823.

140 Sir Edgar Stephens, The Clerks of the counties 1360-1960 (The Society of Clerks of the Peace of counties and of Clerks of county councils, 1961), p.59.

141 The commissioners' fee in Figure IX(a) in Chapter IX infra, must be divided by a factor of three to obtain the fee of the individual commissioner.

commissioners of the late eighteenth and early nineteenth centuries were born out of the experiences of earlier enclosures. The surveying profession became more sophisticated and regularised. Enclosure was a legal process and the award represented a master title deed, therefore a solicitor was always a necessary tool without whom a bill could not be presented to Parliament, and, as a clerk, an award could not be framed, but it was a profession that already existed.

A totally neglected aspect of enclosure studies has been the emergence or stimulation of industries connected with rural improvement, that is in the formation of the roads and fences and the resulting generation of employment. This was not the immediate task of fencing, drainage and road making, which has often been used to justify enclosure,¹⁴² the employment referred to is the long-term process, the emergence of professional contractors replacing the old parish officers, the antiquated 'Surveyor of the Highway' and the obligation by the villagers to work so many days per year on the parish roads. Also the emergence of nurserymen cultivating the hedges, who may have developed from simple village carpenters. The enclosure period, in the Midlands at least, provided the first intense demand for such occupations to arise, occupations that have survived into the twentieth century.

The further removed is the personality from the commissioners, so the less is known about him. For information on road and fencing contractors the information is almost entirely derived from the supplementary award sources.

The commissioners, by authority of the Act and as part of the tithe commutation, had to provide good and sufficient outward or ring fences, and sometimes subdivision fences, for the glebe, rectorial and vicarial estates, and sometimes for the poor's land and cottagers' land. They

¹⁴² The Posse Comitatus of 1798 records that at Drayton Parslow, which was enclosed in 1797-8, 29 men out of 96 aged between 15-65 were engaged on the enclosure of the parish as labourers. Posse Comitatus, C.R.O.Ayl.

usually had to make and maintain them for up to seven years.¹⁴³ At Aylesbury in 1771-2 Thomas Taylor and Joseph Burnham undertook the task. They were commissioner and clerk respectively to the enclosure. Possibly they only inserted their names in the award in order to complete it, intending to sub-contract to a carpenter later. Similarly at Wendover in 1794-7, Joseph Burnham undertook to make the rector's fencing. At Preston Bissett in 1781-2 the surveyor William Collisson was appointed to complete the rector's fencing for a specific fee allocated in the award. He may have intended to sub-contract. George King of Daventry, a surveyor by profession,¹⁴⁴ was appointed to form the rector's fencing at the enclosure of North Crawley in 1772-3. It is interesting to note that a James King of Daventry was the surveyor at this enclosure, possibly therefore a family connection, though it still cannot be established that these men actually undertook the work.

The formation of the fences could be a very rewarding sideline. In forming the tithe fences at Ludgershall in 1777 Richard Pottinger of Adderbury, Oxfordshire was awarded £622, though how much was income, after expenses for labour and materials, is not known.

On several occasions specific landowners in a parish undertook to fence and maintain the glebe and tithe allotments. At North Marston in 1778-9 Messrs Tatham and Stevens were appointed to complete the tithe allotment fencing. They were to receive £120. They were also allottees in the parish and were assessed combined costs of £150. In addition they were also appointed Surveyors of the Highway. No doubt the tithe fencing helped certain landowners to defray their enclosure costs and possibly they had timber on their lands with which to make the protective post and rails for the young quicksets. The frequency with which resident landowners were appointed to make these fences suggests an attempt, in

143 This was the most common duration and was considered to be the time sufficient for a young quickset to reach maturity.

144 He was appointed surveyor to the enclosures of North Marston in 1778-9 and Hanslope in 1779-80.

part, to defray enclosure costs.

The first mention of a carpenter is at Hartwell and Stone in 1776-7 with the appointment of Stephen Gurney.

The 1790's saw the real emergence of a specialised and recognisable industry. It may be no coincidence that in the 1790's there was also the greatest Parliamentary agitation to regulate the presentation of enclosure petitions, the greatest changes in the Standing Orders of the House and the survival of the greatest amount of supplementary enclosure information.

Arthur Ridgeway, a carpenter from Winslow was appointed to make the tithe fences for the Steeple Claydon enclosure of 1795-6. John Hart, a carpenter from Wing was first appointed at neighbouring Aston Abbots in 1795-6 and then at Wing in 1797-8. Hart is the first contractor for which there is any substantial information. He was elected to fence the tithe allotment at Wing and was also appointed the Surveyor of the Highways. His name appears several times in the Wing Account Book.¹⁴⁵ He was also engaged in the pre-act stage of soliciting the bill, though in what capacity is not known. For this he received over £19 and for providing the stakes used by the surveyors he was paid over £10. For the tithe fencing he received £702, though how much would remain as income after labour and materials is not known. He could not possibly make and maintain the fences without some help and almost certainly would not have such a large stock of timber, even though he was a carpenter. For making the public roads at Wing he was given charge of £1,801 to disburse to the contractors and his own fee was £50. Finally he received £2-12-6 for an attendance at court. In the award he was allotted $3\frac{3}{4}$ acres at a cost of £21. Even without knowing his income for tithe fencing, the fee received as surveyor of the highway more than offset his enclosure costs and would also have covered his personal fencing cost. Here then was an example of a small landowner-cum-rural-craftsman who stood to gain a lot by the

145 Wing Account Book, C.R.O.Ayl., IR/M/14, various entries.

enclosure of his parish.

The fencing at Stoke Mandeville in 1797-8 was entrusted to Thomas Senior and Edward Gurney, carpenters from neighbouring Wendover. Sometimes the appointment may not have met with approval. For example, at Wendover in 1794-5 a Mr. Forster would have preferred that the tenants did the fencing themselves:

"for his own part he had little faith in the work done by the undertaker... employed by the commissioners". (146)

The busiest of the 'fence makers' and certainly the first of the new professional nurserymen were William Poulton of Stanwell in Middlesex and Michael Messer of Dunstan in Oxfordshire. Formerly the sphere of influence of enclosures with respect to the fence makers was very local. If a resident was not employed then someone from close by would be. Poulton and Messer were the first contractors to be employed from any great distance.¹⁴⁷ They were employed together at Drayton Parslow and Weston Turville in 1797-8 and 1798-1800 respectively. Poulton was employed alone at Kimble in 1803-5 and Bledlow in 1809-12 and in a group with Messrs. Keys and Soden at Stewkley in 1811-4. Possibly, in fact probably, Poulton made the tithe fencing for several other contemporary enclosures for he was certainly well known in Oxfordshire as well.¹⁴⁸

At Bledlow, Poulton was awarded £1,069 for fencing the 523 acres allotted to Eton College, that is £595 for boundary fences and £474 for subdivision fences. In addition he also undertook the fencing of the tithe allotment, receiving a further £753.¹⁴⁹ Even after a deduction for

146 Though Forster may have been totally opposed to enclosure altogether since he also objected to the Solicitor at Wendover. Rev. St. John Priest, A General View of the Agriculture of the County of Buckinghamshire (London, 1813), p.124.

147 Though one witness at Moulsoe claimed that the fencing in many new enclosures was undertaken by a man from Aylesbury who was able to find materials and labour. This highlights the gaps in the evidence because this man has not been identified. Ibid., p.124.

148 A. Young, A General View of the Agriculture of the County of Oxfordshire (London, 1812), p. 65.

149 Bledlow Enclosure Papers, C.R.O.Ayl., IR/M/2/4, Bills and Accounts.

labour and materials he must have had a substantial income. In addition to fencing he was also appointed the 'surveyor of the highway' at Kimble. Of the other fence makers in Buckinghamshire very little is known. The next most active seems to have been Thomas Morris of Aston Clinton. He was engaged at Princes Risborough in 1820-23, Whaddon in 1830-1 and Monks Risborough in 1830-9. The fencing at Buckland was given to Joseph and William Morris, while Thomas Morris undertook to construct one of the roads. It is interesting to note that for the contemporary enclosures of Monks Risborough and Whaddon he quotes six shillings and sixpence and eight shillings per pole, respectively, for the public fencing.¹⁵⁰ This probably reflects the differences in the cost of carriage of materials. Monks Risborough is much closer to Aston Clinton than is Whaddon.

In the same way that tithe fencing was undertaken by local men in the earlier enclosures, sometimes carpenters, sometimes landowners, so the construction of the new roads was also undertaken locally. It seems that the appointment of a surveyor of the highway was an extension of the old parochial office of the same name. The appointee merely supervised the construction of the roads until they were registered as complete at a meeting of the General Quarter Sessions. For this he received little more than a nominal fee. For a number of enclosures a local man was usually appointed. Thomas Green the commissioner was appointed for his home parish of Whitchurch in 1770-1. At Calverton in 1782-3 the surveyor of the highway received only £20 for two years supervision. At Castlethorpe in 1793-4 he received only £10. At Newport Pagnell in 1794-6 a surveyor of the highway was not appointed but instead money was left in the hands of the clerk to be disbursed as the work was completed. At Weston Turville in 1798-1800 the surveyor of the highway was a local man. Nine years after the award was signed he was

¹⁵⁰ Monks Risborough Minute Book, C.R.O.Ayl., IR/M/8, meeting of 1 December 1831; Whaddon Minute Book, C.R.O.Ayl., IR/M/13, meeting of 22 December 1830.

about to proceed in litigation against the commissioners. The clerk of the commission had no more funds at his disposal to discharge any more costs.¹⁵¹

At Bledlow in 1809-12 the surveyor of the highway was under threat of arrest for debt because of undischarged bills. His plea was that a number of the proprietors had refused to pay their proportion of the costs and would continue to do so until the roads had been certified at a meetings of the General Quarter Sessions.¹⁵² A Justice of the Peace had been taken to Bledlow two years earlier but found the roads in such a shocking state that he refused to certify them.¹⁵³ The person appointed surveyor would almost certainly be required to have funds of his own that he could apply to the road account. The bills would require immediate payment but the rates levied on the proprietors were collected in a very piecemeal fashion. At one stage, the road account at Bledlow read, "money received by the surveyor by rate, £4,929-3-2, money discharged by the same, £5,075-10-9½."¹⁵⁴ However, the previous year a complaint was made against the surveyor begging for an investigation to be made of the road accounts as they were kept in such an unskilful and complicated manner.¹⁵⁵

It seems clear that after and including the Amersham enclosure the method of road construction differed. The commissioners in liaison with, though sometimes instead of, the road surveyor, invited tenders from contractors. For example this happened at Amersham, Princes Risborough, Towersey, Monks Risborough, Whaddon, Quainton, Buckland and Great Horwood.

The development of a new rural industry, the professional road contractor, can be identified for the first time. At Amersham in 1815 the principle was to accept the lowest tenders received. Three separate

151 Contained in Weston Turville Enclosure Papers, C.R.O.Ayl., IR/M/3/3, letter of 21 September 1809.

152 Bledlow Enclosure Correspondence, C.R.O.Ayl., IR/M/2/2.

153 Ibid., letter of 21 May 1815.

154 Ibid., Bills and Accounts, IR/M/2/4.

155 Ibid., letter of 6 August 1812.

contractors were employed.¹⁵⁶ At Princes Risborough in 1820-3 one of the local landowners was appointed as the superintendant of the highways and tenders were again received. The contracts that resulted were for each of the main roads. Clearly topography and accessibility to materials would result in different fees for the different roads. The lowest priced road was contracted at six shillings and ninepence per pole and the highest at £1-5-9.¹⁵⁷

Some of the contractors were prepared to undertake many jobs. Thomas Morris was employed on the roads and public fences at Princes Risborough but at Monks Risborough in 1830-9 he contracted to scour the watercourses for one shilling per pole, was given the tithe fencing contract at six shillings and sixpence per pole and constructed four of the roads at up to eleven shillings per pole.¹⁵⁸

Two of the principal freeholders were appointed as surveyors of the highways at Towersey in 1822-5. They were given precise specifications for the roads by the commissioners. The carriageways were to be 14 feet wide, and there were to be $5\frac{1}{2}$ yards [not a linear measure but a crude measure of volume] of stone to each length of one pole. The stones were not to exceed three inches in diameter. Finally, gravel was to be applied at three loads [another measure of volume] per pole. The roads were to be completed by mid-June 1823, that is within eight months of accepting the contract. A quarter of the contractor's fee was to be held back until the roads were finished.¹⁵⁹ It must have been a very professional organisation that could contract to complete the work in such a short space of time, especially since the Standing Orders of the House of Commons allowed up to two years for certifying roads as complete.

The sphere of influence of road contractors expanded, as with the

156 Amersham Minute Book, C.R.O.Ayl., IR/M/4, meetings of 29 August-1 September 1815.

157 Princes Risborough Minute Book, C.R.O.Ayl., IR/M/1/5, March 1821.

158 Monks Risborough Minute Book, IR/M/8, *passim*.

159 Towersey Minute Book, C.R.O.Ayl., IR/M/19, 31 October 1822.

fencing contractors.. The Loader family from Chinnor and later Kingston in Oxfordshire were employed to construct roads, arches and drains for the enclosures of Quainton, Great Horwood, Buckland and Whaddon. These were parishes very remote from Chinnor, or at least much more remote than for one of Loader's main competitors, Thomas Morris of Aston Clinton. By the second quarter of the nineteenth century the sophistications of enclosure allowed this competitive edge to appear. Tenders for the roads would be invited by placing advertisements in the local press, but not only the Buckinghamshire press, also The Northampton Mercury, The Reading Advertiser and Jackson's Oxford Journal.

Undoubtedly a number of twentieth century rural nurseries and contractors owe their origins to the demand from eighteenth and nineteenth century enclosures.

One of the most interesting personalities to emerge from the enclosure period is the country banker. That is not to suggest that country banking was a development from enclosure. No, indeed, there were a number of rural changes that promoted their foundation. L.S. Pressnell has made generous reference to enclosure commissioners' minute books in his study of Country Banking, but it is still very clear that little is known of this aspect of the enclosure period.¹⁶⁰ The bankers themselves will be analysed as closely as the surviving documents will allow.

A.M. Taylor in her study of the Gilletts Bank of Banbury and Oxford has shown how important the rise of country banking was for the administration of estates in the late eighteenth and early nineteenth centuries.¹⁶¹ In particular she reveals that during the agricultural depression of

¹⁶⁰ L.S. Pressnell, English Country Banking in the Industrial Revolution (Oxford, 1956), especially pp.276-9 and 349-55.

¹⁶¹ A.M. Taylor, Gilletts, Bankers at Banbury and Oxford (Oxford, Chapter 3 on the Customers of the Bank.

1821-2 there was a sharp decline in the level of deposits by squires and farmers,¹⁶² but not a single mention is made of enclosure. This was an important element in north Oxfordshire agriculture at the time but perhaps the Gilletts' were never employed by commissioners, though this seems very unlikely.

The administration of enclosure finances was governed by Standing Orders of the House of Commons. These Orders were inserted as clauses into the Acts. In 1774 the House resolved:

"That after this session of Parliament in all Bills for Inclosures, there be inserted a Clause, compelling the Commissioners to account for all Monies by them laid out, assessed on the Parties concerned in the said Inclosures". (163)

The Resolution was made a Standing Orders of the House. It was repealed in 1799 and replaced by an Order compelling the commissioners to keep a book at the clerk's office open for inspection by the proprietors, in which all monies would be accounted for. In addition they had to pay every collection of £50 into the hands of a banker, or other approved person. Withdrawals of money had to be approved by the commissioners.¹⁶⁴

This Order was too late to affect enclosure bills presented in 1798-9 but the first enclosure act of the following session, Iver, contained the clause and as a result the banking firm of Child and Co. was appointed. The bankers were never named in the act or award so references to them rely on the survival of minute books.

Before the 1774 Standing Order the collection and disbursement of money was left in the charge of the clerks. Invariably the surveyor would also be delegated to administer these funds because it was usually he that calculated the rates that were levied on the proprietors. It may be that this Standing Order was introduced to ensure that all funds were collected and disbursed. Previously the appointment of the clerk and

162 Ibid., Appendix, pp.222-4.

163 H.C.J., Vol. 34 (1772-4), 27 April 1774, p.684.

164 H.C.J., Vol. 54 (1798-9), pp. 668 and 703, 19 and 27 June 1799.

surveyor was almost the last entry mentioned in the award. With the disbanding of the commission it may have been easy to avoid paying fees. It may also have been a safeguard for the commissioners, clerks and others that they may receive the fees due to them.¹⁶⁵

Before the 1799 Standing Order the commissioners accounted for all monies, and rates were levied in the course of the commission. Even so, it is clear that monies were advanced before any rates had been ordered. The solicitors would defray the cost of the act out of personal funds but would charge at 5% interest, the usual charge as laid down in the acts for all those who advanced money on behalf of an enclosure. Similarly the road and fence contractors would be expected to finance the physical improvements from personal funds. The payment of the tithe fencing was by installments over seven years and the final payment may not have been made until the quicksets had reached maturity.

The 1799 Standing Order made the administration of the finances much easier. The commissioners could obtain temporary loans from the banker, as they did with William Rickford on several occasions. Very often this only represented a transfer of credit, for example discharging the debt to the solicitor for the act but replacing it with an identical debt to the bank.

Problems could arise in the event of a bank being declared bankrupt, which was apparently a reasonably common occurrence.¹⁶⁶ In Buckinghamshire, when the bank of Neale and Grace was declared bankrupt none of the contemporary enclosures were clients.¹⁶⁷

The Amersham enclosure appointed John Marshall as the banker. He was also the agent for Thomas Tyrwhitt Drake, the lord of the manor. This

165 See the case of Francis Pursell of Weston Turville, *supra* footnote 28.

166 L.S. Pressnell, *op.cit.* (1956), *passim*, bankruptcy.

167 Declared bankrupt in 1812. I am obliged to Professor L.S. Pressnell for this information; Though in fact the enclosures of Kimble in 1803-5 and Bledlow in 1809-12 had appointed respectively Messrs. Dell, Neale, Hedges and Grace, and Messrs. James Neale, Thomas Grace and John Woodcock of the Vale of Aylesbury Bank, *Minute Books* respectively C.R.O.Ayl., AR/54/65/19 and IR/M/2/6.

may have been one of those occasions when a person other than a recognised banker was appointed. In this case probably a solicitor or a land agent.¹⁶⁸

The busiest of the Buckinghamshire banks was the Aylesbury Old Bank [now Lloyds]. They were the bankers on at least six Buckinghamshire enclosures, as widely separated as Stewkley and Towersey.¹⁶⁹ The bank was founded by William Rickford (?-1803) and his son, also William Rickford (1768-1854).¹⁷⁰ They were originally a family of grocers, though in fact they owned a good deal of land widely scattered in the Vale and were lords of the manor of Walton. They founded the bank in 1795, though with the death of Rickford senior in 1803 the enclosure side of the business, starting with the Kimble enclosure of 1803-5, was conducted entirely by the son. The bank was amalgamated with the Cobb bank of Banbury and the bankers Bartlett and Nelson of Buckingham in 1853, to form the Buckinghamshire and Oxford Union Bank Ltd. It was finally absorbed by Lloyds in 1902.¹⁷¹

Rickford made his nephew Zacharias Daniel Hunt a partner, possibly in order to concentrate on his political activities. He was first returned as M.P. for Aylesbury in 1818 and served in eight successive Parliaments until 1841.¹⁷²

168 Amersham Minute Book, C.R.O.Ayl., IR/M/4; Marshall was not specified in communication with Professor Pressnell, Ibid.

169 At least because there are six minute books that have specified the appointment. It is quite likely that the same bank was employed at contemporary enclosures at Weedon, Cheersley, Marsworth, Slapton, Ivinghoe, Long Crendon and Haddenham, all of which were reasonably or very close to Aylesbury; See Chapter X, *infra* on the Financing of enclosure.

170 R.S. Sayers, Lloyds Bank in the History of English Banking (Oxford, 1957), p.353.

171 Ibid., p.281.

172 Members of Parliament, Vol. 2 (Parliamentary Publications, 1878), *passim*; It seems that banking in Aylesbury and Buckinghamshire Politics had earlier connections. Scrope Bernard, M.P. for Aylesbury from 1790-1802 and a major local landowner transacted business with the Rickford Bank. In the 1802 election Bernard was supported by Rickford and one of his opponents, Robert Bent, was supported by Rickford's rival bank of Thomas Neale. James Du Pre was the third candidate. Bent and Du Pre were subsequently returned as the two members for the Aylesbury division but after a Parliamentary investigation in 1804 Bent was removed from office and found guilty of bribery and corruption, see Mrs. Napier Higgins, The Bernards of Abington and Nether Winchendon, A Family History, in 4 vols. (London, 1904), Vol. IV, pp.71-2; No doubt the scandal affected Neale's business for he was declared a bankrupt by 1812.

That unfortunately is as much as is known of the enclosure activities of Buckinghamshire bankers. Possibly little else will be discovered or prove of much value. The minute books and other sources merely name the appointees and indicate the few occasions when money was advanced. The banking activities of the solicitors was probably far more important. In fact it seems very likely that banking and enclosure had no important connection, except as a convenience for collecting funds and disbursing payments.¹⁷³ Even when the bankers advanced funds, the rates upon the parishioners would be levied so quickly that very little interest could have accumulated. More significant would be the activities of bankers in financing enclosure for individuals.¹⁷⁴

Enclosure therefore produced or helped to produce a number of varying professions. It undoubtedly advanced the surveying and land agents professions and was important in stimulating the growth of country solicitors' practices. In addition it produced, probably with the aid of the turnpike 'revolution', a new stimulus to rural industry with the foundation of haulage and civil engineering contractors.

Perhaps more important, there is a greater understanding of the enclosure process because for the first time the study of recently acquired material has helped to personalise this very important period of English history.

173 W.S. Rodgers, loc.cit. (1962), p.411.

174 This subject is studied in Chapter X *infra*, *The Financing of Enclosure*.

APPENDIX VII(a): THE COMMISSIONERS OF ENCLOSURE IN BUCKINGHAMSHIRE1738-1869

<u>Name</u>	<u>Place of Residence</u>	<u>No. of Commissions</u>	<u>Dates</u> ¹
John Fellows	Foscott, later Buckingham	29	1788-1825
Francis Burton	Aynhoe, Northants.	15	1762-1777
William Collisson	Brackley, Northants.	14	1788-1823
John Davis	Bloxham, Oxfordshire.	13	1796-1814
Thomas Hopcraft	Crowton, Northants.	12	1795-1814
Richard Davis	Lewknor, later Aston Rowant, Oxon.	11	1796-1812
Thomas Harrison	Stony Stratford	10	1767-1775
Rev. John Lord	Drayton Parslow	10	1766-1775
Thomas Taylor	Swanbourne	10	1762-1782
Thomas Green	Whitchurch	9	1766-1796
Edward Platt	Lidlington, Beds.	7	1788-1804
John Trumper	Harefield, Middx.	7	1800-1814
Edward Horwood	Buckland, later Aston Clinton	6	1809-1839
John Watts	Sulgrave, Northants.	6	1766-1776
George Maxwell	Gravelly, Herts., later Fletton Lodge, Hunts.	5	1782-1802
Robert Weston	Brackley, Northants.	5	1776-1783
Job Baseley	Priors Marston, Warws.	4	1762-1770
John Chamberlain	Cropredy, Oxfordshire	4	1794-1798
John Davis	Banbury, Oxfordshire	4	1830-1845
Henry Dixon	Oxford, later Derby	4	1830-1852
John Fairbrother	Holindon, Northants.	4	1762-1767
John Mitchell	South Weston, Oxfordshire	4	1777-1786
George Trumper	Norwood, Middx.	4	1814-1831
William Bryan Wood	Chippenham, Wilts.	4	1859-1869
Joseph Burnham	Aylesbury	3	1791-1798
Thomas Hart	Wing	3	1836-1844
Rev. Henry Jephcote	Kislingbury	3	1769-1776
William Lydwell	Studley	3	1738-1745
Thomas Mayne	Oving	3	1738-1745
Martin Nockolds	Tring, Herts.	3	1809-1825
George Salmon	Long Itchington, Warws.	3	1764-1772
Charles Smith	New Windsor, Berks., later London	3	1820-1832
Thomas Baseley	Priors Marston, Warws.	2	1773-1777
Thomas Bloodworth	Kimbolten, Hunts.	2	1822-1840
Rev. William Bradley	Lower Heyford, Oxfordshire	2	1762-1766
Thomas Brown	Luton, Beds.	2	1800-1813
William Brown	Tring, Herts.	2	1855-1862
John Burcham	Coningsby, Lincs.	2	1810-1822
Thomas Cooke	Water Eaton	2	1762-1775
William Cripps	Newport Pagnell	2	1762-1769
Henry Emblin	New Windsor, Berks.	2	1778-1787
Rev. John Horseman	Souldern, Oxfordshire	2	1794-1796
Thomas Gostillow	Amphill, Beds.	2	1796-1798
James King	Daventry, later Milton, Northants.	2	1777-1779
John King	Souldern, Oxfordshire	2	1738-1743

¹ The first date given is the date of the first act the respective commissioners are mentioned in and the second date is the date of the last award they are mentioned in, or the date of death if this comes in the course of a commission.

John King	Winslow	2	1836-1844
Thomas Lilburne	Cardington, Beds.	2	1814-1823
Martin Nockolds	Saffron Walden, Essex	2	1853-1857
John Plomer	Aylesbury	2	1771-1772
John Rolfe	Beaconsfield	2	1836-1855
Thomas Stone	London	2	1788-1793
Thomas James Tatham	Bedford Place, Middx.	2	1819-1827
Thomas Theed	Buckingham	2	1767-1782
Alexander Watford	Cambridge	2	1809-1831
Rev. Richard Wells	Maidenhead, Berks.	2	1778-1787
Rev. Joseph Wells	Ellesborough	2	1794-1796
Archibald White	Great Missenden	2	1850-1855
Abraham Wing	Aylesbury	2	1848-1857
Thomas Wyatt	Ford House, Wilts.	2	1799-1803
Samuel Turner	Cameringham, Lincs.	2	1793-1803
William Ward Abbotts	St. Neots, Hunts.	1	1861-1871
John Allen	Oxford	1	1830-1839
John Anstee	Swanbourne	1	1744-1745
William Baily	Bradwell	1	1796-1797
Thomas Bainbridge	Middlesex	1	1798-1800
George Barnes	Andover, Hants.	1	1812-1813
Thomas Bampton	Oving	1	1742-1743
Anthony Bell	Middlesex	1	1797-1798
Thomas Bernard	Aylesbury	1	1778-1779
John Bert	Wotten Underwood	1	1738-1739
Benjamin Bevan	Leighton Buzzard, Beds.	1	1811-1814
Samuel Benwell	Woodstock, Oxfordshire	1	1765-1766
Henry Augustus Biederman	Tetbury, Gloucs.	1	1805-1806
John Bockett	South Mimms, Middlesex	1	1782-1783
Joseph Boulton	Shirton, Oxon., later Bunny, Notts.	1	1797-1800
John Brickwell	Eythrope	1	1776-1777
Martin Brown	(Buckinghamshire)	1	1738-1739
Hugh Willeat Cowley	Broughton	1	1788-1791
Rev. John Davis	Bloxham, Oxfordshire	1	1777-1777
John Davis	Banbury, Oxfordshire	1	1840-1845
William Davis	Chenies	1	1815-1816
Robert Collier Driver	London	1	1865-1869
John Durham	Stony Stratford	1	1848-1851
Robert Edmonds	Broughton, Northants.	1	1794-1795
Daniell Edmunds	Woolston	1	1762-1763
Edward Elliot	Mursley	1	1744-1745
James Faugoin	New Windsor, Berks.	1	1779-1787
John Fellows	Westcott	1	1776-1777
John Field	Hemel Hempstead, Herts.	1	1821-1825
John Franklyn	Gothurst	1	1770-1770
Richard Hall	London	1	1852-1855
John Harrison	Stony Stratford	1	1782-1783
Rev. Henry Homer	Birbury, Warws.	1	1782-1783
Thomas Hooton	Moulsoe	1	1762-1763
Thomas Hooton	Newport Pagnell	1	1796-1797
John Hudson	Louth, Lincs.	1	1778-1779
William Hussey	West Wycombe	1	1806-1807
Richard Gee	Turvey, Beds.	1	1803-1803

John Rolfe Glenister	Tring, Herts.	1	1830-1839
Hugh Jackson	Stamford, Lincs.	1	1791-1792
William Jacques	Hatton Garden, Middx.	1	1810-1813
John King	Winslow	1	1842-1844
Sir John Dashwood King	Wycombe	1	1830-1839
Robert Kingston	Towcester, Northants.	1	1764-1765
William Kirby	Lillingstone Lovell	1	1794-1796
Henry Eyres Lander	Warwickshire	1	1812-1813
William Mayne	Maids Moreton	1	1742-1743
Thomas Martin	(Buckinghamshire)	1	1738-1739
John Millward	Wotton Underwood	1	1738-1739
John Newcomb	Brinklow, Warws.	1	1767-1768
Joseph Outram	Alfreton, Derbys.	1	1802-1804
Edward Palmer	Colehill, Warws.	1	1778-1779
Joseph Pawsey	Silsoe, Beds.	1	1799-1800
Jonas Paxton	Bicester, Oxfordshire	1	1861-1871
William Parkins	Shipton	1	1744-1745
James Perkins	Tingewick	1	1742-1743
John Perkins	Hinmore, Oxfordshire	1	1742-1743
Richard Peyton	London	1	1850-1855
Rev. Thomas Price	Green's Norton, Northants.	1	1764-1765
William Pywell	Barnewell Castle, Northants.	1	1779-1780
John Roger	Carlton, Beds.	1	1772-1773
William Russell	Missington	1	1769- ?
William Rutt	Oxford	1	1803-1805
Henry Sanderson	Sheffield, Yorks.	1	1822-1825
James Saunders	Oxford	1	1841-1842
William Sedgewick	Rickmansworth, Herts.	1	1808-1819
Watson Sharman	London	1	1801-1802
George Smallpiece	Guildford, Surrey	1	1826-1828
Rev. Joseph Smith	Wendover	1	1797-1798
George Southam	Barton Hartshorn	1	1744-1745
James Taylor	Islington, Middx.	1	1799-1803
Thomas Thorpe	Great Barford, Beds.	1	1810-1811
John Tomlinson	Aston, Birmingham	1	1769- ?
Richard Way	Thame, Oxfordshire	1	1765-1766
Charles Webb	Middle Claydon	1	1769-1770
John Wedge	Aqualate Park, Staffs.	1	1769- ?
Charles Marion Welstead	Kimbolten, Hunts.	1	1801-1802
John Weston	Brackley, Northants.	1	1774-1776
Robert Weston	Brackley, Northants.	1	1801-1803
Thomas Smith Woolley	South Collingham, Notts.	1	1853-1855
Thomas Woodman	Hemel Hempstead, Herts.	1	1856-1865
John Willock	London	1	1801-1803
Thomas Fulljames	Hasfield Court, Gloucs.	1	1813-1814

PART III: THE ECONOMIC COST.

CHAPTER VIII: THE TOTAL COST OF PARLIAMENTARY ENCLOSURE IN
BUCKINGHAMSHIRE.

The chapter on opposition to enclosure demonstrated in no small way that for many of the interested parties the financial cost of enclosure was a burden, and often a crippling burden. The question remains whether this financial burden was only felt in the relatively few examples cited or was general for the majority of parishes that were enclosed by Parliamentary Act.

Contemporary opinion was very mixed regarding the cost of enclosure. Arthur Young in his earlier works is very vocal in denouncing the 'absurd extravagance' of enclosure, whilst at the same time denouncing the equal extravagance of open field agriculture.¹ Later in his life, having experienced the rewards of enclosure he could not fail to offset this absurd extravagance against the numerous advantages that he witnessed.² The celebrated Reverend Henry Homer talked of the "increase of expences" as "another grievance which calls for redress", in particular the administrative costs such as the commissioners' and solicitors' fees, "which have all been enhanced and some extravagantly, in the course of a few years".³ Earlier in the same essay he redresses the balance somewhat by demonstrating the value of enclosures in terms of the circulation of income. He calculates that,

"for every thousand acres of Inclosure, there is a new circulation of fifteen hundred pounds over and above the payments of agriculture, among the labouring class of people; none of which would have taken place, had those acres continued open". (4)

1 A. Young, A Six Months tour through the North of England, Vol.1 (2nd ed., London, 1771), pp.222-233; A. Young, Political Arithmetic; Containing Observations on the present state of Great Britain (London, 1774), pp. 148 and 199.

2 A. Young, A General View of the Agriculture of Oxfordshire (London, 1813), pp.87-95.

3 H. Homer, An Essay... Upon the Inclosure of Common Fields (Oxford, 1766), p. 105.

4 H. Homer, op.cit. (1766), pp.27-8.

Sir John Sinclair's Select Committee of 1800, part of his agitation for a General Enclosure Act, was preoccupied for much of the time in discussing the cost of enclosure. It found that the expense of presenting bills to Parliament, and the administrative and related costs could all be effectually reduced, thereby promoting enclosure, if they were bound by the clauses of a General Act.⁵ The resulting General Act of 1801 in fact turned out to be an Act for reforming the clauses of enclosure bills, and formalising the standing orders of Parliament with respect to enclosure bills. For the purposes of the present chapter the only major reform in the Act was a clause providing for the regular presentation of accounts and auditing at specific intervals.⁶

It was the General Act of 1836 which for the first time made specific provisions regarding costs. For example, Clause XLIV of that Act provided that if four fifths of the interested parties to an enclosure could agree, those who possessed less than five acres could be excused the payment of any costs.⁷

Most opposition to enclosure usually stressed the burden of enclosure costs. The opposition at Princes Risborough in 1820 is typical. It states that two-thirds of the estates were already mortgaged excessively and further loans would probably not be granted.⁸ The successful counter-petition to the Quainton Bill of 1801 stresses:

"the expence to the proprietors, far exceeding any improvement to be derived therefrom". (9)

5 Reports from the Select Committee of the House of Commons appointed to consider the most effectual means of facilitating Bills of Inclosure 1800. British Parliamentary Papers Reports Vol. IX, pp.227-238.

6 Though in Buckinghamshire such clauses ordering enclosure accounts had been inserted in enclosure bills from as early as 1788; W.H.R. Curtler, in The Enclosure and Redistribution of our Land (Oxford, 1920), p.155 states that this amendment ordering separate financial schedules dates from at least 1774.

7 Act of 6 and 7 William IV, chapter 115, 1836, clause XLIV.

8 From the "Statement of the Petitioners against the Princes Risborough Inclosure Bill" 1820, Princes Risborough Enclosure Papers, C.R.O.Ayl., IR/M/1/7.

9 From the Quainton Counter-Petition, Quainton Enclosure Papers, C.R.O. Ayl., IR/M/9.

In reply, commissioner John Fellows did not consider that the expense of the enclosure would be any greater than normal and he suggested that one of the provisions of the Bill should be to allow up to £4 per acre to be raised by mortgage. As will be shown later, £4 per acre was in excess of the normal or average cost of enclosure. Perhaps Fellows was allowing for the appendant cost of fencing as well.¹⁰

To the contemporary landowner the out of pocket expense was the most important consideration. This has been interpreted by later scholars as a social cost. The Hammonds and the influential agricultural historians of the early twentieth century saw the cost of enclosure as the critical burden. They thought that it was so overwhelming that the landowners were often obliged to sell their property.¹¹ Even E.C.K. Gonner, who is generally well disposed to enclosure, is very critical of the heavy expense involved.¹² Similarly Lord Ernle and W. Hasbach condemn the scale of enclosure costs.¹³ W.H.R. Curtler is non-committal but suggests that the estimates given in the 1808 Board of Agriculture Report are too low, an opinion which I also share.¹⁴

Recently, scholars have viewed the scale of enclosure costs less critically, W.E. Tate for Oxfordshire concluded that:

"Parliamentary enclosure has been saddled with a responsibility which does not properly belong to it". (15)

10 Ibid., letter of 24 February 1801.

11 J.L. and B. Hammond, The Village Labourer (London, 1911), p.93.

12 E.C.K. Gonner, Common Land and Inclosure (2nd edition, London, 1966), pp.87-91.

13 Lord Ernle, English Farming Past and Present (London, 1912), p.251; W. Hasbach, History of the English Agricultural Labourer (London, 1908), pp.63-66.

14 W.H.R. Curtler, op.cit. (1920), p.165; The General Report on Enclosures (London, 1808), seems to be a grossly inaccurate document. The chapter which discusses costs is constructed from the contemporary Board of Agriculture General Views of the Counties. To compare Thomas Batchelor's General View of the Agriculture of the County of Bedford (London, 1808), the Report transcribes several details of enclosure costs wrongly, compare Batchelor, p.222 with the Report p.321 and Batchelor, p.235 with the Report p. 321. The report later claims that on average, from the County volumes the average cost of enclosure was about £1 per acre, but this is nearer to 36 shillings per acre according to my own calculations.

15 W.E. Tate, "The cost of Parliamentary Enclosure in England, with special reference to the County of Oxford", Economic History Review, 2nd edition, Vol. 5 (1952), p.265.

G.E. Mingay and J.D. Chambers view enclosure costs strictly, on an economic basis measuring it as a ratio of improvement as derived from improved rent. They concluded that enclosure was the most profitable use of capital in connection with land. They neglect the other important ratio between economic cost and social cost, and the different way this ratio is felt at different levels of the agricultural and social ladder.¹⁶

D.B. Grigg in studying Lincolnshire mentions costs only in passing and assumes that the proprietors could recoup their expenditure by increasing the rents, or partly so, but this does not take into account that the costs could not be defrayed over any considerable length of time, certainly not long enough for improved rents to take effect. T. Swales in the same county appreciated that the burden of expenses fell heaviest on the smallest owners.¹⁷ In an attempt to redress the distortion between economic and social cost J.M. Martin in his analysis of enclosure in Warwickshire stresses that scholars might have minimised the social injustice that enclosure generated. He cites the heavy financial burden which was inevitably imposed on the lower classes of rural society.¹⁸

It is my opinion that even J.M. Martin underestimates this financial burden. An investigation of the huge bill that enclosure imparted to parochial society suggests that eighteenth and nineteenth century apprehensions might have been well founded and that the more recent research tries to gloss over this important feature of financial history.

There is an overwhelming body of evidence contained in hitherto relatively unresearched and unpublished sources. The immense accumulation of contemporary material which has been deposited, and is still being

16 J.D. Chambers and G.E. Mingay, The Agricultural Revolution, 1750-1880 (London, 1966), p.84.

17 D.B. Grigg, The Agricultural Revolution in South Lincolnshire (Cambridge, 1966), p.39; T.H. Swales, "The Parliamentary Enclosures of Lindsey", Architectural and Archaeological Societies of Lincolnshire and Northamptonshire. Reports and Papers, new series Vol. 2 (1938), p.105.

18 J.M. Martin, "The Cost of Parliamentary Enclosure in Warwickshire", in E.L. Jones (ed.), Agriculture and Economic Growth in England, 1650-1815 (London, 1967), p.144.

deposited, in the county record offices over the past two decades points to a gross underestimation of the magnitude of enclosure costs. Much of this material has been acquired since 1962, for which the Local Government (Records) Act of the same year was undoubtedly instrumental.¹⁹

oOo

Before about 1793 details of costs were set out in schedules annexed to enclosure awards. This practice of including cost schedules ceased when changes in the Standing Orders for presenting enclosure bills to Parliament called for separate statements of accounts to be made. It was resumed again for parishes enclosed under the 1845 General Enclosure Act. Therefore there is a gap of up to 50 years, including most of the 1790's and early 1800's when in Buckinghamshire there was a peak in enclosing activity. For this period other source materials must be found. The recent accumulation of enclosure material includes correspondence, minute and account books and miscellaneous accounts, and these have partially helped to fill this gap. To complete the picture enquiries must be made of title deeds and other contemporary estate material.

Deeds have survived which show the commissioners openly entering the land market as either purchasers of land to defray enclosure expenses, or as parties to mortgage agreements.²⁰ The enclosure costs for the parish of Slapton in 1810 were found among the miscellaneous notes in the enclosure commissioners' allotting book.²¹

From the muniments of some of the larger estates it is possible to discover what was the additional cost of fencing, hedging and ditching.

19 Act of 10 and 11 Elizabeth 2, 1962, chapter 56, part of which provided for the deposit of records by purchase, gift or deposit and part of which directed that Local Authorities "do all such things as appear to it necessary or expedient for enabling adequate use to be made of records under its control".

20 As at Marsh Gibbon 1841, Miscellaneous Deeds, Marsh Gibbon, C.R.O.Ayl., D/X/190, deeds of 1842-4 in which the commissioners sold 101 acres for £2,872½ to defray expenses.

21 Slapton Enclosure Commissioners Allotting Book, C.R.O.Ayl., AR/7/53.

a cost which was not included in the commissioners' estimates as it was a cost spread over time, which the allottees arranged for themselves but which they were legally bound to perform.²²

Even where the minute books have survived they may only make passing reference to costs but a constant reference to the 'Book of Accounts', which in most cases has not survived, or at least has not come to light. Such is the case for the enclosure of the Kimble parishes and Ellesborough in 1803-5. For Ellesborough the Minute Book states that a rate to levy costs would be made, calculated at £1-15-0 in the pound, on the value of the field property, before deducting a proportion for the commutation of tithes. In addition, because it was intended to commute the tithes of old enclosures a rate of one-sixth the open field rate would be levied on the value of old enclosures. In Little Kimble the rate was £2 and in Great Kimble it was £1-13-0.²³

The enclosure material that survives for Bledlow, enclosed in 1809-12 is as comprehensive as any but the minute book refers only incidentally to costs while the account book is very detailed.²⁴

Table VIII(a) is a full list of enclosure costs for Buckinghamshire parishes. It was constructed from the sources described above, namely the enclosure awards, commissioners' minute books and account books and allied correspondence, and also from estate records. In all cases these costs must be regarded as the minimum, the reasons for which will become apparent.

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- 22 For example, Chester of Chicheley Mss., C.R.O.Ayl., D/C/2/54, "Labourers account for Inclosing of Tilsworth Fields 20 April to 18 August 1769"; Lee Mss., C.R.O.Ayl., D/LE Various accounts relating to the enclosure of Hartwell and Stone 1776-7; Stowe Collection, Henry Huntington Library, California, Miscellaneous Enclosures T3 NN1, Fencing and Other Accounts of the Marquis of Buckingham on various Buckingham Enclosures c.1797-1810; Knapp Mss., C.R.O.Ayl., Box 10, "Accounts of Moneys disbursed by Matthew Knapp on Shenley Brook End Enclosure, 1762-64"; The exception was the fencing of the tithe when owned by the church, in which case all the other allottees were liable.
- 23 Great and Little Kimble and Ellesborough Enclosure Commissioners Minute Book, C.R.O.Ayl., AR/54/65, No. 19, entry of 6 March 1804.
- 24 Bledlow Enclosure Minute and Accounts Books, C.R.O.Ayl., IR/M/2/6 and 4 respectively.

TABLE VIII(a): THE COST OF PARLIAMENTARY ENCLOSURE IN BUCKINGHAMSHIRE,
1762-1869.

<u>Parish</u>	<u>Date</u>	<u>Acreage enclosed</u>	<u>Cost (£s)</u>	<u>Cost/acre (shillings)</u>
Swanbourne	1762-63	2369	1391.1	11.7
Shenley	1762-63	918	611.7	13.3
Westbury	1764-65	1507	818.4	10.9
Westcott	1765-66	1272	1018.9	16.0
Winslow	1766-67	1162	1100.0	18.9
Little Horwood	1766-67	1002	1186.7	23.8
Shalstone	1767-68	543	557.0	20.5
Loughton	1768-69	1247	981.0	15.7
Woughton	1768-69	1135	927.2	16.3
Cublington	1769-70	821	885.7	21.5
<u>Average of 10 Awards</u>				16.9
Simpson	1770-71	1122	1201.4	21.4
Aylesbury	1771-72	1741	1542.3	17.7
Whitchurch	1771-72	1577	1364.6	17.3
Great Brickhill	1771-72	1443	928.0	12.8
Soulbury	1772-73	2073	1171.4	11.3
North Crawley	1772-73	1592	1337.8	16.2
Tingewick	1773-75	2133	1646.4	15.4
Waddesden	1774-75	1357	1089.7	16.1
Twyford	1774-75	1905	1523.0	15.9
Stoke Hammond	1774-75	1439	1208.2	16.8
Hartwell & Stone	1776-77	1880	1444.3	15.3
Ludgershall	1777	1913	2385.6	24.9
Hardwick	1778-79	1145	994.2	17.2
North Marston	1778-79	1822	1672.6	18.4
Hitcham	1778-79	557	1493.5	53.6
Hanslope	1778-79	1741	1960.0	22.5
Bierton	1778-79	2407	1995.7	16.6
Taplow	1779-87	685	1764.4	51.5
<u>Average of 18 Awards</u>				21.2
Preston Bissett	1781	894	1207.8	27.0
Calverton	1782-83	1892	2033.1	21.5
Bradwell	1788-89	855	975.4	22.8
Wavendon	1788-91	2164	2741.2	25.3
<u>Average of 4 Awards</u>				24.1

<u>Parish</u>	<u>Date</u>	<u>Acreage enclosed</u>	<u>Cost (£s)</u>	<u>Cost/acre (shillings)</u>
Bow Brickhill	1790-93	1725	2281.0	26.4
Little Woolstone	1791-92	568	825.9	29.1
Castlethorpe	1793-94	681	1276.1	36.0
Newport Pagnell	1794-95	935	1341.0	28.6
Great Woolstone	1796-97	243	641.6	52.8
Wing	1796-98	3421	5655.9	33.1
Stoke Mandeville	1797-98	1086	2764.7	50.9
Drayton Parslow	1797-98	1612	3381.0	41.9
Weston Turville	1798-00	1402	3140.7	44.8
Emberton	1798-99	1060	2575.8	48.4
<u>Average of 10 Awards</u>				<u>39.2</u>
Iver	1800-04	2619	12308.5	93.9
Olney	1803	143	334.5	46.8
Langley Marish	1809-12	1214	5426.5	89.4 (1)
Bledlow	1809-12	2477	13104.3	105.8
Slapton	1810-12	1525	4950.3	64.9
Stewkley	1811-14	2710	12951.7	95.6
Amersham	1815-16	974	3755.7	77.1
<u>Average of 7 Awards</u>				<u>81.9</u>
Princes Risborough	1820-23	2872	11722.2	81.6 (1)
Towersey	1822-23	1011	3247.7	64.2 (1)
Clifton Reynes	1822-24	464	1760.4	75.8
Monks Risborough	1830-39	1914	13337.9	139.3
Whaddon & Nash	1830-31	2097	5162.8	49.2
Astwood	1838-40	329	1093.5	66.5
Quainton	1840-43	1493	3393.4	45.5
Great Horwood	1841-42	2168	4073.7	37.6
Buckland	1842-44	794	3417.4	86.1 (1)
<u>Average of 9 Awards</u>				<u>71.7</u>
<u>Enclosures under the General Act of 1845.</u>				
Great Missenden	1848-55	838	2419.6	57.8 (1)
Little Missenden	1850-54	459	2012.0	87.6 (1)
Great Marlow	1852-55	604	1195.0	39.5 (1)
Hughenden	1853-55	509	1920.1	75.4 (1)
Cheddington	1853-57	1416	3382.6	47.7
Lee	1855-56	66	81.8	24.8
Halton	1855-57	49	144.2	58.8
Hughenden	1856-62	386	1096.4	56.8 (1)
Stokenchurch	1857-61	683	1509.2	44.2 (1)
Radnage	1858-68	245	1003.6	81.9 (1)
Fulmer	1865-67	339	389.6	23.0
Chepping Wycombe	1865-69	343	1222.0	71.2 (1)
<u>Average of 12 Awards</u>				<u>55.7</u>

(1) Costs defrayed wholly or partially by the sale of land.

The table contains details for 70 enclosures out of a total of 131 in the county. The similar study by J.M. Martin in Warwickshire contained details for 89 enclosures but this was a county of much earlier enclosure therefore there was greater emphasis on the eighteenth century.²⁵ The Buckinghamshire list in this respect is perhaps more representative in that it includes enclosures from the mid-eighteenth to the mid-nineteenth century and has many more accounts for that elusive period in the nineteenth century. The other major county studies by W.E. Tate (Oxfordshire), H.G. Hunt (Leicestershire) and Swales (Lincolnshire) are similarly conspicuous for a lack of nineteenth century information.²⁶

The first enclosure for which there is information on costs is the Swanbourne enclosure of 1762-3. This was the fourth parish to be enclosed by Parliamentary act in the county but is the first in the period of intensive enclosure activity after 1760. Thereafter, the sample of awards with cost information appended is very good, since at least 90% provide the necessary schedules in the period from 1760-90.

Of those enclosures which do not have any accounts three at least can be eliminated. The Dinton Act of 1774 enabled Earl Spencer to enclose the common for which an award was deemed unnecessary and for which Spencer was responsible for all the expenses. Similarly with the enclosure of Haversham in 1764, the lord of the manor was responsible for all the expenses. For the enclosure of Grendon Underwood in 1769 the lord of the manor was to defray all of the expenses of the enclosure including the cost of fencing, though for fencing the lands of his tenants the Act allowed him an increase in rent.²⁷

For the three enclosures before 1760, the Act on each occasion

25 J.M. Martin, loc.cit. (1967), pp.128-151.

26 W.E. Tate, loc.cit. (1952), pp.258-265; H.G. Hunt, "The Chronology of Parliamentary Enclosure in Leicestershire", Economic History Review, 2nd series, Vol. 10 (1957), pp.265-72; T.H. Swales, loc.cit. (1938), pp.85-120.

27 Dinton Act of 14 Geo.III, c.21, 1774; Haversham Act of 4 Geo.III, c.60, 1764; Grendon Underwood Act of 9 Geo.III, c.28, 1769.

apportioned the costs. At Ashendon the Act of 1738 ordered Richard Grenville, the lord of the manor, to pay all of the Parliamentary fees and the other costs would be borne by the other proprietors proportionately. At Wotton Underwood the Act of 1742 ordered Richard Grenville, who was again the lord of the manor, to pay all of the costs, which on this occasion were estimated at £5,000. (The average cost would therefore be £3 per acre, which is more than the average cost of enclosure for parishes even at the end of the century. Perhaps the fencing costs had been included as well.) Finally, the Shipton act of 1744 ordered the lord of the manor to bear all of the costs.²⁸

It is during the decade of the 1790's that details about costs no longer appear in the enclosure awards. This coincides with the amendments to enclosure acts and also, unfortunately, with the period of most intensive enclosure activity in the county. An early indication of this change in procedure is given in the Wavendon Act of 1788 which ordered the accounts to be entered into a book. By comparison the Calverton Act of 1782 ordered the accounts to be annexed to the award.²⁹

The first indication that costs would no longer be freely annexed to awards is with the Wendover Award of 1797 (Act of 1794) which has no mention of costs, save for the allocation of the rectorial tithe fences, "all other charges are entered in a book of accounts".³⁰ In common with many other enclosures for the period this account book has not been recovered. Similar account books were ordered by the awards of Aston Abbots in 1796, Grandborough in 1797, Little Brickhill in 1798 and Sherington in 1797.³¹ Uniquely the Wing Account Book has survived but is

28 Ashendon Act of 11 Geo.II, c.20, 1738; Wotton Underwood Act of 15 Geo. II, c.39, 1742; Winslow-cum-Shipton Act of 17 Geo.II, c.14X, 1744.

29 Wavendon Act of 28 Geo.III, c.12, 1788; Calverton Act of 22 Geo.III, c.22, 1782.

30 Wendover Enclosure Award, C.R.O.Ayl., IR/26.

31 Aston Abbots Award, C.R.O.Ayl., IR/140, photocopy of inrolled award in the P.R.O.; Grandborough Enclosure Award, C.R.O.Ayl., Inrolment, Vol.4; Little Brickhill Enclosure Award, C.R.O.Ayl., IR/29 (i); Sherington Enclosure Award, C.R.O.Ayl., IR/105a, photocopy of inrolled award in the P.R.O.

the only document for this enclosure apart from the award.³²

After the Wendover Award only three other awards give details about costs, that is apart from the enclosures under the General Act of 1845.³³ All the other information in table VIII(a) above is taken from documents which supplement the awards.³⁴

Of the forty two schedules of accounts before 1800 no less than thirty came to more than £1,000 each. Of these, seven came to over £2,000 of which three were over £3,000 each. The largest, the enclosure of Wing, cost the enormous £5,656. All of these costs incidentally do not include the cost of fencing. Thereafter, the extant accounts for the nineteenth century rise very rapidly. Only one, the enclosure of Olney in 1803 cost less than £1,000, but then this was only a very small enclosure. Five enclosures each devoured five figure fees.³⁵

This large rise in the cost of enclosure can be explained by several factors. The general inflation of the war years was one reason. Also, in the later enclosures there were larger numbers of landowners and consequently this involved more work for the administrators of enclosures. The commissioners had to investigate more claims and allot more separate pieces of land and the clerks had to conduct more correspondence. The surveyors had more subdivisions to construct and the passage of the Act through Parliament might be delayed because there were more interested parties to account for. However, as the chapter proceeds it will become evident that there are other reasons, more socially significant reasons for this phenomenal rise in the cost of enclosure. Such a large rise in the cost of enclosure was apparently peculiar to Buckinghamshire, comparing

32 Wing Enclosure Commissioners' Account Book, C.R.O.Ayl., IR/M/14.

33 The three enclosures were, Newport Pagnell, 1794-5, Great Woolstone, 1796-7 and Clifton Reynes, 1822-4.

34 See my, "The Cost of Parliamentary Enclosure in Buckinghamshire", Agricultural History Review, Vol. 21 (1973), pp.35-46, for a discussion of these supplementary award sources.

35 In Warwickshire the largest enclosure fee was £5,330 at Wolvey 1794, J.M. Martin, loc.cit. (1967), p.146.

the present study with the other county studies, but it will be shown that possibly the results from these other studies needs some reappraisal.

The total cost of enclosure is important but not as important as the unit cost of enclosure, that is, the cost per acre. The following table summarises the chronological change in this unit cost.

Table VIII(b): The Unit Cost of Parliamentary Enclosure in Buckinghamshire, 1760-1845.

<u>Period</u>	<u>Average cost/acre^(a)</u> <u>(in shillings)</u>		<u>Number of</u> <u>extant accounts</u>
1760's	16.9	(15.8)	10
1770's	21.2	(18.8)	18
1780's	24.1	(23.9)	4
1790's	39.2	(37.5)	10
1800-1819	81.9	(90.6)	7
1820-1845	71.7	(71.8)	9

(a) This is the average cost of enclosure aggregated as the average of many averages. That is to say, the 16.9 shillings per acre for the 1760's is the mean of ten separate averages. This seems to be the method employed by past researchers. The alternative is to divide the total acres enclosed by the total cost for the particular decades. The results obtained are quite different and for comparative purposes are included (in brackets). Other researchers have omitted to examine this difference.

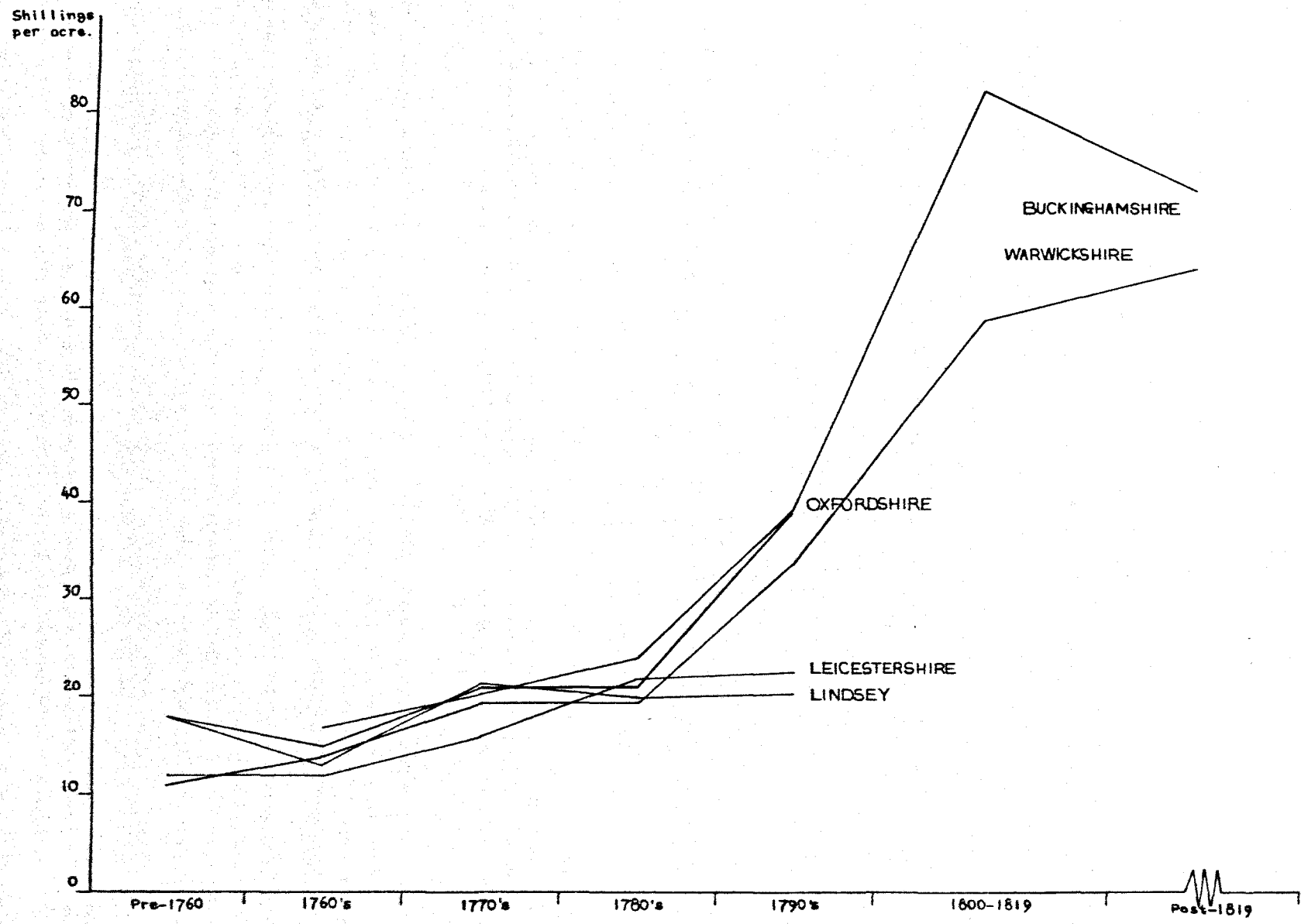
There was a 140% increase in the average cost of enclosure from the 1760's to the turn of the century and a further 94% increase in the following fifty years. Overall from 1760-1845 there was a fourfold increase. No other costs in the agricultural sector experienced such large changes for the same period as they wages, prices or rents.

A similar pattern emerges from the other counties that have been investigated so far. In fact for Warwickshire the increase in costs seems to have been greater. Before 1800 there was a threefold increase, the cost of enclosure then doubled after 1800 so that there was a sixfold increase overall.³⁶ However, for the period after 1760 the greatest

36 J.M. Martin, loc.cit. (1967), p.131.

THE COST OF PARLIAMENTARY ENCLOSURE - A COUNTY COMPARISON

FIG. VIIA:



increases of all would seem to have occurred in Buckinghamshire. The graph, Figure VIII(a) draws together the evidence that is available for five English counties.

For the period before 1790 a similar pattern emerges for all of the counties. There was a relatively slow but steady increase in the average cost of enclosure. For Oxfordshire, Warwickshire and Buckinghamshire there was a well defined disproportionate increase in these costs in the 1790's and thereafter. The author of the Oxfordshire study says that the information on which the figures are based was obtained from the awards.³⁷ For Buckinghamshire most of the information for the 1790's was taken from supplementary sources. A closer examination of the Oxfordshire and Buckinghamshire figures reveals a marked tendency for costs, from the awards alone, to be much lower than costs derived from supplementary sources. In the 1790's the average cost of Oxfordshire enclosures was 39.1 shillings per acre, as revealed solely from the awards, and in Buckinghamshire it was 39.2 shillings per acre, as revealed from both awards and other sources. This figure however is the average of 34.6 shillings per acre from awards alone, and 43.8 shillings per acre from supplementary sources alone. The figures varied from 24.1 shillings per acre for the enclosure of Bow Brickhill, 1790-3 as detailed in the award, to 50.9 shillings per acre for the enclosure of Stoke Mandeville, 1797-8, as detailed in the minute book, account book and miscellaneous bills.

The most recent study of enclosure costs is that by B.A. Holderness. As part of a project investigating Capital Formation in Britain, 1750-1850 he aggregated all of the information so far published on enclosure costs. These figures were tabulated, an extract of which appears in Table VIII(c)

37 W.E. Tate, loc.cit. (1952), p.263.

below, in a comparison with Buckinghamshire.³⁸

Table VIII(c): The Average Cost of Parliamentary Enclosure: Buckinghamshire compared with all parishes elsewhere with known surviving accounts.

<u>Period</u>	<u>Average cost/acre in Buckinghamshire (in shillings).</u>	<u>Average cost/acre elsewhere (in shillings).</u>
Pre-1760	--	10.5
1760's	16.9	12.7
1770's	21.2	19.3
1780's	24.1	19.2
1790's	39.2	31.0
1800-1815	81.9	42.8
Post-1815	71.7	67.3

He summarises thus:

"these tables are provisional, but it is unlikely that further research will modify the trends that they reveal very significantly". (39)

The trend is indisputable, it is the extremes in the trend that the present study is modifying. Buckinghamshire seems so very different but is it due to reasons peculiar to the county? If so then there will be extremes in the social and economic consequences of enclosure since costs have both a social and economic component. Perhaps the difference is due to reasons that have hitherto remained undiscovered or uninvestigated. The following discussion on supplementary source materials demonstrates this latter and very significant proposition.⁴⁰

Before the passing of an enclosure act there was often a lengthy period of negotiation when opinions in the parish, regarding the desirability or otherwise of enclosure, would be investigated. This

³⁸ B.A. Holderness, "Capital Formation in Agriculture", in J.P.P. Higgins and S. Pollard (eds.), Aspects of Capital Investment in Great Britain 1750-1850 (London, 1971), p.163.

³⁹ ibid., p.162.

⁴⁰ Though the use of commissioners' working papers to re-enact particular enclosures is quite common, see for example, B. Loughborough, "An account of a Yorkshire enclosure, Staxton, 1803", Agricultural History Review, Vol. 13 (1965), pp.106-15.

pre-act period involved considerable expenditure. Naturally enough this expenditure would be included in any cost schedules that were attached to the awards, but the enclosure award cannot specify any expenditure incurred after it was signed, though further expenditure there certainly was. In Buckinghamshire eleven commissioners' minute books have come to light that record commissioners' meetings after the award was signed. There are also account books with entries that go well beyond both award and minute books, and finally miscellaneous bills and correspondence that record expenditure after the award was signed. The usual reason for holding a post-award meeting was to settle outstanding accounts, and if necessary to issue warrants of distress upon those proprietors who had not paid their share of the expenses. It was not unusual for more money to be extracted from the proprietors.

The commissioners of the Drayton Parslow enclosure of 1797-8 held a meeting a full three years after the award was signed and the accounts had been published. It was discovered that the original estimates for the road account were inadequate, making it necessary to levy a further rate of £214-7-2d on the proprietors, thereby increasing the cost per acre by four shillings.⁴¹ At Weston Turville, enclosed in 1798-1800, the road surveyor was engaged in a bitter post-enclosure struggle to settle his accounts and obtain the fees due to him. While his money was being withheld he was charging interest of 5%. The final document in this dispute is a threat of court action, some nine years after the award had been signed.⁴²

For the enclosure of Iver, 1800-04, the minute book ends abruptly in 1802, but from the miscellaneous bills and accounts the cost of

41 Drayton Parslow Enclosure Commissioners' Minute Book, C.R.O.Ayl., entry of June 20th, 1801.

42 Weston Turville Enclosure Papers, C.R.O.Ayl., IR/M/3/3, letter of 21 September 1809.

enclosure is estimated at 94 shillings per acre, which must be regarded as only the minimum estimate. If the minute book and miscellaneous papers were complete the final cost might well have been in excess of £5 per acre.⁴³

The Great Kimble minutes indicate that there were still arrears on the general expenses owed by certain proprietors a full five years after the award had been signed.⁴⁴

The only surviving supplementary information for the Wing enclosure of 1797-8 is the commissioners' account book.⁴⁵ In it are recorded the individual cost items, the parliamentary expenses, the fees of the commissioners, clerks and surveyor, and the public expenditure on roads and tithe fences. In fact it is little more than the schedule which was formally appended to the awards and is therefore contemporary with the award. For the Langley Marish enclosure of 1809-13 both the account book and the minute book have survived.⁴⁶ However, the last entry in the account book is October 1811, nearly two years before the award was completed. This leads to speculation of just how complete the Wing account book is, especially since at Langley a supplementary rate of £300 was levied on the proprietors in the post-award period.⁴⁷

The Bledlow enclosure of 1809-12 provides an interesting case study. The total cost from the minute book differs from the total in the miscellaneous bills and accounts, which both differ from the total in the official account book.⁴⁸ The last entry in this account book was in April 1812, but the award was signed in August 1812. On completing the enclosure the road account was found to be in arrears. A further rate of nearly £600 was ordered upon the proprietors to defray this, but of course

43 Way Estate Papers, C.R.O.Ayl., D/W, Bundle 70/15-18; And Iver Enclosure Papers in Lower Estate Papers, C.R.O.Ayl., IR/M/122, vols. 1, 3 and 4.

44 Great Kimble Minute Book, *op.cit.*, final entry of 22 October 1810.

45 Wing Account Book, *op.cit.*

46 Langley Marish Enclosure Account Book and Minute Book, C.R.O.Ayl., IR/M/55/3 and 1 respectively.

47 Ibid., /1 entry of 25 February 1813.

48 Bledlow Enclosure Papers, *op.cit.*

this rate is not entered in the account book. Again, in April 1815 another rate was levied for the road account. The total sum entered in the account book was £10,203, while the total in the miscellaneous bills was £13,104, a difference, or rather an omission, of 28%. Again there is reason to speculate on the final cost of the Wing enclosure, and for that matter on all enclosures where details of costs do not post-date the awards.

At Stewkley, enclosed in 1811-4 a post-award rate of nearly £700 was levied. This is recorded in the account book, the last audit of which was in July 1815. However, the commissioners held a further series of meetings between November 1816 and May 1817 when it was found that another rate was necessary to complete the enclosure. Unfortunately this last rate is not specified but the total cost from the account book was nearly £13,000, an average cost of 96 shillings per acre.⁴⁹ It seems very likely that the final cost of this enclosure was more than £5 per acre.

The Great Horwood Enclosure minutes are further evidence of post-award expenditure. Here again there were meetings in the post-award period during which money was expended.⁵⁰ This enclosure is one of those rare examples where the act specified that a fixed sum would be paid to the commissioners for their services.⁵¹ In this case it was to be £380 to each commissioner, but the minute book records that a total of only £240 had been paid, an omission of £520, or nearly five shillings per acre.⁵²

Increasingly the evidence points to an upward re-evaluation of enclosure costs and former enclosure estimates.

The Princes Risborough enclosure of 1820-3 provides another interesting study. The experienced commissioner and surveyor William

49 Stewkley Enclosure Commissioners Minute and Account Books, C.R.O.Ayl., IR/M/10/2 and 6 respectively.

50 Great Horwood Enclosure Minute Book, C.R.O.Ayl. IR/M/20/1.

51 Only four Buckinghamshire acts made such a provision, Great Horwood Act of 4 Vict., c.22, 1841; Wavendon Act of 28 Geo. III, c.12, 1788; Walton Act of 39 Geo.III, c.88, 1799; Buckland Act of 5-6 Vict., c.6, 1842.

52 This error has been eliminated from my tables.

Collisson attempted to estimate the possible expense of the enclosure before the bill was presented to Parliament. The following table compares this estimate with the actual cost of the enclosure.⁵³

Table VIII(d): Estimated Expenditure and Actual Expenditure on the Princes Risborough Enclosure, 1820-1823.

	<u>Collisson's Minimum Estimate</u>	<u>Collisson's Maximum Estimate</u>	<u>Actual cost</u>
Soliciting the Act	£1,000	£1,250	£ 837-00-10
Clerk's Fee	£1,000	£1,250	£1,014-12-05
Three Commissioners	£1,200	£1,500	£1,400-12-00
Surveyor's Fee	£1,200	£1,400	£1,486-08-07
Roads	£1,200	£1,800	£3,930-14-03
Public Fences	£1,400	£1,800	£ 853-09-05
Other	£ 300	£ 500	£ 248-03-00
			Bridges £ 209-17-01
			Tillage £ 521-10-05
			(X) £1,219-15-10
Total	£7,300	£9,500	£11,722-03-10

(X) = Sum left in Surveyor's hands to disburse for fences, bridges, roads and tillage.

Even one as experienced as William Collisson could not foresee the enormous scale of the public expenses. The fears expressed by the opposition to this enclosure were well founded. The bill was originally passed with the intention of defraying the costs by the sale of land. In fact such sales realised £10,382 and therefore a further £1,340 had to be raised by rates on the proprietors, and this included a rate after the award was completed. Even as it stands the final column in Table VIII(d) must be regarded as incomplete. It was constructed from the official enclosure account book but from an investigation of the individual bills it appears that the clerk's fee was at least £1,457 and the cost of soliciting the

⁵³ See T.W. Davis, The Inclosure of Princes Risborough 1823, Unpublished essay, C.R.O.Ayl., Miscellaneous Essays, p.12 and Princes Risborough Enclosure Papers, op.cit., /7(2).

act was £956.⁵⁴

The evidence suggests that even where apparently extensive information from commissioners' working papers is available, former estimates of the cost of enclosure may be too low. The incidence of post-award expenditure is too great to be disregarded and indicates retrospectively that the cost of enclosure in the eighteenth century was greater than past research has indicated. In consequence there should be a reappraisal of the social and economic cost of enclosure. For many allottees enclosure was an involuntary investment and these social and economic burdens increase as each new minute book emerges. Though the consequences of this increased burden would seem to be less severe and less widely felt in the period of the French wars where earlier evidence has suggested that the lesser freeholders were actively engaged in promoting enclosure, in spite of the inflationary rise in costs.⁵⁵

It would be ideal if minute books were available for the earlier period, before 1790. The earliest Buckinghamshire minute book is for the enclosure of Hartwell and Stone in 1776-7 but it does not contain any post-award meetings or specify any supplementary costs.⁵⁶ This does not negate the above conclusions since very often it was miscellaneous documents that influenced these conclusions. However there are some pieces of evidence from the earlier period which help to substantiate the claims. The enclosure of the parish of Twyford in 1774-6 was not complete when the award was signed. There is an appendix to the award dated December 20, 1787 in which two commissioners were sworn in to replace two of the

54 In addition, it is worth noting that the Account Book specifies expenditure of £500 more than that stated in the Minute Book, Princes Risborough Enclosure Papers, op.cit., /7(3) and 5.

55 The most recent collection came from the Tring solicitors firm of Brown and Merry received in 1970 and containing information for 7 Buckinghamshire Enclosures, C.R.O.Ayl., AR/51/70.

56 Hartwell and Stone Minute Book, C.R.O.Ayl., IR/M/7; See also, E.J. Davis, "An Eighteenth Century Minute Book, relating to meetings held by Inclosure Commissioners for the Parishes of Hartwell and Stone, 1776-1777", Records of Buckinghamshire, vol. 15 (1948), pp.97-106.

original commissioners who had died since the award was signed.⁵⁷ Almost certainly the commissioners at Twyford were involved in lengthy post-award negotiations, though the nature of this additional work is not known. The total cost in the award of 1776 was £1,523 or 16 shillings per acre. The final cost up to and possibly after 1787 may have been considerably more.

The total cost of the Shenley Brook End enclosure of 1762-3 is given as £612 in the award and the cost to the leading land owner is given as £344. However, the personal account book of this landowner has survived and it covers a period nearly two years after the award was signed.⁵⁸ It states that the final contribution he made to the commissioners' levy was £450, which is 30% more than that stated in the award. Similarly at Winslow enclosed in 1766-7, the leading landowner was assessed in the award costs of £748-5-8³/₄., and yet a receipt exists for a bill of £765-8-5¹/₂ which he paid to the commissioners' clerks.⁵⁹

One minute book that does help to substantiate the earlier conclusions is the Hanslope minute book of 1778-9. The award settles the total commissioners' fee at £466-4-0, but the minutes, in recording a post-award meeting also record a total of £483 paid to them.⁶⁰

At Cublington, enclosed in 1769-70, the trustees of Cholesbury Church were awarded 86 acres at a cost of £115-2-6³/₄, that is, nearly 27 shillings per acre. However, it appears that they had to raise almost 40 shillings per acre on their newly enclosed land in order to defray their costs.⁶¹

57 Twyford Enclosure Award, C.R.O.Ayl., Inrolment, vol.2.

58 Contained in Knapp Mss., op.cit., Box 10; Shenley Brook End Enclosure Award, C.R.O.Ayl., IR/41(i).

59 Winslow Enclosure Award, C.R.O.Ayl., Quarter Sessions Book, vol. 18; B.A.S. Misc., C.R.O.Ayl., 370/22/2 no. 20, Inclosure Expenses of William Lowndes at Winslow and Little Horwood, N.D.

60 Hanslope Enclosure Award, C.R.O.Ayl., IR/135; Hanslope Enclosure Minute Book, C.R.O.Ayl., IR/M/22.

61 Cublington Enclosure Award, C.R.O.Ayl., Inrolment, vol. 1; G. Lipscomb, A History and Antiquity of Buckinghamshire (London, 1867), vol. III, p.320.

A recently acquired copy of the Tingewick account book of 1773-6, which is the earliest account book to survive for the county, reveals payments to the commissioners, the clerk and the surveyors, and inn bills, for a period after the award was signed. These payments totalled £133-12-7, or 8% of the total cost. This book also reveals that as long as seven years after the award had been signed the accounts had still not been finalised.⁶²

Six early examples may not be substantial enough evidence to support the earlier conclusions, but with each discovery of new, unpublished material, doubts as to the former estimates and opinions of enclosure costs increase.

Thus the cost of enclosure rose during the eighteenth century and into the nineteenth. It would seem that Buckinghamshire, compared with other counties, experienced a sharper, more dramatic rise in these costs, though in fact the recent accumulation of supplementary sources leads one to believe that former investigations underestimated the economic cost. The evidence now suggests retrospectively that the cost of enclosure was greater than suggested by contemporary reports, such as the Board of Agriculture volumes, and by the most recent of researchers.

Perhaps the more relevant discussion refers to the personal cost of enclosure, that is the cost to the Squire, the large landowner and the smallest owner-occupiers. This question will be answered, as far as the current sources will allow, in the final chapter. Some preliminary observations will be made here.

The commissioners' minute books make it very clear that when they ordered a rate to be levied they conducted themselves honestly. A proportional pound rate on the improved value of the land was the usual levy. However, in per acre terms this rate was not always equitable. This was due to the varying value of the land. In allotting, the

⁶² Stowe Collection, op.cit., Henry Huntington Library, L7 F10 RH Box.

commissioners were enacted to take into consideration quantity and quality, and no doubt this quality was reflected in the assessment of costs. Thus for two contemporary enclosures, those at Winslow and Little Horwood, both 1766-7, William Lowndes was at one enclosure charged more than the average assessment and in another he was charged less. On an investigation of the cost to the individual landowners in parishes where such information is available, I find I am unable to support the conclusions made by J.M. Martin that on balance the smaller landowners were charged proportionately more than the larger landowners.⁶³ Certainly instances can be found, but equally so, instances can be found of the larger landowners being charged more than the smaller. For example, at Shalstone the largest landowner was charged 21 shillings per acre and the smaller landowners were charged about 33 shillings per acre, but at Hardwick the converse was true, and also at Swanbourne. In Buckinghamshire it would be true to say that the assessment of costs by the commissioners was on an equitable basis. Besides, to study this problem as it deserves would really require the original quality books to be compared with the cost schedules, but this material has not survived in sufficient numbers to conduct such a study, though since the surveyors and commissioners used these books to make their assessment of costs I am of little doubt what such a study would show.

The final question must concern the cost of fencing. As the following schedule of tithe fencing costs shows, in per acre terms these could be as high as the general costs, as at Whitchurch, Twyford and Ludgershall. Indeed, since the parishioners were bound by the act to defray the costs of the church as well as their own, the evidence points yet again to a reappraisal of the cost of enclosure. Undoubtedly, the total cost seems to approach such proportions as to be as much as, if not more than, the improved rental value of the land. In other words, it

63 J.M. Martin, loc.cit. (1967), p.140.

was an expense that would require, in many cases, several years of improved rents to cover.

Table VIII(e): The Cost of the Tithe Owners' Fencing and Public Fencing.

Year of act	Parish	Size of allotment (acres)	Cost of fencing (£.s.d.)	Cost/acre of fencing (shillings)	Average cost of Enclosure (shillings)
1762	Shenley	156	140-12-00	18.0	13.3
1764	Westbury	85	54-02-04	12.7	10.9
1768	Loughton	255	110-00-00	8.6	15.7
1768	Woughton	203	81-17-08	8.1	16.3
1770	Simpson	217	100-15-00	9.3	21.4
1771	Aylesbury	(357 12)	393-18-06 33-15-00	21.8) 56.2	17.7
1772	Whitchurch	70	76-02-09	21.9	17.3
1772	N. Crawley	411	79-13-01	3.9	16.2
1773	Tingewick	481	87-07-09	3.7	15.4
1774	Waddesden	490	121-09-06	4.9	16.1
1774	Twyford	574	773-16-02	26.9	15.9
1776	Hartwell & Stone	(163 219)	95-16-03 152-19-04	11.7 13.9	15.3
1777	Ludgershall	328	622-06-06	37.9	14.7
1778	Hardwick	173	101-01-06	11.7	17.4
1778	N. Marston	417	114-03-00	5.5	18.4
1778	Hitcham	372	350-13-06	18.8	53.6
1778	Bierton	501	362-02-08	14.5	16.6
1779	Taplow	220	266-01-05	24.2	51.5
1781	Preston Bissett	237	233-10-06*	19.7	27.0
1782	Calverton	389	222-14-00	11.5	21.5
1790	Bow Brickhill	264	340-17-10	25.9	24.5
1791	Lt. Woolstone	12	13-00-00	21.5	29.3
1793	Castlethorpe	266	144-06-10	10.8	36.0
1794	Wendover	181	297-07-06	32.9	?
1795	Aston Abbots	75	147-15-00	39.3	?
1797	Wing	463	702-07-06	32.2	33.1
1797	Stoke Mandeville	167	347-03-00	41.6	50.9
1797	Drayton Parslow	417	573-12-11	27.5	41.9
1798	Weston Turville	336	566-02-00	33.7	44.8
1800	Iver	477	468-00-00	19.6	93.9
1809	Bledlow	723	1760-03-10	48.7	105.8
1811	Stewkley	668	1506-18-00	45.1	95.6
1820	Pr. Risborough	697	853-09-05	24.5	81.6
1830	Monks Risborough	429	973-12-09	45.4	139.3
1830	Whaddon & Nash	564	781-05-10	25.9	49.2
1840	Quainton	4	12-08-09	62.5	45.5
1841	Gt. Horwood	81	196-10-09	48.5	37.6
1842	Buckland	75	234-09-00	62.5	86.1
1853	Cheddington	10	159-01-10	318.2	47.7
1853	Hughenden	11	136-05-00	247.5	56.8

* Preston Bissett: The award states that the inward fences, that is subdivision fences, on the tithe allotment would cost a further £382-13-3, which is over 32 shillings per acre. C.R.O.Ayl., IR/32.

CHAPTER IX: THE DISTRIBUTION OF ENCLOSURE COSTS IN BUCKINGHAMSHIRE.

The surviving information on the distribution of enclosure costs, that is the different items of expenditure such as legal fees, commissioners' fees, and road costs, is very encouraging for the county of Buckinghamshire. Out of 70 individual sets of accounts, 55 provide a breakdown into the different types of cost. For some enclosures, particularly those in the decade of the 1760's, this breakdown is not very detailed but merely differentiates the cost of the tithe owners' fencing and certain husbandry expenses, but for 31 enclosures there is a complete analysis of costs, from the solicitors' fees and other administrative fees to such trivial costs as newspaper advertisements and inn expenses.

Studied through time, interesting patterns emerge of the changing structure of the enclosure cost schedule, but the question remains, what were these changes and do they represent real changes as opposed to, or in contrast to certain sophistications in accounting practice.

Appendices IX(a) and IX(b) provide an analysis of the structure of enclosure costs in Buckinghamshire from 1762 to 1853 for those enclosures for which information is available. The first table is a list of the actual charges, the second represents these charges as a percentage of the total cost.

The striking feature is the way in which fuller details emerge in the 1770's and even more so in the 1790's at the time when account books began to appear in response to improved administration.

Just as enclosures did not end with the signing of the award but continued, sometimes for several years, in the post-award period, so also they did not begin with the passing of an act. There was often a lengthy pre-act period during which a bill would be prepared. In particular this involved the promoters of the bill obtaining the necessary consenting

opinion in the parish. Usually it was the solicitors who were engaged in these early negotiations, as often as not the personal solicitor to the leading promoter. On the other hand, a commissioner might be approached long before the parliamentary proceedings and employed by the promoters to sound out opinion in the parish, and, since they were frequently land surveyors they might undertake preliminary surveys. In the enclosure cost schedules the commissioners often appear for receiving income for services provided before the act was passed. It is difficult to distinguish between the expenses incurred before the act, but needless to say, where there was opposition these could be considerable.

For the Bledlow enclosure of 1809-12 the commissioners received a total of £444 for attendances before the act. In addition there was a solicitor's fee and the fee for the act itself. These amounted in total to £781, hence a sizeable proportion of the final cost was accounted for in pre-act expenditure.¹ Naturally enough these pre-act fees would be deferred until funds had been raised by levying a rate, or by other means, from the proprietors. Meanwhile the solicitors and commissioners would charge interest on unpaid bills at 5% per annum.

The most objectionable feature of such pre-act expenses was where a single promoter took it upon himself to engage a solicitor or commissioner to negotiate for enclosure. The bill that was subsequently incurred was not settled upon that promoter but was included in the general enclosure expenses. For example, at Princes Risborough enclosed in 1820-3, commissioner William Collisson's fee certainly included expenses for attendances before the passing of the act, expenses which were shared by the entire parish, including those persons who opposed the enclosure.² The Calverton enclosure award also itemises expenditure by the commissioners

1 From Bledlow Enclosure Account Book, C.R.O.Ayl., IR/M/2.

2 "Memoranda Book of William Collisson's Expenses as Inclosure Commissioner at Princes Risborough", Brown and Merry Collection, C.R.O.Ayl., AR/51/70(L)

before the act was passed, and so also does the Bradwell award.³ There are of course exceptions. James Burnham as solicitor of the William Lowndes estate received a fee from Lowndes for work performed in connection with the enclosures of Little Horwood in 1766-7 and Winslow in 1766-7, in addition to his fee as general administrator of the Lowndes estate.⁴ Independently of this he was in receipt of fees as solicitor and clerk for both enclosures.

In those cases where a bill was presented, but was rejected by Parliament, presumably the solicitor or commissioner engaged on the pre-act negotiations would present his account to the promoters of the failed bill. The most notable example of this sort in Buckinghamshire was the abortive Quainton bill of 1801.⁵ M.W. Beresford has also indicated the importance of pre-act expenditure, especially in those cases where the petitions failed.⁶

The Appendices IX(a) and IX(b) list those cases where the cost of soliciting the act can be separately distinguished from the other costs. At Little Woolstone enclosed in 1791-2 the solicitor's fee for attendances prior to the act amounted to 12.7% of the final cost. At Drayton Parslow enclosed in 1797-8 it was also 12.7%. At Weston Turville enclosed in 1797-1800 it was 8.9% and for the enclosure of the waste at Olney in 1803 it was the enormous 27%.⁷ At North Marston enclosed in 1778-9 the pre-act expenses amounted to £450 or 27% of the final total cost. This included fees to the solicitor and the commissioners. For one of them, Edward Palmer, 20% of his final bill was for his services prior to the

3 Calverton Enclosure Award of 1787, C.R.O.Ayl., IR/123; Bradwell Enclosure Award of 1789, C.R.O.Ayl., Inrolment, Vol. 3.

4 B.A.S. Misc., C.R.O.Ayl., 370/22/2, No. 6, Expences of William Lowndes at Winslow and Little Horwood as solicitor, N.D.

5 See Chapter VI supra, The opposition to enclosure, pp. 183-85.

6 M.W. Beresford, "Commissioners of Enclosure", Economic History Review, 1st series, Vol. 16 (1946), p.134; reprinted in W.E. Minchinton (ed.), Essays in Agrarian History (Newton Abbot, 1968), Vol. 2, p.95.

7 Little Woolstone Enclosure Account Book, C.R.O.Ayl., AR/11/58/2; Drayton Parslow Enclosure Commissioners' Minute Book, C.R.O.Ayl., Entry of 2-7 July 1798; Weston Turville Enclosure Papers and Account Book, C.R.O.Ayl., IR/M/3/2 and 2a; Olney Enclosure Working Papers, C.R.O.Ayl., IR/M/16.

passing of the act.⁸ The surveyor of the Drayton Parslow enclosure of 1797-8 was awarded £50 for "journeys and attendances in London to prove the allegations of the bill", and for the Weston Turville enclosure of 1797-1800 all of the commissioners received remuneration for attendances and services prior to the act.⁹

Henry Homer was very critical of these pre-act expenses,

"there is no reason why their [the solicitors] expences should be swelled by unnecessary attendances in town [i.e. London]... where there has been no opposition". (10)

For some enclosures these pre-act negotiations were remarkably expeditious but for others they were very lengthy.

One wonders if the changing pattern of enclosure costs from 1760-1850 in Buckinghamshire is a fair reflection of the changing profitability of enclosure for the various interested parties. I think not. There is a suspicion that for the earlier period, essentially before 1780, road costs were not included in the cost schedules appended to the awards. Only at Whitchurch, enclosed in 1771-2 and North Marston, enclosed in 1778-9 is there any specific mention of road costs. A typical award of the early period makes no mention of the road costs but may itemise every other cost. Thus the Loughton award of 1769 specifies the cost of husbandry, of ring fencing the rector's allotment and discharging the cost of the Act, survey, award, and the commissioners' and other administrative fees. There is no reference to road costs at all.¹¹ The Whitchurch award of 1772 is the first to specify road costs but this is contained in a supplementary schedule, as if the road costs were not part of the general expenses.¹²

⁸ North Marston Enclosure Award, C.R.O.Ayl., IR/129.

⁹ Drayton Parslow Minute Book, op.cit.; Weston Turville Account Book, op.cit.

¹⁰ H. Homer, Essay upon the nature and method of ascertaining the specifick shares of proprietors upon the inclosure of common fields (Oxford, 1766), p. 106.

¹¹ Loughton Enclosure Award, C.R.O.Ayl., Inrolment, Vol. 1.

¹² Whitchurch Enclosure Award, C.R.O.Ayl., Inrolment, Vol. 1; Also the North Marston Enclosure Award, C.R.O.Ayl., IR/129.

Evidence presented in the previous chapter demonstrated that there was much post-award expenditure, in particular the levying of additional rates from the parishioners and especially for the completion of the road accounts. Possibly a similar process occurred in the earlier period. It was customary in these earlier enclosures first of all to allot land to the claimants and to set out the roads at the end of the proceedings. Therefore it is not surprising that the road accounts were not included in the general cost schedules, they had not been built yet. The Tingewick award of 1775, the Stoke Hammond award of 1775 and the Twyford award of 1776 all set out the roads at the end of the proceedings.¹³ The Waddesdon award of 1775 is the first that sets out the roads before the general allotments, and this was in response to a special clause in the act.¹⁴ Also, it isn't until the Bow Brickhill enclosure of 1790-3 that the completion of the roads is certified at a General Quarter Session.¹⁵ Thereafter, a certificate of completion of all enclosure roads is included in the volumes of the Quarter Sessions.

Even taking into account that road technology in the earlier period may have been somewhat primitive and rudimentary, it must be recognised that the roads were an authorised part of enclosure, they required labour and were always attended by the allotment of a special acre or more for gravel. Besides, roads before 1774 were more substantial structures, upwards of 60 feet in width (though not all of it was gravelled, maybe half of it was left as a grass verge), whereas roads in the later period rarely exceeded 40 feet in width.

With all the evidence it is inconceivable that road costs were as

¹³ Tingewick Enclosure Award, C.R.O.Ayl., Inrolment, Vol. 2; Stoke Hammond Enclosure Award, C.R.O.Ayl., IR/107; Twyford Enclosure Award, C.R.O.Ayl., Inrolment, Vol. 2.

¹⁴ Waddesdon Act of 14 Geo.III, c.24, 1774; Waddesdon Enclosure Award, C.R.O.Ayl., Inrolment, Vol.2; Even after this a number of enclosures allotted the roads at the end of the proceedings, for example, North Marston Award of 1779, op.cit.

¹⁵ Quarter Sessions Records, Vol. 23, Epiphany 1794.

low as the few extant accounts for the early period suggest. W.H.R. Curtler points to a Cambridgeshire enclosure of 1797 suggesting that:

"the low cost of drainage, roads and fences in this and in contemporary enclosures generally, is evidence that these works were then of a very primitive and rude description". (16)

In this case the road costs amounted to 7% of the final cost but in Buckinghamshire there was only one enclosure where they were as low, the usual proportion was of the order of 15-30%. Curtler does suggest a reason for such low expenditure on the roads,

"It is evident that a considerable portion of the expense of enclosure came after allotment and was incurred in the making of roads, drains and fences". (17)

A suggestion that has been investigated in the previous chapter.

Figure IX(a) shows graphically the chronological pattern for different items of enclosure expenditure. In suggesting that the road costs have been minimised before 1780 it could be said that the graph exaggerates the size of the other items of expenditure. Chronologically, the solicitors' fees, commissioners' and surveyors' fees would have shown a more even pattern. Also, it is very likely that the high cost of tithe fencing in the earlier period is illusory. At Twyford enclosed in 1774-5 this item was 50.8% of the total cost and at Ludgershall enclosed in 1777 it was 42.8%.

In the past there has been much criticism of the apparent "extravagance" by commissioners in pursuing enclosure negotiations, almost as if they, as an elected body had taken advantage of their somewhat powerful position. The 1800 House of Commons Select Committee on Inclosures suggested that commissioners' meetings were rendered more frequent than necessary by the practice of commissioners transacting the business of two enclosures on the same day, which would necessarily

16 W.H.R. Curtler, The Enclosure and Redistribution of our Land (Oxford, 1920), p.165.

17 Ibid., p.166.

CHRONOLOGY OF PARLIAMENTARY ENCLOSURE FEES IN BUCKINGHAMSHIRE, 1762-1844.

Fees Expressed as a Percentage.

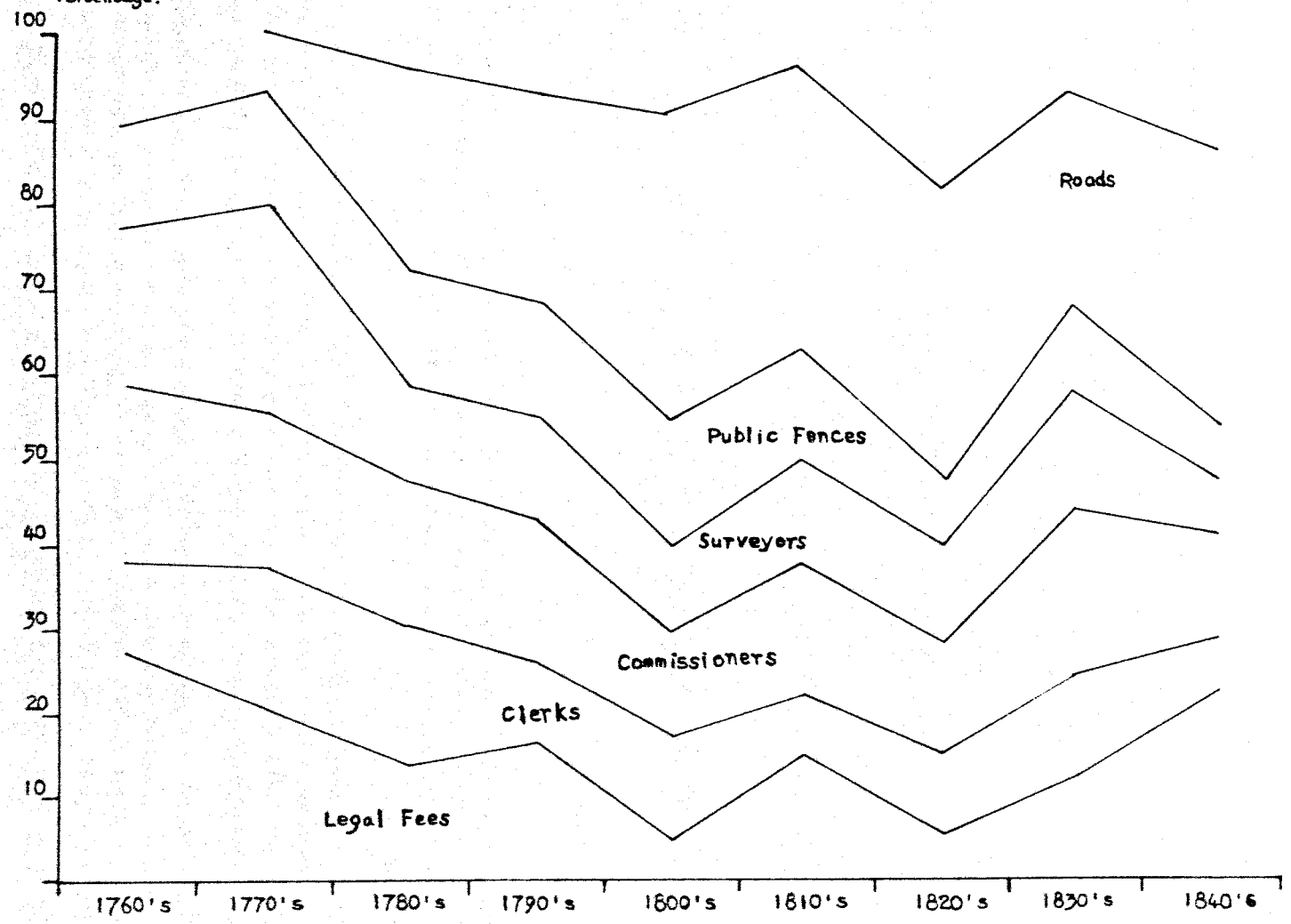


FIG. 17a:

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interfere with the dispatch of one or both of them.¹⁸ The Buckinghamshire commissioner Thomas Harrison in evidence to this Committee said that:

"the expence of the commissioners is very great. In one instance which lately came within my knowledge, the bill of the commissioners came to four guineas per day, besides their expences. The act directed only two guineas but they stated they worked double days, and therefore were entitled to double fees". (19)

He further stated that it would be of greatest value if the commissioners were prohibited from engaging in more than three enclosures at the same time.

This last point is of the greatest importance. Per enclosure, the commissioners' fees were not a substantial proportion of the total cost of an enclosure, considering the responsibility that the work involved. However, as Harrison explained, the delays and neglects of the commissioners in completing the business were more injurious to the interested parties than the actual sum allowed them.²⁰ In his study of selected Lincolnshire enclosures R.C. Russell illustrates the career of commissioner John Burcham:

"It seems that almost any enclosure in which he was concerned took an abnormally long time to complete". (21)

He was a commissioner for at least 70 enclosures and was already engaged on 38 when he began at Caistor Moor in 1811, and before it finished in 1814 he had accepted nomination for 10 more.²² Burcham was not unique in his activities, John Davis in and around Oxfordshire was a busier commissioner, but he and commissioners like him would seem to be exceptions.

Even in the earlier enclosures Homer calculates that the

18 "The Select Committee, appointed to consider the most effectual Means of facilitating... the Inclosure and Improvement of the Waste, Uninclosed, and Unproductive Lands, commons, common arable fields, common meadows and common of pasture, in this Kingdom", House of Commons Select Committee Reports, Vol. IX (1795-1801), p.230.

19 Ibid., p.232.

20 Ibid., p.232.

21 E. Gillett, R.C. Russell and E.M. Trevitt, "The enclosures of Scartho, 1795-8, and of Great Grimsby, 1827-40", Libraries and Museums Committee of the County Borough of Grimsby (1964), p.13.

22 R.C. Russell, "The enclosures of Searby, 1763-5, Nettleton, 1791-5, Caistor, 1796-8, and Caistor Moors, 1811-4", Nettleton Workers Educational Association (1968), p.9.

commissioners were receiving upwards of £400.²³ It can only be assumed that he was referring to the combined fees of three or more commissioners and not the individual fee, for as the Buckinghamshire schedules show the commissioners were rarely paid such high personal fees until well into the nineteenth century.

W.S. Rodgers, in analysing the West Riding enclosure commissioners formed the opinion that,

"of all the persons concerned with the parliamentary enclosures of the eighteenth and nineteenth centuries, the enclosure commissioners probably benefited most of all financially". (24)

I think, for Buckinghamshire, at least, that this was not so.

One needs to know what was the financial burden of employing an enclosure commissioner and was this more or less extravagant than the other cost items? As the Appendices IX(a) and IX(b) show, in time all other costs became subordinate to the cost of road making. The physical costs of the roads, fences, drains and bridges were obviously more flexible than the administrative costs. They depended on the availability of labour and raw materials. The administrative costs were more or less fixed. The cost of an Act of Parliament changed very little and the legal fees also were relatively stable. In time, the enclosures, for a variety of reasons, took longer to complete. As a result the administrative costs, the commissioners' and clerks' fees increased as more meetings were held, but as a percentage of the final cost they became less important. That isn't to suggest that the commissioners' profession was not very rewarding. Indeed it was, witness the examples given by M.W. Beresford and the case of John Burcham who at his death left property to the value of £600,000, though he had a number of interests besides enclosure.²⁵ However, the commissioners' fees became less important as time proceeded,

23 H. Homer, *op.cit.*, (1766), p.106.

24 W.S. Rodgers, "West Riding Commissioners of Enclosure, 1729-1850", *Yorkshire Archaeological Journal*, Vol. 40 (1962), p.416.

25 M.W. Beresford, *loc.cit.* (1968), pp.89-102; R.C. Russell, "The Enclosures of East Halton, 1801-4, and of North Kelsey, 1813-40", *North Lindsey Workers Educational Association* (1964), p.72.

especially with the reduction in the size of commissions from five or seven to three or fewer commissioners.

The Buckinghamshire commissioner Thomas Taylor was a humble carpenter and his probate inventory is evidence of his humble life.²⁶ The later commissioners were a more professional breed, and like John Fellows and William Collisson they sometimes served a type of apprenticeship as land surveyors. Indeed, the surveying profession was probably more lucrative than that of the enclosure commissioners, though there were more overheads for the surveyor, namely instruments, materials and labour.

For the first enclosures in the mid-eighteenth century a fee of one guinea per day was paid to a commissioner. The Swanbourne act of 1762 offers one guinea:

"over and above all such expences as they shall be put into respectively for their maintenance, support and other necessary expences". (27)

By the late 1770's the fee had increased to one and a half guineas per day and by the 1790's it was two guineas per day. The Bierton act of 1779 further stipulated that the commissioners so appointed were not to attend two commissions in the one day, as did the Weston Turville act of 1798.²⁸

The five commissioners of the Shenley enclosure of 1762-3 shared a meagre £130 and the five commissioners of the Hartwell and Stone enclosure of 1776-7 shared £395, or less than £80 each for an enclosure which took over a year to complete.²⁹ As can be seen from the table, other individuals such as surveyors, solicitors and clerks stood to earn much more, though of course they may also have been engaged on the particular

26 C.R.O.Ayl., Wills, D/A/WE/115/18.

27 Swanbourne Act of 2 Geo.III, c.9, 1762.

28 Bierton Act of 19 Geo.III, c.67, 1779; Weston Turville Act of 38 Geo.III, c.52, 1798.

29 Shenley Brook End Enclosure Award, C.R.O.Ayl., IR/41(i); Hartwell and Stone Enclosure Minute Book, C.R.O.Ayl., IR/M/7, entry of 17-18 March 1777.

enclosures between meetings, whereas the commissioners only worked on the appointed days.

By 1805 or thereabouts, commissioners' fees had increased to two and a half guineas per day. Thereafter the general fee became three guineas per day. In an effort to complete the enclosure as quickly as possible the promoters of the Marsh Gibbon act of 1842 inserted a clause stating that for the first three years the commissioners' fee would be three guineas per day, but thereafter it would drop to two and a half guineas. This was not an uncommon clause. Furthermore, it stipulated that between March 25 and September 29 a day would constitute 8 hours and anything less than 8 hours would be treated as half a day. For the rest of the year a day was defined as 6 hours duration. Again this became quite a common clause.³⁰

On rare occasions a set fee was awarded to the commissioners regardless of the duration of the commission. At Wavendon the act of 1788 awarded each commissioner £105 with a forfeit of three guineas for each day of non-attendance. At Walton in 1799 it was sixty guineas each, at Great Horwood in 1841 it was £380 each and at Buckland in 1842 it was £150 each.³¹ Quite understandably, the first two at least were remarkably expeditious enclosures.

There were of course a number of pecuniary rewards attached to various posts. The post of surveyor, especially in the earlier period was often a dual post. On the one hand a land surveyor would be employed to produce a quantity survey and on the other hand seemingly unqualified people might be employed to produce a quality assessment. Very often, some or all of the commissioners would supplement their incomes by acting as these quality surveyors. At Hanslope enclosed in 1778-9 the quality men

³⁰ Marsh Gibbon Act of 4 Vict., c.14, 1841.

³¹ Wavendon Act of 28 Geo. III, c.12, 1788; Walton Act of 39 Geo. III, c.88, 1799; Great Horwood Act of 4 Vict., c.22, 1841; Buckland Act of 5 and 6 Vict., c.6, 1842.

received a fee equivalent to the commissioners' fee.³² In the later enclosures, from the Grandborough Act of 1796 onwards the commissioners invariably acted as quality surveyors but unfortunately the separate fees are rarely distinguished in the records.

Other advantages accrued to the commissioners. At Tingewick, enclosed in 1773-5, £188 of the commissioners' final settlement was for extraordinary expenses, that is entertainment such as inn bills and refreshments.³³ At North Marston, enclosed in 1778-9, such entertainments amounted to £50, or almost 25% of the commissioners' total fees.³⁴

For the earliest enclosures although most awards state the total costs they rarely differentiate between the different component costs. Therefore for busy commissioners such as Francis Burton, Thomas Harrison, Thomas Hopcraft, John Lord and Thomas Taylor, there is little evidence to show exactly how much they earned from enclosure. All that can be said is that they seemed to be constantly employed. For the later period there is much more evidence of commissioners' income. From 1781-1804 William Collisson acted as a surveyor on 12 Buckinghamshire enclosures. The records from 6 of these reveal an income of £1,485 paid to him. By estimation his total surveyors bill in the county was of the order of £2,970, or about £130 per annum. Also, he served as a commissioner 14 times in the county from 1788-1823. For seven of these enclosures he received a total of £1,880, so probably he earned a total of about £3,760, or £110 per annum as a commissioner. Surveying seems to have been the more rewarding profession for Collisson, though it was also the more exacting and time consuming.³⁵ For all his 42 years working in Buckinghamshire Collisson must have received about £6,750 or £160 per annum. In addition of course he was active elsewhere both as commissioner and surveyor.³⁶

32 That is 1½ guineas per day, Hanslope Enclosure Papers, C.R.O.Ayl., IR/M/22.

33 Tingewick Enclosure Award, C.R.O.Ayl., Inrolment, Vol. 2.

34 North Marston Enclosure Award, C.R.O.Ayl., IR/129.

35 At Calverton 1782-3 he received £123 as surveyor whereas the commissioners only averaged £67. C.R.O. Ayl., IR/123.

36 See Chapter VII supra, in particular pp. 256-7

The most active administrator in the county, John Fellows, earned at least £7,770 in 50 years, or £160 per annum. Compared with Collisson he was more successful as a commissioner than as a surveyor, but then he was engaged as a surveyor in what would appear to be the less rewarding period, before 1780.

This financial comparison between commissioners and surveyors is brought into clearer focus by inspecting the accounts of the Princes Risborough enclosure of 1820-3. William Collisson received about £610 for his 89 days attendance as a commissioner. His son, engaged as the surveyor received nearly £1,500, about half of which was in fees and the balance was for overheads such as field labour and material. On the other hand, he was engaged for a much longer period, 291 days. Surveying could be the more rewarding but clearly it was much more time consuming, involving field work between commissioners' meetings.³⁷ In this example Collisson averaged £6.8 per day and his son £5.2 per day.

The commissioners, though they were paid at the same daily rate as each other on a particular enclosure did not always receive the same income by its close. The most extreme differential occurred at Stewkley, enclosed in 1811-4. John Fellows represented "the majority in value", of the landowners and received £330. Edward Horwood represented the "Dean and Chapter of Windsor Chapel" and received £460 and John Davis represented the "Bishop of Oxford" and received a meagre £139.³⁸ The differences were not due to any illegality but rather to assiduous service. Fellows as the representative of the majority of landowners would be expected to attend all the meetings, or as many as possible, while Davis as the representative of the tithe owner may have only attended those meetings that dealt with tithe commutation. Horwood would seem to have

37 "Memo. Book of William Collisson...", *op.cit.*, C.R.O.Ayl., AR/51/70/L; Princes Risborough Enclosure Accounts, C.R.O.Ayl., IR/M/1/7(3).

38 Stewkley Enclosure Accounts, C.R.O.Ayl.; IR/M/10/6.

been a conscientious worker on all of his enclosures. Davis on the other hand was noted for his absenteeism.³⁹ Unfortunately Stewkley is the only Buckinghamshire enclosure where his fees are known.

It could be argued that by absenteeism a commissioner might be saving money for the enclosure. This is not so because a commission was conducted on a basis of majority decision by the commissioners. There are many instances where meetings were postponed for lack of a quorum and the subsequent delays served only to increase the expenses. Sometimes the clerk alone was the only official in attendance. Those who did attend would expect, naturally enough, to receive payment.

Very little comment is ever made about the size of the clerical fees, the commissioners are always the objects of criticism, the villains of the piece. That is not to suggest that the new sources will lay any great stress on the clerks as substantial recipients from enclosure. However, as the tables show they did command a very high percentage of the total cost of enclosures, as high as 33.5% at Olney in 1803 and 26.5% at Bradwell in 1788-9. Considering that there was usually only one clerk at each commission compared with three or more commissioners, their position is well worth discussing.⁴⁰ Furthermore, it seems very probable that most of the money not accounted for in the tables and termed 'other' was part of the clerical costs. For example, £34 for stationery bills at Hanslope has not been included under the clerks heading, though probably it should be. At Wing the cost of drawing up the award was £280 of which the Solicitor received £195, the clerk received £25 and the

39 See Chapter VII supra, especially pp. 253-5 ; See also A. Young, General View of the Agriculture of Oxfordshire (Board of Agriculture, 1813), pp.93-5.

40 It may be significant that at Wing 1797-8, Drayton Parslow 1797-8, Stoke Mandeville 1797-8 and Weston Turville 1798-1800, the clerical fees fall as low as 4.4%, 7.6%, 7.4% and 5.8% respectively. These are enclosures in the period for which substantial supplementary sources have survived and the road costs seem to be the dominant item of expenditure. Apart from Olney 1803 and Langley Marish 1809-12 the nineteenth century clerical fees were never as large a proportion of total costs as they had been in the eighteenth century.

surveyor £60, and in addition, miscellaneous stationery amounted to £68. In the Stoke Mandeville accounts a further £108 should be added to the clerical fees for drawing up the award and £39 for stationery.

The clerks' fees were the same as the commissioners', 1 guinea per day in the 1760's, rising to 3 guineas per day in the nineteenth century. Of course, apart from attending the commissioners' meetings and recording the minutes, the clerk was employed at other times, in particular in correspondence with parishioners who made claims and submitted objections. They were also required to issue notices publicising future commissioners' meetings. The postal, stationery and advertisement charges, and the cost of the award itself were all part of the clerical fees but they are not always distinguishable in the accounts. At Bow Brickhill enclosed in 1790-3 the clerks fee was £103 out of a total clerical fee of £290. The residue was for other clerical duties and equipment.⁴¹ Understandably such clerical fees could be quite high.

Occasionally the solicitor's fee and the clerk's fee might be combined, as at Hanslope in 1778-9, Bierton in 1779-80 and Bradwell in 1788-9. On more enclosures than not, the solicitors were subsequently appointed as the clerks to the commissions.⁴² James Burnham, an Aylesbury solicitor received an average of £322 for the three enclosures where he acted as solicitor and later clerk.⁴³ This was over and above the average income received by the commissioners.⁴⁴ Charles Stevens at Drayton Parslow received £275 as solicitor and a further £256 as clerk. Acton Chaplin at Weston Turville received £232 and £182 respectively, and a further £104 for drawing up the award.

41 Bow Brickhill Enclosure Award, C.R.O.Ayl., IR/27.

42 See Chapter VII supra, especially pp.260-65.

43 At North Marston he received £449, at Bradwell £259 and at Great Woolstone £237.

44 The commissioners received £68 and £74 respectively at Bradwell.

For a solicitor therefore the enclosures of the eighteenth and nineteenth centuries provided almost continuous employment, and at every stage of the process. However, in general it seems that the administrators, in particular the commissioners have been given a greater share of the blame for the high cost of enclosure than perhaps they deserve. Increasingly it is becoming evident that the cost of forming the roads and the other expenses for physical improvements have been underestimated. Certainly in those accounts where all items of expenditure are included the road account always looms the largest.

APPENDIX IX(a): Cost of Parliamentary Enclosure in Buckinghamshire: Distribution of Costs.

Parish	Date of Act	Legal Fees		Administrative Commissioners	Fees Clerk	Surveyors Fees		Grass Seed	Physical Costs		Award:	Other	Total	
		Parliamentary	Solicitors			Quantity	Quality		Tithe	Fences				Roads
Swanbourne	1762							190-07-04					1391-01-09	
Shenley	1762	166-07-00		130-07-08	69-00-2	(115-15-0)			140-12-0				611-13-07	
Westbury	1764							81-17-10	54-02-4				818-07-05	
Westcott	1765							253-18-06					1018-18-07	
Winslow	1766							235-02-05					1099-19-06	
Little Horwood	1766							259-09-09					1151-14-02	
Loughton	1768							86-19-03	110-00-0				980-19-00	
Woughton	1768							100-10-06	81-17-8				927-04-09	
Simpson	1770							36-07-08	100-15-0				1201-06-11	
Aylesbury	1771							120-00-00	393-18-6				1542-05-01	
Whitchurch	1771								76-02-9	145-09-5			1364-12-04	
Great Brickhill	1771							77-00-10					927-19-11	
North Crawley	1772							179-05-00	79-13-1				1337-18-11	
Tingewick	1773	199-18-11		450-09-00	183-00-3	(383-18-9)		86-02-04	87-07-9				1646-08-08	
Waddesden	1774							118-11-00	121-09-6				1089-13-00	
Twyford	1774								773-16-2				1523-00-00	
Stoke Hammond	1774							(560-7-3)					1208-04-02	
Hartwell & Stone	1776	175-08-00		395-01-08	189-14-8	193-10-10	65-12-6	118-12-02	248-15-7			57-04-6	1444-05-11	
Ludgershall	1777			309-04-06					622-06-6				2385-11-05	
Hardwick	1778								101-01-6				994-02-11	
North Marston	1778	203-12-00	448-14-08	203-02-11		245-10-6	63-02-9	183-06-02	114-03-0	170-12-4		40-07-7	1672-11-11	
Hitcham	1778	386-18-10							350-13-6				1493-09-04	
Hanslope	1778			483-00-00	503-07-8*	543-13-10	111-16-6				Labour: 86-17-2;	Inn expenses: 52-02-01	179-02-9	1960-00-00
Bierton	1779	259-16-00		239-08-00	300-00-9*	499-15-10	17-06-6	137-06-00	362-02-8		Drains: 43-12-1;	Bridges: 23-13-10	112-12-9	1995-14-04
Taplow	1779	439-13-04							266-01-5				1764-08-01	
Preston Bissett	1781			(173-5-0)					233-10-6				1207-16-01	
Calverton	1782	216-16-02		269-17-00	264-05-2	(254-16-2)			222-14-0	549-13-8			2033-01-04	
Bradwell	1788	197-09-06		201-14-06	259-00-1*	(116-01-6)				163-19-8			975-11-10	
Wavendon	1788							540-04-10					2741-03-11	

* = including Solicitors

APPENDIX IX(a): Cost of Parliamentary Enclosure in Buckinghamshire: Distribution of Costs (continued)

Parish	Date of Act	Legal Fees		Administrative Fees		Surveyors Fees	Grass Seed	Physical Costs		Award:	Other	Total
		Parliamentary Solicitors		Commissioner	Clerk			Tithe Fences (and Public)	Roads			
Bow Brickhill	1790	374-06-04		340-11-9	289-14-10	290-08-3		340-17-10	452-05-06		193-15-02	2281-19-08
Little Woolstone	1791	224-18-02	104-15-2	176-08-0	110-07-03	125-04-6		13-00-00	55-15-10		15-09-05	825-18-04
Castlethorpe	1793	287-00-10		289-16-0	140-08-00	138-16-9	66-07-0	144-06-10	194-16-06		14-12-06	1276-01-08
Newport Pagnell	1794	237-05-04		203-00-6	310-09-00	139-16-9			404-09-03		45-19-02	1341-00-00
Aston Abbots	1795							147-15-00				?
Great Woolstone	1796	197-15-04		134-08-0	236-15-05	72-13-6						641-12-03
Wing	1797	(618-02-08)		661-10-0	247-05-09	643-10-3	303-01-6	702-07-06	1853-18-00	280-09-3	345-13-05	5655-18-04
Stoke Mandeville	1797	(508-10-05)		535-10-0	204-16-02	284-06-3	80-00-0	347-03-00	618-16-09	144-19-3	40-11-00	2764-12-10
Drayton Parslow	1797	262-16-00	363-09-7	480-18-0	256-11-09	324-14-6	79-16-6	573-12-11	734-19-02	Arbitrators: 46-4-0	43-11-00	3381-00-07
Weston Turville	1798	241-11-06	281-02-2	450-00-0	182-00-05	341-07-4	137-11-0	566-02-00	579-11-06	150-19-9; Drains: 87-14-6	122-13-10	3140-14-00
Iver	1800					1325-00-0		(468-00-00)	(Roads and Bridges: 3919-11-0)			12308-10-00
Olney	1803	(124-10-00)		33-13-6	112-19-08	22-10-0					40-15-10	334-09-00
Langley Marish	1809	(328-17-02)		554-00-0	1106-16-05	843-12-3			2123-08-09	Bridges: 75-18-4; Arches: 157-18-4; Auction: 101-19-6	94-09-05	5426-10-06
Bledlow	1809	(780-11-03)		1339-05-6	1006-04-06	1379-14-8		1760-03-10	5075-10-10		1762-14-09	13104-05-04
Slapton	1810	(904-10-07)		600-00-0	380-00-00	320-00-0		650-00-00	1600-00-00	Drains: 200-0-0	295-15-04	4950-05-11
Stewkley	1811	663-16-00	1034-14-8	1742-07-0	1469-13-09	1500-00-0	87-15-6	1506-18-00	4385-09-03	Waterways: 200-1-9; Public Exp: 146-17-6	214-01-02	12951-14-07
Amersham	1815	(516-05-03)		512-19-0	204-15-00	910-09-0			1161-05-06	Public Expenses: 94-7-2	355-13-02	3755-14-01
Princes Risborough	1820	(837-00-10)		1400-12-0	1014-12-05	1486-08-7	521-10-5	853-09-05	3930-14-03	Bridges: 209-17-1	1467-18-10	11722-03-10
Monks Risborough	1830	(1620-18-07)		2537-01-6	1801-14-05	1575-17-2		973-12-09	3822-07-09	Drains: 373-13-1; Bank Int.: 88-19-11	543-12-10	13337-18-00
Whaddon	1830	368-01-04	292-05-7	1003-00-3	772-17-01	648-11-2		781-05-10	879-13-07	Bridges: 230-17-9; Drains: 39-5-3	146-17-06	5162-15-04
Astwood	1836	? 163-17-0		(100-00-0)	69-06-00	241-00-0			485-14-11	Tavern Bills: 25-10-9	8-01-00	1093-09-08
Quainton	1840	(967-11-06)		170-00-0	(80-00-00)	(50-00-0)		12-08-09	892-08-00	Drains: 207-17-1; Adverts.: 45-5-0	26-07-00	3393-07-10
Great Horwood	1841	(900-15-07)		(760-00-0)	(100-00-00)	420-00-0		196-10-09	1530-04-03	Adverts. & Printing: 158-4-2	8-00-00	4073-14-09
Buckland	1842	(640-17-04)		345-12-2	544-10-00	387-03-2	Aw.: 53-0-6	234-09-00	1120-01-09	Watercourses: 29-16-8; Adverts. & Printing: 51-6-10	10-10-00	3417-07-05
Cheddington	1853	125-00-0		<u>Inclosure Commission</u> (50-07-6)		<u>Valuer & Surveyor</u> 705-00-0		159-01-10			1837-09-07	3382-12-02
Hughenden	1853	168-01-8		(106-10-6)		249-08-1		136-05-00	302-09-03	Adverts.: 30-17-0; Ponds: 41-10-0	61-05-10	1096-07-04

Aw. = Award
 Adverts. = Advertisements
 Bank Int. = Bank Interest

APPENDIX IX(b): DISTRIBUTION OF ENCLOSURE COSTS IN BUCKINGHAMSHIRE, 1762-1842 (as percentages).

<u>Parish</u>	<u>Date of Act</u>	<u>Legal Costs</u>		<u>Admin.</u>		<u>Surveyor Surv.</u>	<u>Physical Costs</u>				<u>Husbandry</u>	
		<u>Parl.</u>	<u>Sols.</u>	<u>Comms.</u>	<u>Clk.</u>		<u>Fences</u>	<u>Roads</u>	<u>Bridges</u>	<u>Drains</u>	<u>Grass</u>	<u>Seed</u>
Swanbourne	1762											13;7
Shenley	1762	26.7		20.9	11.1	18.6	22.6					
Westbury	1764						6.6					10.0
Westcott	1765											24.9
Winslow	1766											21.4
Little Horwood	1766											22.5
Loughton	1768						11.2					8.8
Woughton	1768						8.8					10.8
Simpson	1770						8.4					3.0
Aylesbury	1771						25.5					7.7
Whitchurch	1771						5.5	10.6				
Great Brickhill	1771											8.3
N. Crawley	1772						5.9					14.1
Tingewick	1773	12.1		27.3	14.1	23.3	5.3					5.2
Waddesdon	1774						11.1					10.9
Twyford	1774						50.8					
St. Hammond	1774						(46.4)					(46.4)
Hartwell & Stone	1776	12.2		27.3	13.1	17.9	17.2					8.2
Ludgershall	1777			12.9			21.9					

<u>Parish</u>	<u>Date of Act</u>	<u>Legal Costs</u>		<u>Admin.</u>		<u>Surveyor Surv.</u>	<u>Physical Costs</u>				<u>Husbandry Grass Seed</u>
		<u>Parl.</u>	<u>Sols.</u>	<u>Comms.</u>	<u>Clk.</u>		<u>Fences</u>	<u>Roads</u>	<u>Bridges</u>	<u>Drains</u>	
Hardwick	1778						10.2				
N. Marston	1778	12.0	27.0	12.1		18.5	6.8	10.2			10.9
Hitcham	1778	25.9					23.5				
Hanslope	1778	(25.7)		(24.7)	(25.7)	33.4	(Labour, 4.4; Inn expenses, 2.6)				
Bierton	1779	13.0		11.1	15.1	25.9	18.1		1.2	2.2	
Taplow	1779	24.9					15.1				
Preston Bissett	1781			(14.3)			19.3				
Calverton	1782	10.6		13.3	13.2	12.5	10.9	27.0			
Bradwell	1788	20.2		20.7	26.5	11.9		16.8			
Wavendon	1788										19.7
Bow Brickhill	1790	16.4		14.9	12.7	12.7	14.9	19.8			
Lt. Woolstone	1791	27.2	12.7	21.4	13.4	15.2	1.6	6.8			
Castlethorpe	1793	22.5		22.7	10.9	10.8	11.3	15.3			5.2
Newport Pagnell	1794	17.7		15.1	23.2	10.4		30.2			
Gt. Woolstone	1796	30.8		20.9	36.9 (& Sols)	11.3					
Wing	1797	(10.9)		11.7	4.4	11.4	12.4	32.8		(Aw.4.9)	5.4
St. Mandeville	1797	(18.4)		19.4	7.4	10.3	12.6	22.4		(Aw.5.2)	2.9
Drayton Parslow	1797	7.7	10.7	14.2	7.6	9.6	16.9	21.7			2.4
Wn. Turville	1798	7.7	8.9	14.3	5.8	10.9	18.0	18.5		(Aw.4.8)	4.4
Iver	1800					10.8	3.8	31.8	+bridges		

Abbreviation: Aw. = Award

<u>Parish</u>	<u>Date of Act</u>	<u>Legal Costs</u>		<u>Admin.</u>		<u>Surveyor Surv.</u>	<u>Physical Costs</u>				<u>Husbandry Grass Seed</u>
		<u>Parl.</u>	<u>Sols.</u>	<u>Comms.</u>	<u>Clk.</u>		<u>Fences</u>	<u>Roads</u>	<u>Bridges</u>	<u>Drains</u>	
Olney	1803	(37.2)		10.1	33.5	6.7					
Langley	1809	(6.1)		10.2	20.4	15.5		39.1	4.3		
Bledlow	1809	(5.9)		10.2	7.7	10.5	13.4	38.7			
Slapton	1810	(18.3)		12.1	7.9	6.5	13.1	32.2			
Stewkley	1811	5.1	7.9	13.1	11.4	11.6	11.6	33.9		1.6	0.7
Amersham	1815	(13.8)		13.7	5.4	24.2		30.9			
Princes Risborough	1820	(7.1)		11.9	8.6	12.7	7.1	33.5	1.8		4.5
Monks Risborough	1830	(12.2)		19.0	13.5	11.8	7.3	28.7		2.8	
Whaddon	1830	7.1	5.7	19.4	15.0	12.6	15.1	17.0	4.5	0.7	
Astwood	1836	(14.9)		9.1	6.3	22.0		44.4			
Quainton	1840	(28.5)		5.0	2.4	1.5	0.4	26.3		6.1	(Ads. 1.3)
Great Horwood	1841	(22.1)		18.6	2.5	10.3	4.8	37.6			(Ads. 3.9)
Buckland	1842	(18.8)		10.1	15.9	11.3	6.9	32.8		0.9	(Ads. 1.5)

ENCLOSURES UNDER THE GENERAL ENCLOSURE ACTS DIRECTED BY THE INCLOSURE COMMISSION

		<u>Inclosure</u>		<u>Valuer</u>	<u>Fences</u>	<u>Roads</u>	<u>Drains</u>	<u>Grass Seed</u>
		<u>Sols.</u>	<u>Comms.</u>					
Cheddington	1853	3.7	1.5	20.9	4.7	.		
Hughenden	1853	15.3	9.7	22.8	12.4	27.6	3.8	(Ads. 2.8)

Abbreviation: Ads. = advertisements.

CHAPTER X: THE FINANCING OF ENCLOSURE.

The cost of enclosure was a crucial burden for many landowners to bear but it must be understood in the light of the complementary and equally important financing of enclosure. This is the means by which the landowners found capital to defray the expenses imposed by the commissioners, and the subsequent cost of fencing which finally completed the improvement.

Unlike the sources which provide details of costs, the sources which discuss financing are few and in consequence are difficult to evaluate. They are found in estate papers, particularly deeds, and also in the enclosure records, the awards and the commissioners' working papers. This aspect of enclosure has received so little attention that L.S. Pressnell's view of 1956 still applies:

"the finance of this outlay is one of the least explored features of agricultural and financial history". (1)

G.E. Mingay has suggested that large landowners sometimes sold off part of their lands to meet the expenses of enclosures and that for the smaller landowners these expenses were not necessarily fatal:

"because the outlay was usually small in relation to the post-enclosure value of the land, and the money to pay for commissioners rates and fencing might be raised by mortgage". (2)

He does not continue to describe a typical post-enclosure mortgage agreement but assumes that the method was widespread. He is not alone in making this particular assumption, it has been common practice in the literature on enclosure. The scanty evidence which has been found in Buckinghamshire title deeds suggests that mortgages were a convenience generally enjoyed by the larger landowners only.

Writers such as E.C.K. Gonner have stated that the more common

1 L.S. Pressnell, Country Banking in the Industrial Revolution (Oxford, 1956), p. 349.

2 G.E. Mingay, English Landed Society in the Eighteenth Century (London, 1963), pp.97-8.

form of financing was by land sales or deducting land from the newly allotted enclosures, to be sold, usually by auction.³ This is an erroneous view but one which has been repeated often. It was only during the nineteenth century that land deductions and sales became prevalent. Formerly it was strictly applied to certain charity lands and then only in specific cases.

R. Mitchison has suggested that enclosure would occur, "whenever the large landowners had capital to spare".⁴ Even if this were true, which seems very doubtful, it neglects the fact that most landowners were small. J.M. Martin has also suggested that the availability of capital was an important factor:

"the favourable boom conditions of the French wars provided an opportunity for canalizing surplus capital into such a necessary investment", (5)

a point of view that virtually paraphrases T.S. Ashton.⁶ This may have been true for the promoters of an enclosure but it was not true for the majority of landowners in a parish. H.J. Habbakuk makes a similar point:

"enclosure and the accompanying activity... appear most commonly to have been financed out of capital, in many, and possibly even in most cases, with borrowed money".

He further suggests that current income was often the source of finance,⁷ but again this was only true for a relatively small number of landowners.

3 E.C.K. Gonner, Common Land and Inclosure (London, 1912, reprinted 1966 with a new introduction by G.E. Mingay), p.90 "In a great many cases part of the land was sold, in others a rate was levied". In fact, in Buckinghamshire at least, even where land was sold a rate might also be levied on the proprietors.

4 R. Mitchison, Agricultural Sir John (London, 1962), p.156; Besides, so little is known about capital formation in the 18th and 19th centuries, especially in the agricultural sector. On this see, François Crouzet, "An Essay in Historiography", Introduction to, Crouzet (ed.), Capital Formation in the Industrial Revolution (London, 1972), pp.1-69.

5 J.M. Martin, "The Cost of Parliamentary Enclosure in Warwickshire", in E.L. Jones (ed.), Agriculture and Economic Growth in England, 1650-1815 (London, 1967), p.138.

6 T.S. Ashton, An Economic History of England: The Eighteenth Century (London, 1955), p.41.

7 H.J. Habbakuk, "Economic Functions of English Landowners in the Seventeenth and Eighteenth Centuries", in W.E. Minchinton (ed.), Essays in Agrarian History (Newton Abbott, 1968), Vol. 1, p.194.

The most common method of raising funds for defraying the cost of the act, and the expenses of the commissioners, surveyors, clerks and others, was for the commissioners to levy a rate or rates on the landowners in proportion to their property or in proportion to their contribution to the poor rates. This suggests that the finances would be available to the commissioners as and when they required them. This was not always the case since the rates could not always be met, immediately or thereafter, and in fact a common cause for delays in completing enclosures was the inability of landowners to meet these rates.

F.M.L. Thompson rightly states that the owners of landed estates could finance enclosure out of current income and by the diversion of capital from estates that were already enclosed. The pace of enclosure for these proprietors therefore was not determined by the supply of finance, but rather, he suggests, by the supply of tenants willing to pay the new post-enclosure level of rents.⁸ However, the majority of owners were in possession of only small estates and many were owner-occupiers and it was imperative that they consider their financial commitments.

The 1808 Board of Agriculture Report on Enclosure is a major source of error but it has been referred to constantly by modern writers. It is certainly not very reliable when discussing costs, and on financing it states:

"there have been two methods of providing for the expences of the measure of enclosing; first by levying assessments upon the proprietors proportional to their property, usually according to the poor-rate. Second, by selling portions of waste lands or commons sufficient to pay part or the whole of such expences... where the latter is practicable, it is a most easy and beneficial method of providing for the demands of the measure". (9)

Indisputably so but unfortunately it was not a method that was employed very often. Another misleading contemporary opinion is that by Thomas

⁸ F.M.L. Thompson, English Landed Society in the Nineteenth Century (London, 1963), pp.224-6.

⁹ Board of Agriculture, General Report on Enclosures (London, 1808), p.97.

Stone (1787). In an otherwise reliable observation on eighteenth century enclosures, Stone produces a not very sympathetic account when he discusses financing:

"And those, who through prejudice are induced to say that upon an enclosure the smaller proprietor cannot pay his quota towards the expence, without mortgaging and incumbering himself, and that often with the larger proprietors, who ultimately lay hold of the whole property, go very far indeed; for it reasonably should be allowed that in proportion to every man's property, so ought to be his circumstances to improve and preserve it; and if where inclosures are honestly and judiciously made, the small proprietors reap a share of the general advantages, it is but reasonable to charge them with proportionable expences". (10)

The passage stands as a platitude but this chapter will endeavour to show that many of these owners had great difficulty in meeting their quota of the costs.

In general there were four methods of financing an enclosure. The most common was for the commissioners to levy a rate upon the landowners. This tells of the method that the commissioners intended to employ but neglects to show how the landowners raised the rates, if in fact they did. The second method was by deductions of land from the new allotments, or by land sales and auctions of the communal property or individual property. On occasions such sales might supplement the commissioners' levy or alternatively be supplemented by a levy. The third method was financing by mortgage, and the last, financing out of current income.

Works do not exist which analyse this important aspect of the enclosure process. It may be that the evidence is not available in quantity to be able to conduct an extensive study. Certainly much of the material for the study of eighteenth and nineteenth century Buckinghamshire agriculture does not lend itself to easy analysis, though what does exist has been researched thoroughly.¹¹

10 Thomas Stone, Suggestions for Rendering the Inclosure of Common Fields and the Waste Lands a Source of Population and Riches (London, 1787), p.42.

11 Even quite recently there was little precise information on the input of capital into agriculture. See Colin Clark, "Capital in Agriculture", Farm Economist, Vol. IX (1959), pp.28-34.

a) The Levy of a Commissioners' Rate.

The most common way to finance an enclosure was for the commissioners to levy a rate or rates upon the proprietors, usually in proportion to their allotments. The ordering of this rate by the commissioners merely signified their intention of defraying the costs by this means. To assume that the rates were then paid immediately, or shortly afterwards, by the allottees is wrong since the majority of individuals receiving land did not have the capital available for the purpose.

There were a number of allottees who were exempted from contributing to the rates, notably the church as tithe and glebe owner. Furthermore, where the church was tithe owner it was customary for the tithe allotment fences to be maintained at public expense for periods of up to seven years continuously after the enclosure award had been signed. This was the time considered necessary for a youthful quickset hedge to attain maturity. W.E. Tate has shown that paying the vicarial share of the enclosure costs could put as much as one-seventh onto the bill of all the other proprietors.¹² Very few other landowning groups were exempt from paying a proportion of the commissioners' levy. In only one award, Taplow enclosed in 1779-87, were the poor excused from making a contribution to costs, and on only two occasions were the smallest landowners excused, at Little Horwood enclosed in 1766-7 and Whitchurch enclosed in 1771-2. In both parishes the commissioners' levy only applied to those who were allotted at least four acres.¹³ This provision may have been applied elsewhere but no other instances have yet come to light. It may be significant that in the Little Woolstone award of 1792 all those proprietors who were allotted less than six acres do not appear in

¹² W.E. Tate, "The Cost of Parliamentary Enclosure in England", Economic History Review, 2nd series, Vol. v (1952), p.265; As Table VIII(e) supra demonstrates, the cost of tithe fencing could be quite large, even larger than the average cost of enclosure, see for example Shenley 1762, Bow Brickhill 1790 and Great Horwood 1841.

¹³ Taplow Enclosure Award, Little Horwood Enclosure Award and Whitchurch Enclosure Award, C.R.O.Ayl., IR/70, IR/134 and Inrolment Vol.1 respectively

the cost schedules that are appended at the end.¹⁴ In Leicestershire there were very few cases where the smallest proprietors were excused enclosure costs altogether.

"At only a very few places were the difficulties of the small proprietors, in meeting costs, taken into consideration... It is difficult to conceive of any but humanitarian grounds for such provisions. They are unlikely to have been a means of persuading the small proprietors and cottage common right owners to agree to enclosure, for their consent was hardly worth courting". (15)

A conclusion which also applies to Buckinghamshire.

Having made and published their cost assessments it was not always easy for the commissioners to collect the levy from the proprietors. Fortunately for Buckinghamshire there is considerable information demonstrating that there was much difficulty in meeting the commissioners' rates.

The commissioners were always quick to blame the proprietors for any delays in completing enclosures, for not defraying their shares of the costs. At Little Woolstone in 1791-2, Weston Turville in 1798-1800, Drayton Parslow in 1797-8 and Bledlow in 1809-12 it appeared that several proprietors were still in arrears of payment of their proportion of the commissioners' rates after the awards had been completed, which thus prevented the commissioners from proceeding to close the accounts and finish the enclosures. The commissioners of the Stoke Mandeville enclosure of 1797-8 circulated a letter in which they lamented the necessity of increasing the general expenses by further meetings because of rate arrears by certain proprietors.¹⁶ The Weston Turville enclosure was extended for nine months because of such rate arrears.¹⁷ Indeed, the commissioners' minute books sometimes witness the considerable struggle

14 Little Woolstone Enclosure Award, C.R.O.Ayl., IR/113.

15 H.G. Hunt, The Parliamentary Enclosure Movement in Leicestershire, 1730-1850 (Unpublished Ph.D. Thesis, University of London, 1956), pp.173-4.

16 Stoke Mandeville Enclosure Papers, C.R.O.Ayl., IR/M/11, Miscellaneous Letter, N.D.

17 Weston Turville Enclosure Minute Book, C.R.O.Ayl., IR/M/3/5, meetings of September 1799 to February 1800.

by some proprietors to raise the enclosure expenses, and references to defaulters are common. The fear of a warrant of distress and of the bailiff was always present and a clause to this effect was often included in the Act of Parliament.¹⁸ The Stewkley enclosure commissioners did in fact issue a warrant of distress in 1817, and yet this was three years after they had signed the award.¹⁹

The Great Kimble Minute Book shows that there were still arrears by certain proprietors on the general expenses account a full five years after the award was signed and completed.²⁰ At Amersham, enclosed in 1815-6, the commissioners noted that a Miss Cooper had not paid her assessed rate and had allowed a Mr. William Scott to take possession of the allotment at a rent of fifty shillings per annum. Scott in return had agreed to pay the costs of the enclosure for Cooper, which amounted to £40. He was awarded 5% interest on this £40 and allowed to remain in possession until the principal sum and interest had been paid either as accumulated rent or as a cash settlement at a future date.²¹ At Weston Turville two of the allottees requested time in which to pay their respective proportions of the commissioners' rate. The Mercers Company were presented with a bill for £964 and asked for three months grace because:

"It would be very unpleasant for the company to sell stock at the present time, when in three months they will have effects to pay their proportion". (22)

18 For example the Castlethorpe Act of 33 Geo.III, c.32, 1793, "in case any of the persons aforesaid shall neglect or refuse to pay his, her, or their shares or proportions of such costs, charges, or expences, within the Time to be limited by the said Commissioners, or any Two of them, to such person or persons as they shall appoint to receive the same, then the said Commissioners, or any two of them, shall and may, and they are hereby authorised and required by Warrant under their Hands and Seals directed to any Person or Persons whatsoever, to cause the same to be levied by Distress and Sale of Goods and Chattels of such Person or Persons so neglecting or refusing to pay the same as aforesaid".

19 Stewkley Enclosure Minute Book, C.R.O.Ayl., IR/M/10/2, entry of 6-7 February 1817.

20 Great Kimble Minute Book, C.R.O.Ayl., AR/54/65 No. 19, entry of 22 October 1810.

21 Amersham Minute Book, C.R.O.Ayl., IR/M/4, entry of 21-23 May 1816.

22 Weston Turville Enclosure Papers, C.R.O.Ayl., IR/M/3/3, Misc. letter of June 24, 1799.

Mrs. Croxford, a less substantial proprietor also requested time. She intended to sell timber on her property at a sum nearly sufficient to cover her share of the costs.²³ At the time of the last entry in the minute book Mrs. Croxford was still in arrears and the commissioners were considering issuing a warrant of distress.

That there was an urgency for paying the commissioners' rates is lucidly summarised by Walter Rose in his recollections of Haddenham Village, enclosed in 1830-4,

"the commissioners' fees, together with the cost of remaking the public roads, the planting of hedges, digging of ditches and the erection of fences to protect the young growing quicks around the newly arranged fields, would all be chargeable on the land - not as it is now, a debt spread over a period for payment, but to be paid forthwith". (24)

The usual time allowed was up to six months after the award was signed but the incidence of rate arrears in enclosure account books, minutes and correspondence suggests that many proprietors were unable to meet this obligation.

b) The Sale of Land and Land Deductions.

An alternative method of defraying costs was by the sale of land or by a land deduction from a proprietor's allotment in proportion to his costs. These were quite distinct from the transactions associated with the ordinary land market. They were special instances authorising deductions to be made from allotments to defray costs, or where the sale of certain lands was permitted by the commissioners in accordance and pursuant to special clauses inserted in the particular acts. Invariably the commissioners would conduct the transactions themselves and become parties to any deeds that might result.

It cannot be stressed too much that this method of financing an

²³ Ibid., Letter of 11 February 1800.

²⁴ Walter Rose, Good Neighbours (Cambridge, 1942), p.4.

enclosure was not characteristic of the eighteenth century. Even where it was permitted it was not usually applied to all of the proprietors in any single award, but rather it was confined to rectorial or vicarial interests and to charity estates. It was not until the nineteenth century that this method became more widespread. Lord Ernle mistakenly remarks that where areas were large, part of the land was "usually" sold to pay the necessary expenses, as if it were common practice.²⁵

The Aston Abbots Enclosure Act of 1795 authorised the commissioners to deduct land from charity estates, if they so desired, to defray their costs. The Emberton Act was similar, but in neither case do the awards record that this took place. The Iver Act of 1800 is one of the earliest where this measure was extended to all the allottees.²⁶

Table X(a) is a summary of all the eighteenth century enclosure awards for Buckinghamshire which state that land deductions were made. There are two characteristics of the table, brevity and with the single exception of Twyford it is exclusively applied to vicarial and charity estates.²⁷

Twyford was an enclosure in which there were only three allottees, Lincoln College Oxford, which was the tithe owner, Lord Wenman, and one other, who in any case was only allotted five acres. Wenman became the lessee of Lincoln College and agreed to raise the inward or subdivision fences and buildings for the College, in lieu of which some 82 acres

25 Lord Ernle, English Farming Past and Present (London, 1961 ed.), p.251; For the selling of land to defray costs in Staffordshire see, H.R. Thomas, "The Enclosure of Open Fields and Commons in Staffordshire", Collections for a History of Staffordshire, 1931 (William Salt Archaeological Society, 1933), pp.93 and 95.

26 Aston Abbots Act of 35 Geo.III, c.35, 1795, Award of 1796, C.R.O.Ayl., IR/140; Emberton Act of 38 Geo.III, c.21, 1798, Award of 1799, C.R.O. Ayl., IR/10; Iver Act of 40 Geo.III, c.55, 1800.

27 At Winslow, Aylesbury and Whitchurch the general costs of the vicarial interests were of course defrayed by all the other proprietors in the parishes. This was standard practice and was extended to include the outward or ring fencing of the allotments. The examples in the Table refer to the inward or subdivision fences of these interests.

TABLE X(a): The selling of land or land deductions in Eighteenth Century enclosures in Buckinghamshire.

<u>Parish</u>	<u>Date</u>	<u>Nature of Sale or Deduction</u>
Winslow	1766-67	The commissioners are empowered to deduct from the majority of owners in order to inward fence the plots awarded to the vicar.
Aylesbury	1771-72	The Prebend had land deducted in order to pay for the inward fencing of their allotment (the ring fences were of course defrayed by all the other proprietors). 12 acres of new enclosure and one old enclosure of a yearly value of £1-7-7d were deducted (total yearly value of £19-15-2d). The vicarial estate had 2-2-17 acres deducted to pay for inward fencing.
Whitchurch	1771-72	The vicarial estate had $2\frac{3}{4}$ acres deducted to pay for inward fencing.
Twyford	1774-76	Lord Wenman agrees to inward fence and raise buildings on the allotment to Lincoln College Oxford in exchange for $82\frac{1}{4}$ acres to be deducted from the College allotment (which at thirty years purchase was valued at £1,359).
Bierton	1779-80	Hill Charity were allowed to deduct 9 acres from their allotment in order to defray their general and fencing costs. Any charity was allowed the same opportunity. Aylesbury Free School however did not request the same.
Taplow	1779-87	Other proprietors to contribute to the costs of the Trustees of the Poor.
Bradwell	1788-89	From the Rev. Propert's land deduct $8\frac{1}{4}$ acres and from Bennett's Charity Land deduct $11\frac{1}{4}$ acres.
Wavendon	1788-89	The allotments to Amersham School and Wavendon Townland as set out in the award are after deductions had been made to cover the general and fencing costs.

Sources: Enclosure Awards, C.R.O.Ayl., as enrolments or deposited copies.

were deducted from the College allotment and given to Wenman, which at thirty years purchase was valued at £1,359. This, it must be stressed, was not the College's share of the general costs, they were much smaller, but it does help to appreciate the real cost of improvement if it is carried through to completion. In the same way it is worth noting that the nine acres deducted from the allotment to Hill's Charity at Bierton in 1779-80 for defraying their expenses amounted to 13% of their land holding at the time.

In contrast to the eighteenth century, in the nineteenth century where land sales or deductions were permitted it was usual to extend the option to all of the allottees.²⁸ Even where this was authorised in the Acts it was not always employed, and even where it was employed it was not unusual for the commissioners to levy a rate as well.²⁹ Also, not all of the allottees would take advantage of the option. Some chose to keep their allotments intact and defray their costs by some other means. For example, at Haddenham enclosed in 1830-34, 54 out of 107 allottees had land deducted and sold to defray their costs.³⁰ The proceeds would have been used to pay the commissioners' levy, that is the general costs, but

28 In the few enclosures that affected the county of Kent it seems that the sale of land was the most common method of defraying enclosure costs, as under.

<u>Parish</u>	<u>Date</u>	<u>Land Sold</u>	<u>Amount received</u>	<u>Total land enclosed</u>	<u>Average cost/acre (shillings)</u>
Sellinge	1810-13	18 acres	£1,348	107 acres	252
Lewisham	1810-19	56 acres	£1,844	865 acres	43
Burham	1811-15	70 acres	£2,239	299 acres	150
Erith	1812-15	31 acres	?	181 acres	?
Birling	1814-15	14 acres	£1,281	50 acres	512
Brabourne	1822-24	114 acres	£2,237	330 acres	136
Crayford	1812-20	Not specified.....			

Sources: Kent County Record Office, Maidstone, Q/RDc 2, Q/RZ 1, Q/RDc 3, Q/SO W16, Q/RDc 10 and Q/RZ 1 respectively. The Sellinge, Lewisham and Burham enclosures all required two separate sales to meet the final cost. At Sellinge the purchasers included a carpenter, a yeoman, a gentleman and a widow. It is interesting to note the huge cost of these enclosures, much higher than their Buckinghamshire counterparts.

29 See, R.C. Russell, The enclosures of East Halton 1801-4, and North Kelsey 1813-40 (North Lindsey W.E.A., 1964), pp.40 and 46.

30 The award does not say how much was sold or the price received, Haddenham Enclosure Award, C.R.O.Ayl., 1R/101.

not the fencing costs. It is difficult to assess but it seems unlikely that such sales would realise more than half of the total cost of an enclosure after adding the cost of ring fencing and subdivision fencing. Lord Ernle makes the rather important observation that small men might hesitate:

"to support an enclosure scheme since the value of their allotment might be almost swallowed up in the expence of surrounding it with a hedge". (31)

The point being that even after the general expenses of the enclosure had been met, further reductions in the allotments to cover fencing costs might make the allotments an uneconomic unit. As Henry Homer explained as early as 1766, in per acre terms the smaller the allotment the higher the unit costs of fencing it. The relationship between length of fencing and allotment size is an inverse ratio.³²

At the Monks Risborough enclosure of 1830-9 only 17 out of 89 allottees requested land deductions.³³ The leading petitioner at this enclosure was the Earl of Buckinghamshire. There were many objections to the bill one of which was the difficulty in raising finances. The Earl and the other major landowners appeased this opposition temporarily by including a compulsory purchase order in the Act stating that the Earl would purchase part of the waste for the purpose of defraying the costs.³⁴

31 Lord Ernle, *op.cit.* (1961), p.251.

32 Henry Homer, Essay upon the Nature and Method of Ascertaining the Specifick Shares of Proprietors upon the Inclosure of Common fields (Oxford, 1766), pp.97-8.

33 Monks Risborough Enclosure Award, C.R.O.Ayl., IR/94. Schedule A, a list of people wishing to pay their own costs. See also the claim by the Trustees of the late John Franklin Bristow, "we wish to defray the Expences of the Inclosure by the Sale of Land", Bly Deposit of the Tarrant Estate in Princes Risborough and Monks Risborough, C.R.O.Ayl., D/3 Box 4/149.

34 "The proprietors very gladly embraced the offer of Lord Buckinghamshire, the Lord of the Manor, to purchase such part of the waste lands as he should not be otherwise entitled to at the valuation of the commissioners. This was considered a great point gained, in as much as if the waste land had been left to be sold in the ordinary way, there would have been no person to whom its possession would have been an object sufficient to induce him to compete with Lord Buckinghamshire, whose woodlands it adjoins, and who therefore would probably have had it at his own price. Powers compulsory on him are therefore introduced into the Bill, and unusually summary remedies given for the recovery of the purchase money, in case of delay in payment". From Monks Risborough Enclosure Correspondence, C.R.O.Ayl., IR/M/176/1, Statement on the part of the Promoters of the Bill, N.D.

He purchased 308 acres for £3,150. Total purchases involved in this enclosure realised £4,406, which was only 30% of the actual costs incurred. The remaining 70% was raised by a commissioners' levy. The fears of the opponents of this enclosure were well founded.

In the Whaddon enclosure of 1830-31 the trustees of certain charity lands were allowed to have land deducted from their proposed allotments in proportion to their costs.³⁵ At the same time this opportunity was extended to the other allottees. A certain Martha Horwood's share of the expenses amounted to £148-3-9. The commissioners sold, on her behalf, 9½ acres for £185 to defray these expenses (£10-3-8 was deducted by the commissioners as their fee for arranging the sale, leaving a surplus of £26-12-7 with which to fence the allotment). She was still unable to enclose and fence her allotment. The commissioners deducted a further 2½ acres, selling it for £40-9-0. This, with the surplus from the first sale was deemed sufficient for her to fence the allotment.³⁶ At Bledlow in 1809-12 Eton College defrayed their costs by selling off part of their allotment.³⁷

When land deductions were made the land was not always sold. It could be allotted to another party who was willing to defray the costs.

35 The Charity Estates allotted land at Whaddon in 1830-31 were:

<u>Estate</u>	<u>Value of the land deducted</u>			<u>Allotment in the Award</u>		
	£	s	d	a	r	p
Trustees of Beauchampton Poor	13	15	0	2	3	24
Constable of Nash	4	7	6	0	2	0
Constable of Whaddon	3	15	0	0	1	39
Trustees of Whaddon Poor	31	5	0	4	0	18
Trustees of Nash Poor	18	15	0	2	1	11
Trustees of Elmore's Charity	15	0	0	2	3	19
Total:	86	17	6	13	0	31

Sources: Whaddon Enclosure Commissioners Minute Book, C.R.O.Ayl., IR/M/13, entry of 2 April 1831; Whaddon Enclosure Award, C.R.O.Ayl., IR/49.

36 Whaddon Minute Book, op.cit., entries of 24 May 1831 to 23 July 1831; Martha Horwood was allotted 53 acres at a cost therefore of about 25 shillings per acre to fence. For comparison, the general costs of this enclosure were 49 shillings per acre.

37 This included 1½ acres sold for £55, Carrington Mss., C.R.O. Ayl., D/CN Box 3 III and Misc. Series, D/X/248, Conveyance of 10 June 1811.

In this way the allotment to the lord of the manor at Aston Clinton, enclosed in 1811-14, was in lieu of his claims but after a deduction to cover his costs had been made. Similarly the allotments to two other parties and also to the trustees of the poor. At Mursley enclosed in 1813-14, two owners settled for a land deduction in lieu of their share of the enclosure costs. By the time of the Amersham enclosure of 1815-16 this practice had become commonplace.

At Quainton enclosed in 1840-43, the Reverend Benjamin Hill, under the direction of the Act, sold 10 acres of his allotment of 41 acres for £270. This more than covered his share of the expenses which amounted to £80 and allows speculation as to the final costs of his improvements for subdivision fences and drainage, because only 29% of the purchase price was required by the commissioners to defray the general costs.³⁸

The following table summarises the instances of land deductions and sales³⁹ by commissioners in the nineteenth century: Table X(b).

At Marsh Gibbon 26% of all the land to be allotted was sold to defray the enclosure costs. At Langley nearly 10% was sold and at Long Crendon over 15% was sold. At Princes Risborough over 23% was sold and yet a rate still had to be levied. The price of enclosure was certainly very high and Buckinghamshire was seemingly no exception. In Kent the proportions ranged from 6% to 35% but with the very high average of 21%.⁴⁰ It certainly became a common practice but rates were frequently levied as well. At Princes Risborough there was much opposition to the enclosure and the main fear was the impending cost. In order to forestall further delays it was decided to introduce a clause in the bill allowing the sale

³⁸ Records of Winwood's Charity, C.R.O. Ayl., AR/19/66(L), Item 16. Title deeds to lands in Quainton 1832-46, Lease and Release of 2 March 1843.

³⁹ This is not to be confused with land sales by individuals as in footnote 38 supra, even though with the authorisation of the commissioners.

⁴⁰ See footnote 28 supra.

Table X(b): Sale of Land in the Nineteenth Century to defray enclosure costs in Buckinghamshire.

<u>Parish</u>	<u>Date</u>	<u>Area sold (acres)</u>	<u>Sum received</u>	<u>Notes</u>
Langley Marish	1809-12	119	£ 5,128-05-6	Rate levied also
Princes Risborough	1820-23	666	£10,382-00-0	Rate levied also
Long Crendon	1824-27	449	?	But 24 acres were sold for £900
Monks Risborough	1830-39	387	£ 4,406-01-6	Rate levied also
Haddenham	1830-34	258	?	But some allottees chose to pay their own
Marsh Gibbon	1841-42	618*		
Buckland	1842-44	65	£ 817-00-0	
Great Missenden	1848-55	14	£ 2,419-11-5	
Little Missenden	1850-54	73	£ 2,011-19-0	
Great Marlow	1852-55	9	£ 1,195-00-0	
Hughenden	1856-62	39	£ 587-15-0	Rate levied also
Hughenden	1853-55	78	£ 1,920-02-3	
Stokenchurch	1857-61	64	£ 1,509-04-0	
Radnage	1858-68	26	£ 1,003-12-0	
Chipping Wycombe	1856-69	29	£ 1,222-00-0	

* 618 acres was 26% of all the land to be enclosed. $\frac{1}{4}$ acre was sold for £12-10-0.

of land to defray costs. In fact such sales realised £10,382 and a further £1,340 had to be raised by levying a rate. The fears of the opponents of this enclosure were well founded.⁴¹

The Towersey Award of 1824 authorised the sale of cottage frontages which had encroached upon the common. The sale money was to be applied to the general costs. First refusal was given to those who had made the original encroachments.⁴²

In Leicestershire land sales and deductions were used as a method of recovering enclosure costs, but it was mainly applied to the later enclosures and was introduced in the last decade of the eighteenth century.⁴³

It was suggested in the Chapters above on landownership that some of the land transactions which coincide with enclosures may have been in order to defray costs. Numbers of small sales, particularly sales of old enclosures, abound in the estate deeds, too numerous to list in full and too small to suggest the buying out of any potential opposition.⁴⁴ Such an example was the sale of 3 acres of enclosed ground and standing timber by Henry Lowndes just before the Hanslope enclosure of 1778-79. He received £105 and his share of the enclosure costs was £145-5-0.⁴⁵

At Iver enclosed in 1800-4, Charles Clowes sold one sixth of his allotments in 1803, raising £640. It seems reasonable to suppose that Clowes was off-setting his enclosure costs. The commissioners rate was about £5 per acre and fencing costs at the time were also about £5 per acre.

41 See Chapter VI supra, especially pp. 199-203.

42 Towersey Enclosure Award, C.R.O.Ayl., Inrolment Vol.8.

43 H.G.Hunt, *op.cit.*, (1956, unpublished), pp.160-1.

44 Observed as early as 1927, E. Davies, "The Small landowner in the light of the Land Tax Assessments", *Economic History Review*, 1st series, Vol.1 (1927), p.104.

45 *Watts Estate Deeds*, C.R.O.Ayl., Hanslope, items 312 and 406, Lease and Release of 30 November - 1 December 1778; A problem arises after 1798 since some land sales were promoted by the privilege introduced that year of redeeming the burden of the Land Tax. The sale of 54 acres by Hunt at Weston Turville in 1800 was such a case, C.R.O.Ayl., *Lowndes Estate Deeds*, D/19 item 104, though fortunately in this case the deed explains the reason for the transaction; See also J.D. Chambers, "Enclosure and the small landowner", *Economic History Review*, 1st series, Vol. X (1940), p.123, who suggests that larger owners sometimes sold off parts of their estates to defray costs, often to sitting tenants. This may be one reason why there is an increase in the number of owner-occupiers that he records in the Land Tax after enclosure.

£640 would have just covered the cost of enclosing his remaining 60 acres.⁴⁶

At Preston Bissett enclosed in 1781-2, John Chapman, yeoman of that parish, was allotted 38 perches in lieu of his right of common. His share of the costs was 28 shillings. In the year of the award he sold 28 perches for five guineas. He might rightly argue that enclosure had deprived him of virtually unlimited access to the common and furthermore, the burden of costs had left him with little more than a garden.⁴⁷ Within two years of entry to his late father's copyhold lands at Wavendon, John Head surrendered his interest upon the enclosure of the parish in 1789. In addition he also sold his freehold estate.⁴⁸

More research needs to be done on the effect of enclosure costs in stimulating the transactions of the land market. Many of the very small sales were undoubtedly influenced by pending enclosure costs.

c) The Financing of Enclosure by Mortgage.

It is a popular misconception that mortgaging was a common method of financing enclosures. It is rarely, if ever, investigated, but it is often implied.⁴⁹

The misconception arises from specific clauses inserted into enclosure bills and acts. Most acts contained a provision allowing commissioners to mortgage newly enclosed allotments. In Buckinghamshire this provision was as common as elsewhere. Initially, in the earliest

46 Round Coppice Estate Deeds, C.R.O.Ayl., D/14, Box 3, Feoffment of 8 October 1803.

47 Preston Bissett Enclosure Award, C.R.O.Ayl., IR/32A; and Misc. Deeds, C.R.O.Ayl., D/X/14, Feoffment of 26 January 1782.

48 Wavendon Enclosure Award, C.R.O.Ayl., IR/74; and Misc. Deeds, C.R.O.Ayl., D/X/318, Admissions of 21 May 1787 and 6 July 1789.

49 One of the most recent examples of this is in J.D. Chambers, and G.E. Mingay, The Agriculture Revolution 1750-1880 (London, 1966), p.82; Though they make important qualifications regarding interest rates and the possibility of financing enclosures out of current incomes. This latter point will be discussed later. See also, G.E. Mingay, "The Large Estate in Eighteenth Century England" in The First International Conference of Economic History (Stockholm, 1960), p.379.

enclosures this borrowing by mortgage was restricted to forty shillings per acre, as in the Little Woolstone act of 1791.⁵⁰ The same restriction applied earlier at Cublington in 1769. Certain charity lands in this parish were allotted 86 acres and they found it necessary to raise nearly the whole forty shillings to pay for the enclosure.⁵¹

By 1797 the restriction had increased to 60 shillings per acre.⁵² The Iver act of 1800 allowed mortgaging up to 60 shillings per acre on the newly enclosed land and 10 shillings per acre on old enclosures. Thereafter the general rule became borrowing up to 100 shillings per acre. A cursory glance at the tables of the average cost of enclosure shows that in many cases such borrowing, if it were employed, would not even cover the general enclosure costs let alone the fencing costs that would follow.⁵³

L.S. Pressnell in his study of Country Banking found that there was:

"No trace of bankers having lent on mortgage for this purpose, or indeed of anyone else having done so," [but]

"in view of the monotonous recurrence of this clause in Private Acts it is surely likely that such lending occurred". (54)

Perhaps there lies the source of the misconception. Most enclosure acts contained a clause permitting it, therefore it must have happened.

L.S. Pressnell thought that the evidence awaited investigation from estate deeds in the County Record Offices and solicitors' offices.⁵⁵ In fact, mortgage bonds form a relatively small proportion of deposited estate deeds.

50 Little Woolstone Enclosure Act of 31 Geo.III, c.21, 1791.

51 George Lipscomb, The History and Antiquities of the County of Buckinghamshire, Vol.III (London, 1847), p.320.

52 For example Stoke Mandeville Enclosure Act of 37 Geo.III, c.114, 1797.

53 B.A. Holderness has suggested that by 1800 the total cost of an enclosure might be £12 per acre. This is well in excess of what could be raised on mortgage, "Capital Formation in Agriculture", in J.P.P. Higgins and S. Pollard (eds.), Aspects of Capital Investment in Great Britain 1750-1850 (London, 1971); It isn't at all clear for how long the strict mortgage would apply after an enclosure. For how long would only 2, 3 or £4 per acre be granted? Presumably for as long as the commissioners were parties to the transaction, taking possession of part or all of the loan to defray costs. Some instances occur of mortgaging of recently enclosed lands well in excess of the sums stated in the acts. For example, the mortgage of 92 acres by Thomas Bunce at Fadbury in 1801 for £500 while the Act of 1795 allowed only £3 per acre, B.R.A. Deposit, C.R.O.Ayl., D/40 Clifden Estate Box 4/926, Mortgage of August 20, 1801.

54 L.S. Pressnell, op.cit., (1956), p.350.

55 Ibid., p. 350.

From the many Buckinghamshire estate deeds that have been investigated there is some evidence to suggest that mortgaging was employed, but considering the amount of estate deeds there are, it is very sparse evidence. Appendix X(a) lists those estates which are known to have defrayed enclosure costs by mortgage. The two characteristics of the list are its brevity and the fact that most of the mortgagors were larger landowners. This is not to suggest that mortgage agreements did not exist at all or that where they did they were not contemporary with particular enclosures. The mortgages that are listed and discussed here are those specifically authorised by the act and therefore administered by the commissioners. In such cases direct reference is made to the act and invariably the commissioners themselves become parties to the deed.⁵⁶ Therefore mortgages relating to enclosures are clearly distinguished from other mortgages. The more common type of mortgage did not have any restrictions on the proposed level of indebtedness save that the total sum borrowed did not exceed the value of the property.⁵⁷ No doubt the idea at enclosure was to restrict the level of borrowing as low as possible, probably only enough to cover the general costs, though very often these were well in excess of the mortgage limit.

George Harding mortgaged his allotment at Steeple Claydon. It is unfortunate that there is no information on the cost of this enclosure because it seems very likely that his mortgage of £800 was insufficient to meet his general costs and the cost of his fencing and general improvement. In addition he was obliged to redeem a marriage settlement

56 The mortgage by Charles Greenwood to Richard Waine at Drayton Parslow recites the act and continues, "in consequence of such Division and Inclosure a considerable sum of money hath become necessary to be expended for inclosing and subdividing the allotments made to the said Charles Greenwood as aforesaid and for erecting buildings and other conveniences proper for the farming and occupation thereof", Carrington Mss., C.R.O.Ayl., Box 5, Bundle IV Drayton Parslow Settled Estates, Mortgage of March 21, 1799.

57 A.A. Dibben, Title Deeds (The Historical Association, H.72, 1968), p.14; At Olney in 1771 $5\frac{1}{2}$ acres were mortgaged for £250 that is nearly £50 per acre, B.A.S. Deeds, C.R.O.Ayl., 753/37, Mortgage of October 10, 1771.

of £3,000, three percent reduced Bank Annuities. This realised a further £1,859. On redemption it was specified that the proceeds would be applied to defray the costs of the enclosure.⁵⁸ It would also appear that the £507 raised by the Reverend Samuel Greateed at Sherington in 1797 was insufficient to meet his costs. Within a year he had sold 132 acres of land elsewhere.⁵⁹

At Quainton in 1843 the Trustees and Governors of the Almshouses sold nearly 4 acres for £100-10-0 to defray the cost of enclosing 175 acres. This proved insufficient however because in 1846 the remaining 171 acres were mortgaged. On both occasions the commissioners were parties to the deeds and conducted the conveyances. The interest payments of 4% were duly repaid but the final payment of the principal loan was not made until 1887.⁶⁰

At Towersey, the Catherine Pye Charity founded for the education of boys and girls in the parish was forced by the Towersey enclosure of 1822-4 to indebt itself to such an extent that after 1824 there were no more funds available for educational purposes. The 1833 Charity Commissioners Report states that the cost of the enclosure for the charity was £524. The Trustees borrowed £456, of which they had repaid £160 by instalments. They borrowed a further £231 from a Mr. William Rose, no part of which had been repaid. The remainder of the sum was borrowed on a promisory note.

58 B.A.S. Deeds, C.R.O.Ayl., Claydon 3, Mortgage of 27 January 1796.

59 Tyringham Estate Deeds, C.R.O., D/57, XVII Nos. 2 and 3 Lease and Release of 25-6 April 1798, part of a marriage settlement. On the other hand it may be that part of this purchase money was diverted to complete the financing of the earlier Padbury enclosure of 1795-6, for which he again mortgaged half of his estate, B.R.A. Deposit, C.R.O.Ayl., D/40, Box 4 Mortgage of 30 April 1796.

60 The mortgage raised £174-10-0. The cost of the enclosure was £375, that is about 100 shillings per acre, Records of Wimwoods Charity, C.R.O.Ayl., AR/19/66(L), Title deeds of lands in Quainton 1832-46, item 16, Mortgage of 13 April 1846, and indorsed second indenture.

"The Trustees taking into their consideration the large debts they had been compelled to contract by the cost of the inclosure and the annual sum payable for interest on the loans, and having resolved in consequence to endeavour to reduce their liabilities by payments of instalments, determined on making no further application of the trust funds for the purposes directed by the founder of the charity, until they had discharged all the principal and interest of the monies borrowed". (61)

It was decided to form a sinking fund from the income of the estate to discharge the monies that were due.

The mortgage deed obtained by Richard Hurd Lucas at Clifton Reynes recites the enclosure act and one of the commissioners is a party to the deed. It further states that Lucas' share of the cost of obtaining the act and carrying the same into execution and the expense incurred in subdividing and fencing his allotments was £730, which by mortgage would not exceed the £5 per acre that the act specified could be raised on the estates.⁶² In fact however, Lucas' share of the commissioners levy alone amounted to £715.⁶³ It is inconceivable that the cost of fencing 146 acres amounted to only £15. The discovery of mortgage deeds while solving some questions can pose a different set of questions. Incidentally, the mortgagee who supplied £715 to Lucas was himself in receipt of 8 acres at a cost of £40. More questions can be raised, on this occasion on the very local distribution of capital.

From the list of mortgages it appears that Matthew Knapp at Shenley, enclosed in 1762-3, raised far too much on his estate and easily defrayed his enclosure expenses. However, his personal account book has survived showing his fencing and building costs as well as his general costs.⁶⁴ The total cost of his estate improvement was nearer to £1,500. He raised

61 Report of the Commissioners for inquiring concerning charities, 26th Report of the Charities Commission, B.P.P., Vol. XIX of 1833, pp.99-100; and Pye's Charity Papers, C.R.O.Ayl., AR/52/66(L), Mortgage of 5 December 1823.

62 Clifton Reynes Enclosure Act of 3 Geo.IV, c.6, 1822; Clifton Reynes Deeds, C.R.O.Ayl., D/73, Mortgage of 13 February 1824.

63 Clifton Reynes Enclosure Award, C.R.O.Ayl., Uncertified photocopy of the Inrolment in the P.R.O.

64 Knapp Mss., C.R.O.Ayl., Box 10, "Money disbursed on the Shenley Inclosure by Matthew Knapp, 1762-4".

£1,300 by mortgage. However, within the terms of the act his estate was not a sufficient size to raise such a sum.⁶⁵ The actual mortgage agreement has not survived but clearly he must have mortgaged at least 200 acres elsewhere, probably old enclosures in other parishes. The possibility that old enclosures, or other estates were mortgaged to finance an otherwise unrelated enclosure will be considered in due course.

Evidence suggests that in the period after the Napoleonic Wars, mortgaging, at least by the smaller owners, could not even be considered. The 1836 Parliamentary Select Committee on Agricultural Distress makes a number of references to the heavy mortgaging of estates that had occurred in the war years, and the consequent distress felt by the mortgagors in the twenty years after the war.⁶⁶ The Princes Risborough counter-petition made the same point.⁶⁷ Similarly at Haddenham, which was enclosed from 1830-4, some proprietors:

"had small mortgages secured on their plots; these were suddenly faced with the need to pay for redemption and to meet the enclosure expenses. Unable to raise the money, many parted with their ancestral plots for what they could get." (68)

Besides, those that took fresh mortgages found that they "could not pay the interest and were sold out".⁶⁹

At other times estates were enclosed which were already mortgaged, notably at Adstock, enclosed in 1797-8.⁷⁰ One of these estates which was enclosed was first mortgaged in 1796. It was further mortgaged in 1798 and finally sold in 1800, at which time 25% of the purchase price was owing in mortgage repayments.⁷¹ Many other estates were similarly encumbered by mortgages at the same time as specific enclosure acts were secured. At

65 In order to comply with the act his open field land would only have raised a little over £800.

66 B.P.P., Vol. VIII of 1836, for example questions 886 and 1268.

67 See Chapter VI supra, especially pp. 197-99.

68 Walter Rose, *op.cit.*, (1942), p.5.

69 H. Harman, Buckinghamshire Dialect (London, 1929), p.96.

70 Addington Estate Deeds, C.R.O.Ayl., 229/34, Lease and Mortgage by Release of 20-21 August 1798.

71 *Ibid.*, 257/34, Assignment of 6 January 1801 and 260/34 lease and Mortgage by Release of 9-10 May 1800.

Stoke Goldington enclosed in 1770-1, one Jeremiah Broughton sold his allotment in lieu of 8 acres open field land to George Wrighte in 1773 [whose family had been steadily acquiring a large estate throughout the eighteenth century]. This allotment was already heavily mortgaged from as early as 1739. Broughton, a small landowner, may have been unable to raise his proportion of the enclosure costs and this possibly prompted such an early sale after enclosure.⁷² At Waddesdon, enclosed in 1774-6, a certain John Franklin mortgaged his 4½ acres in the open fields in 1768 for £30. By 1774, the year of the enclosure act, he still owed this principal sum and interest on it. Subsequently he sold his allotment altogether.⁷³ Possibly this is the source, or one of the sources of the so-called Independent Peasant who through enclosure was reduced to a landless labourer. Had he retained his allotment Franklin's share of the enclosure costs would have only been £4, but he would have also needed to ring-fence it, which after the commutation of tithes had been reduced to 2¾ acres. Besides, it seems very likely that his land was mortgaged as much as it could be, to the actual value of it. At Bledlow enclosed in 1809-12, John Darvill, a 'yeoman' sold 30 acres of his estate of 50 acres to Lord Carrington for £431-10-0, £118 of which was needed to redeem an earlier mortgage.⁷⁴ At Aylesbury enclosed in 1771-2, Hugh Bell died in the same year as the enclosure act, leaving his entire estate mortgaged.⁷⁵ At Stoke Mandeville enclosed in 1797-8, William Mead sold his estate the same year as the act because it was already heavily mortgaged, and he did not receive any land in the award.⁷⁶

Many landowners therefore were chronically encumbered by mortgages

72 Gayhurst Estate of the Digby and Wrighte Families, 1325-1856, C.R.O.Ayl., D/CA, Bundle 25/12, Lease and Release of 19-20 November 1773.

73 Waddesdon Deeds, C.R.O.Ayl., D/45, Mortgage of 16 January 1768, Lease and Release of 1-2 April 1774.

74 Carrington Mss., C.R.O.Ayl., D/CN, Box 3 VII, Bledlow Settled Estates, Lease and Conveyance of 10 October 1812.

75 Cited in Aylesbury Enclosure Award, C.R.O.Ayl., IR/19.

76 B.A.S. Deposit, C.R.O.Ayl., 134-5/39, Lease and Release of 10 October 1797.

throughout the period because the mortgage had become a most secure method of raising a loan. In the first decade of the nineteenth century Richard Slade of Hanslope was very actively engaged in land purchases, but at the same time he was also mortgaging other estates to raise finances.⁷⁷ The degree to which estates were mortgaged clearly determined the opportunity to raise further funds to finance such things as enclosures. Almost certainly many landowners sold out at enclosure because they found it impossible to indebt their estates further.

The mortgages discussed so far relate to freehold property. The copyholder could also raise loans on his land. There were two ways that he could commute his possession, both methods known as a surrender. The most common form was to 'absolutely surrender' the land, perhaps at the end of a specified term of years or lives possibly to be re-admitted for a further term or for the admission of somebody else. The other method of surrender was known as the 'copyhold conditional surrender'. This became a recognised way of raising a loan on the security of the copyhold land. In other words it took the form of a mortgage.⁷⁸ A very good series of this type of deed has survived for Winslow from 1661-1819. The deeds actually state that the surrenders were specifically to "secure a loan".⁷⁹ This type of surrender was not made to the manor but to whoever was willing to advance the loan. In particular it seems that spinsters, widows, small merchants and yeomen had capital for this type of transaction.

Just such a surrender exists for Ivinghoe in the year following the enclosure of the parish. Two years later the loan was still outstanding so the copyholder absolutely surrendered the land.⁸⁰ Two other conditional

77 Miscellaneous Estates, C.R.O.Ayl., D/X/172, Items 43 and 44; See also Idem., D/X/190.

78 A.A. Dibben, op.cit., p.25; See also R.E. Megarry and H.W.R. Wade, The Law of Real Property (2nd ed., London, 1959), p.936.

79 B.A.S. Deposit, C.R.O.Ayl., Winslow, 3/75/22/32 and 35, 376/22/5, 7, 13, 15-18, 21-22, 24-26, 33-36, 38, 61-62, 68, 82, 86-88, 90, 95, 123, 128, 129, 132. One at least may relate to an enclosure. John Cox of Winslow, a glazier, conditionally surrendered 17½ acres of enclosed ground in Grandborough (enclosed 1796-7) to William Cox of Tattenhoe, a dairyman, for £500; 375/22/32, surrender of 25 March 1802.

80 Ashridge Estate Deeds, C.R.O.Ayl., IA 17/3, IA 17/13-16.

surrenders exist for the same manor both involving lands "recently allotted by the inclosure commissioners". In both cases the surrenders were subsequently absolutely surrendered, one after four years, the other after seven.⁸¹ These few examples allow some speculation on the success of such short-term borrowing as a method of financing enclosures.

From the few manorial records that have survived it seems quite certain that mortgaging, in the form of copyhold conditional surrenders, took place for the financing of some enclosures. At Long Crendon enclosed in 1824-7, the chronology of surrenders at the court illustrates the use of the conditional surrender for raising loans.⁸² In 1821 there were no surrenders. In 1822 there was one and in 1823 there were none. In 1824, the year of the enclosure act, there were four surrenders. The following years there were none. In 1826 there were three conditional surrenders at 4 and 5% interest, and the money was advanced by a shopkeeper, a draper and a squire. There were also two other surrenders. In 1827 there was one surrender, specifically of land set out by the enclosure, and one conditional surrender, again of lands being enclosed to which the copyholder was only admitted in 1823. The 1828 court roll is missing. In 1829 there was one surrender by a certain Edward Shrimpton of lands to which he was admitted in 1824 for £150, which he conditionally surrendered in 1826 for £160 and absolutely surrendered for £170.⁸³

From the Manorial Court Book for Whaddon and Nash there is further evidence of increased activity in copyhold lands coincident with the enclosure.⁸⁴ In 1830 the year of the enclosure act, there was the largest number of absolute surrenders at the court, sixteen. The following year

81 *Ibid.*, I 15/13-17, IA 46/5, The first was $2\frac{3}{4}$ acres for £100 and the second was $3\frac{1}{2}$ acres for £180.

82 Long Crendon Manorial Records, C.R.O.Ayl., D/78, Box 3.

83 A second manor in the same parish shows the same pattern, *Ibid.*, Box 1; In addition, for the four years following the enclosure one of the customary tenants was continually in arrears of his customary rent and was threatened with a warrant of distress, *Idem.*, Box 2, letter of 15 October 1830.

84 See also Chapter V *supra*, especially pp. 110-11.

there was the largest number of conditional surrenders, four, including one where the repayment had to be made within two years. In other words the copyholder was required to make £150 out of current income within two years at a time when his land was being reorganised from open fields into fenced enclosures.⁸⁵

For other parishes other deeds have survived suggesting conditional surrenders as a method of raising finances.⁸⁶ Though it was used as a method of securing loans from at least the mid-seventeenth century it seems very likely that it was one method of financing enclosures. That the market in copyhold lands increased upon enclosure has been evident in the past, that one function was the raising of finances by conditional surrender to defray enclosure expenses is perhaps a new facet.

The mortgages that have been considered so far relate to particular enclosures. The possibility of short-term borrowing by mortgaging other lands and old enclosures on other estates should not be discounted. Such deeds are not very plentiful however, and even when they do occur it is very speculative to assume that they were motivated by an enclosure.

The parish of Stoke Poges was enclosed from 1810-22. One landowner mortgaged two messuages and three acres of old enclosures in 1812 for £200. An endorsement of 1818 acknowledges the repayment of the principal sum and the interest on the same.⁸⁷ In the enclosure this landowner only received three roods of land, in lieu of his common rights. Was the mortgage motivated by the impending enclosure? It seems unlikely that such a large sum would be required, but the short-term nature of the loan, its immediacy and its rapid repayment suggest otherwise. The mortgage of 15½ acres for £500 by a 'yeoman' at Stewkley in 1812, during the enclosure negotiations

85 Manorial Court Books of Whaddon and Nash, C.R.O.Ayl., D/82, extracts from 1827-35.

86 See Miscellaneous Collections, C.R.O.Ayl., D/X/39 item 34. For a relation with the Datchet enclosure of 1810-22; D/XI/4, Great Brickhill Deeds, off-setting the enclosures of Soulbury 1772-3 and Stoke Hammond 1774-5, by surrendering lands in Great Brickhill in 1774.

87 Howard-Vyse Estate Deeds, C.R.O.Ayl., D/HV/A, Item 33.

for this parish, was almost certainly in order to defray the impending enclosure costs.⁸⁸ At Bledlow in 1811, again during the enclosure negotiations, one party who had earlier objected to the enclosure mortgaged 59 acres for £1,500, at least ten acres of which were old enclosures. It seems that this was insufficient because this landowner extended the mortgage twice in the following two years by a further £600.⁸⁹ At the same time another landowner who also objected to the enclosure mortgaged 55½ acres, including old enclosures, for £600. He also extended his loan within two years and finally sold his entire interest in 1817 for £1,925, most of which was required to repay his accumulated loans.⁹⁰ Bledlow was a particularly expensive enclosure and these landowners might fairly claim that it had changed their social and economic position quite considerably.

At Stoke Mandeville enclosed in 1797-8 one landowner twice mortgaged his newly acquired estate, in 1797 and in 1798, for a total of £900.⁹¹ It seems strange that these mortgages escaped the notice of the commissioners. The property involved was open fields or lands enclosed by the current act, and the mortgage price was well in excess of the £3 per acre that the act stipulated. This particular owner's share of the enclosure costs was £170, to which must be added perhaps as much again for fencing.⁹² What is more, this landowner only acquired the estate in 1797 and probably needed to equip it and stock it. He defaulted on his mortgage repayments and in 1800, two years after the enclosure, was forced to sell 37½ acres of the land allotted to him. Of the £950 he received as purchase price he had to repay £900 on his mortgage.⁹³ In the following year he re-mortgaged the remainder of his estate for £300.⁹⁴ In all of

88 Stewkley Deeds, C.R.O.Ayl., D/32, Mortgage of 21 May 1812.

89 Carrington Mss., op.cit., Box 2, VII; See also Bledlow Enclosure Papers, C.R.O.Ayl., IR/M/2/2 "List of Proprietors of lands in the said parish Stating their dispositions at and to the Projected Inclosure".

90 Carrington, Ibid., Box 3, I.

91 B.A.S. Deeds, Stoke Mandeville, C.R.O.Ayl., 136/39 and 138/39, Mortgages of 23 December 1797 and 24 December 1798.

92 Stoke Mandeville Enclosure Account Book, C.R.O.Ayl., IR/M/11.

93 B.A.S., op.cit., 140/39, Lease and Release of 29-30 September 1800.

94 Ibid., 141/39 Mortgage of 11 April 1801; This land subsequently resold the following year for £1,050 and was mortgaged again in 1802, Ibid., 142+3/39.

these transactions the buyer or seller, mortgagee or mortgagor seem to be of the 'yeoman' class and the impression is one of subtle manoeuvring on the lower rungs of the agricultural ladder.

To confuse the question of mortgaging, one landowner at Stoke Mandeville was assessed enclosure costs of £117.⁹⁵ During the enclosure negotiations he mortgaged a messuage and four acres of old enclosures for £150.⁹⁶ Within a year he had increased this mortgage and also mortgaged his newly acquired allotment.⁹⁷ It cannot be assumed that these mortgages were intended to defray his enclosure costs because at the same time he was also known to be a mortgagee.⁹⁸

The Reverend Barton was allotted 568 acres at the enclosure of Great Brickhill in 1771-2. He was easily the largest landowner and was not in receipt of either tithes or glebe. He was assessed £583 for his enclosure costs. In 1774 he mortgaged a messuage and ten acres of old enclosures for £700.⁹⁹ Possibly this mortgage was to defer the costs of enclosure, in which case the surplus of £117 would no doubt have been used to finance the ring fencing and subdivision fencing of his new allotments. If this was the case, and judging from the cost of fencing in contemporary enclosures, he would not have had enough to complete the improvement. It is not surprising therefore that further mortgages followed and also land sales.¹⁰⁰

What was the availability of funds for the mortgage market and how did this availability vary over time? These were questions posed by T.S. Ashton and repeated by J.D. Chambers and G.E. Mingay.¹⁰¹ Ashton

95 Enclosure Account Book, op.cit.

96 B.A.S., op.cit., 137/39, Mortgage of 20 October 1798.

97 Ibid., 139/39 Mortgage of 25 July 1799; Perhaps because this mortgage occurred after the enclosure it did not need the endorsement of the commissioners.

98 Ibid., 134-5/39.

99 Duncombe Estate Mss., C.R.O.Ayl., D/DU/91, Mortgage of 25 October 1774.

100 Ibid., D/DU/93-4 and D/DU/963-4, Mortgages of 14 February 1780 and 24 June 1780 and Lease and Release of 17-18 March 1778.

101 T.S. Ashton, op.cit. (1955), p.41; T.S. Ashton, The Industrial Revolution 1760-1830 (London, 1948), pp.19 and 119; J.D. Chambers and G.E. Mingay, op.cit. (1966), p.82.

pointed out that a relationship existed between the number of enclosure bills presented to Parliament and movements in the rate of interest:

"The implication of this relationship is that the cost, or more realistically the difficulty or ease of borrowing money, together with the level of agricultural prices, had an influence on the volume of enclosure undertaken at a particular time, difficult conditions for borrowing (as in the 1780's) having the effect of discouraging enclosure, and easy borrowing conditions (as in the late 1760's, early 1770's) encouraging it". (102)

This pattern corresponds with the chronology of enclosure in Buckinghamshire, that is until the turn of the century when enclosing activity was at its greatest in the county and the demand for funds was at its highest.

J.D. Chambers and G.E. Mingay also point out this flaw in the pattern. However, it is scarcely possible to establish with certainty the truth of T.S. Ashton's argument from the evidence in Buckinghamshire, since so few mortgage deeds have survived. But there is sufficient information to suggest that the pace of enclosure was influenced by the terms of borrowing at least until the end of the eighteenth century. According to L.S. Pressnell,

"Much the most important means of raising money privately in the eighteenth century was the property mortgage",

although he continues to say,

"mortgages were unobtainable for long periods during the American and Napoleonic Wars". (103)

The situation in Buckinghamshire at least does not conflict with these generalisations.

Perhaps the final question in the discussion of mortgages, and indeed of credit in general in the eighteenth century, should be an

102 Quoted by J.D. Chambers and G.E. Mingay, *Ibid.*, p.83; M.M. Postan many years ago suggested that a single market for capital emerged which was dominated by the rate of interest, "Recent Trends in the Accumulation of Capital", *Economic History Review*, 1st series, Vol. VI (1935), reprinted in Francois Crouzet (ed.), *op.cit.*, (1972), pp.70-83, especially p.77.

103 L.S. Pressnell, "The Rate of Interest in the Eighteenth Century", in L.S. Pressnell, (ed.), *Studies in the Industrial Revolution* (London, 1960), p.184.

investigation of the mortgagees, and from what social and occupational structures they emerged.

L.S. Pressnell has stated that country bankers did not appear to enter this particular market, and certainly, with one or two exceptions, this appears to be the case in Buckinghamshire.¹⁰⁴ From the list of mortgages in Appendix IX(a) several occupational and social groups emerge. At Quainton William Payne was a grazier. At Towersey William Rose was a surgeon and at Clifton Reynes John Hale Talbot was a lace merchant. For the smaller transactions, as in the copyhold surrenders, an assorted collection of spinsters, small merchants and yeoman entered the market, as well as members of the squirearchy. The more recognised sources of finance such as bankers and country attorneys are rarely encountered, though no doubt the latter acted as intermediaries and were always in contact with parties who had either money to lend or who wanted to borrow money.¹⁰⁵ Certainly at Winslow and Little Horwood, both enclosed in 1766-7, William Lowndes did not actually pay his own enclosure bills but instead refunded his solicitor who had disbursed the bills as though they were an extension of his normal office duties of estate agent. Thomas Hearn who acted as mortgagee for Hardinge at Steeple Claydon, was in fact a solicitor. He presented the Kimble enclosure bill of 1805 to Parliament. Possibly it was his descendant, another Thomas Hearn who solicited the Quainton and Great Horwood bills of 1840 and 1841 respectively, and who also acted

104 L.S. Pressnell, *op.cit.* (1955), p.350.

105 See Robert Robson, The Attorney in Eighteenth Century England (Cambridge, 1959), p.112; E. Hughes, North Country Life in the Eighteenth Century (London, 1952), Chapter III "The Professions", p.79; B.L. Anderson sees the Attorney as a major source of both capital and enterprise in the use of capital in the eighteenth century but his study involved the investigation of the profession in a semi-commercial sector rather than in the purely agricultural sector. "The Attorney and the Early Capital Market in Lancashire"; Chapter 3 of J.R. Harris (ed.), Liverpool and Merseyside: Essays in the Economic and Social History of the Port and its Hinterland (London, 1969).

as banker at Great Horwood.¹⁰⁶ At Towersey it was William Rickford the noted Aylesbury banker and Member of Parliament for the Division who provided the funds for Pye's Charity to defray their enclosure costs.¹⁰⁷ Rickford, with his father, founded the Aylesbury Bank in 1795. They were originally a family of grocers but the father diverted much of his capital into land and was a petty landowner in and near Aylesbury. He was offering mortgages as early as 1770.¹⁰⁸ By 1800 and the successful foundation of the bank, the younger Rickford had become established as a ready source of capital.

Perhaps the most surprising feature is the incidence of apparently humble people as sources of capital, the so-called yeoman. The Farm Account Book of the Mead family of Stewkley for 1788-1812 shows both the disbursements upon their estates and the inventory of stock, and also their accounts as money lenders. They loaned sums of up to £200 on mortgage, as well as many smaller sums for paying domestic bills.¹⁰⁹ G.E. Mingay has also pointed out that the capital market was active among landowners and "relatives, friends, tradesmen and even from their [the landowners] tenants and servants".¹¹⁰

The Haddenham enclosure award of 1834 shows that a variety of people had ready capital. Part of the cost of enclosure was to be defrayed by auctioning land. The purchasers included a widow from Sussex, a local blacksmith and a labourer, a yeoman from neighbouring Cuddington, a Gentleman from Essex and the largest buyer was a silk merchant from London.¹¹¹

106 See the Enclosure Commissioners' Minute Books for Kimble, Quainton and Great Horwood, C.R.O.Ayl., IR/54/65/No.19, IR/M/9 and IR/M/20/1 respectively; See also R.S. Sayers, Lloyds Bank in the History of English Banking (Oxford, 1957), p.243 for a note on Thomas Hearn of Buckingham Old Bank.

107 Pye's Charity Papers, C.R.O.Ayl., AR/52/66(L).

108 B.A.S. Deeds for Walton, C.R.O.Ayl., 359/37, Mortgage of 3 December 1770.

109 Farm Account Book of the Mead Family of Stewkley 1788-1812, C.R.O.Ayl., D/X/362, AR/55/70. Which members of the family conducted this side of the business is not specified. The Posse Comitatus of 1798 lists one Mead as a farmer, two as cordwainers, two as labourers and one as a servant, Posse Comitatus, 1798, C.R.O.Ayl.

110 G.E. Mingay, loc.cit., (Stockholm, 1960), p.380.

111 Haddenham Enclosure Award, C.R.O.Ayl., IR/101.

One reminiscence of this enclosure however was not very happy:

"Ah! These men from London as lent money on mortgage were a hard lot - they had no murcy on the pcur. They got iverything they could and took ivery advantage, so that whouiver got in ther hands was stripped of all he got". (112)

In contrast, at nearby Monks Risborough the purchasers were the Earl of Buckinghamshire and William Rickford.¹¹³

The conclusion still remains, not enough is known of this important aspect of eighteenth century rural history both in terms of procedure and in terms of the personalities involved.

d) The Financing of Enclosure out of Current Income.

The last method of financing enclosures to be considered is that of financing out of current income. This is the most difficult method to assess in Buckinghamshire because the material is the least available. In spite of some very extensive collections of estate manuscripts the survival of eighteenth century farm accounts and rentals is very patchy and confined to one or two of the larger estates. The enclosure sources only give a speculative insight into the problem. The Parliamentary Bill and petition invariably state the "unimproved" and "unimprovable" nature of open field agriculture and refer to the undoubted increase in productivity that would arise from farming in severalty, from which can be read improved output, rentals and incomes. The inference is that the cost of enclosure would soon be outweighed by the improvements.

Past researchers have suggested that rent increases would be sufficient to cover the cost of improvement. G.E. Mingsy for example attempts a simple cost-benefit analysis. He suggests that:

"from the landlords point of view enclosure was an investment in land which enabled them to raise rents",

112 H. Harman, Buckinghamshire Dialect (London, 1929), pp.101-2.

113 Monks Risborough Enclosure Award, C.R.O.Ayl., IR/94; See also supra, footnote 28, p.335, and the status of various purchasers at certain Kent enclosures.

concluding that if post-enclosure rents were to double, which was not unusual, returns could be as high as 15-20%:

"making enclosure one of the best investments of the age". (114)

F.M.L. Thompson supports this view and cites the enclosures on the Fitzwilliam estates which realised a 16% return on the initial outlay.¹¹⁵

H.J. Habbakuk has said that one function of a landowner was as a provider of capital. Improvements would be financed out of current income but when it came to such a major improvement like enclosure it was commonly financed out of capital. The exception would be where larger landowners could defray the costs of a particular enclosure by the increased income from farms enclosed at an earlier period.¹¹⁶ Yet another view is that of R.A.C. Parker. If rising prices were an incentive to enclose in the latter half of the eighteenth century, they were also another means of increasing incomes, therefore by inference enclosures raised incomes.¹¹⁷

The important point that is missed is that not all of the landowners had the capacity to meet enclosure costs with ready capital, or were able to defray one enclosure with the improved income from another, or were able to defray by subsequent improved incomes from improved rents. What of the smallest owners and owner-occupiers? Unfortunately this question cannot be resolved satisfactorily with the available evidence, it remains an imponderable. Besides enclosure was an expense which could not be defrayed over any great length of time. There was a strict time limit for meeting the commissioners' rates and for ring fencing one allotment from another. The Castlethorpe Act of 1793 leaves no doubt on this point:

114 G.E. Mingay, *op.cit.* (1963), pp.182-3; Though this suggestion has been voiced on occasions in the past, see for example, Jesse Collings, Land Reform - Occupying Ownership, Peasant Proprietary and Rural Education (London, 1906), pp.67 and 74.

115 F.M.L. Thompson, *op.cit.* (1963), p.224.

116 H.J. Habbakuk, in W.E. Minchinton (ed.), *loc.cit.* (1968), pp.192-4; on Landlords capital see also B.A. Holderness, in J.P. Higgins and S. Pollard (eds.), *loc.cit.* (1971), pp.159-195; and B.A. Holderness, "Landlords Capital Formation in East Anglia, 1750-1870", Economic History Review, Vol. XXV (1972), pp.434-447.

117 R.A.C. Parker, Enclosures in the Eighteenth Century (Historical Association Aids for Teachers Series, No.7, London, 1960), p.4.

"If proprietors neglect to fence (within twelve Calendar Months), the commissioners may order it to be done and levy the expence". (118)

This was a common clause in most enclosure acts. The Shipton act of 1740 was more generous allowing eighteen months, but the general rule became six months, and at its most extreme, at Weston Turville in 1798 only three months were allowed.¹¹⁹

Undoubtedly a number of the major landowners were large enough to offset the income from one estate in order to enclose another. The Chester family of North Buckinghamshire and adjacent Bedfordshire were probably in this position. They may have financed the Tilsworth (Bedfordshire) enclosure of 1767-9 by diverting capital from their Chicheley, Sherington and Lavendon estates in Buckinghamshire, and similarly with the enclosure of Sherington and Lavendon in 1796-7 and 1801-2 respectively.¹²⁰

A number of landowners did have large reserves of capital. Mrs. Ann Bolding at Great Woolstone, enclosed in 1796-7 was able to meet two requests by the commissioners for two rates by return of post. She drew a cheque on the firm of Sir James Esdaile, Bankers of Lombard Street, for £140 and paid a further £79 by cash.¹²¹ John Grubb, the leading petitioner at the Princes Risborough enclosure of 1820-3 had enough funds in reserve to increase his estate by purchasing 52 acres for £655 from the enclosure commissioners.¹²² What is more, Grubb could recoup this particular outlay within two years through the annual sale of timber on his estates.¹²³ At Westbury enclosed in 1765-6, Earl Temple would have had sufficient timber on his Stowe estate to finance his enclosure and also to provide his own

118 Castlethorpe Enclosure Act of 33 Geo.III, c.32, 1793.

119 Shipton Enclosure Act of 17 Geo.II, c.14, 1743-4 and Weston Turville Enclosure Act of 38 Geo.III, c.52, 1798.

120 Chester Family Papers, C.R.O.Ayl., D/C, Bundle 2, Rentals of the Buckinghamshire and Bedfordshire Estates.

121 B.A.S. Deposit, *op.cit.*, Box 4, 325/39, letters of 29 January 1797 and 2 May 1797 and receipt of 13 February 1797.

122 Grubb Mss., C.R.O.Ayl., D/42, c.16 Deed February 1822.

123 *Ibid.*, Timber Accounts, D.4 in the Parishes of Horsenden and Risborough 1824-41; and D.5 Auction of Timber, January 23, 1823 (the year of the Princes Risborough enclosure award), 288 Elm tress for £414-10-0.

materials for fencing.¹²⁴ At Stoke Poges, the standing timber on only 5½ acres realised £243 in 1825.¹²⁵

Even apparently quite humble yeomen must have had quite large reserves of capital. John Gurney at Stoke Mandeville enclosed 25 acres of land and could still find as much as £255 in 1800, three years after the enclosure, to purchase a further 8 acres.¹²⁶ At Stewkley in 1810, just before the enclosure of that parish in 1811-14, Henry King found the very large sum of £8,482 to buy 116½ acres.¹²⁷

At the same time it can be demonstrated that the 'independent peasant' was climbing the agricultural and social ladder and elsewhere he might be forced to join the landless. There was constant subtle manoeuvring.

Contemporary observers provide substantial information on the question of rents. This is not to suggest that rent increases are accepted as evidence of financing, the question remains open, but certainly the difference between the rent of old enclosure and that of the open fields could be quite substantial. At Princes Risborough at the end of the eighteenth century old enclosed arable lands were let for eighteen shillings per acre and old enclosed grassland for up to thirty shillings per acre, while all the open fields were let for only fourteen shillings.¹²⁸ As late as 1839 the rent of lands in the open fields of Marlow, enclosed in 1853, was as low as 10-11 shillings per acre.¹²⁹ Arthur Young in 1771 observed that at Winslow, enclosed in 1766-7:

124 Stowe Mss., per the B.A.S., C.R.O.Ayl., D/13-15/13 Wood Accounts of 1769-70 showing timber sold at Stowe for £499, at Westbury for £63-10-0 and in reserve, £471-10-0.

125 Howard-Vyse Mss., C.R.O.Ayl., D/HV/A/95, Release of 9 March 1825.

126 Misc. Deeds, C.R.O.Ayl., D/X/313, Feoffment of 15 May 1800.

127 Parrott and Coales Deposit, C.R.O.Ayl., Item 104, Lease and Release of 16-17 January 1810.

128 Grubb Mss., op.cit., C.15 Risborough Valuations, 1775-Nineteenth Century.

129 Townsend Estate at Marlow and Medmenham, C.R.O.Ayl., D/85, Box 1, Valuation of 21 September 1839.

"the rents before were fourteen shillings but now arable lands let to twenty eight shillings per acre; none under a guinea; and grass from forty shillings to three pounds, all tithe free. This rise of rents on enclosing justifies by observation on the expediency of inclosing the Vale of Aylesbury". (130)

Elsewhere he observed,

"The landlords have fourteen shillings where they might have thirty and the tenants reap bushels, where they ought to have quarters". (131)

The Board of Agriculture General View of the Agriculture of the County of Buckingham concentrated on the improvements resulting from enclosure. At Weedon enclosed in 1801-2 the open fields let for ten shillings per acre but rose to twenty-seven shillings upon enclosure. At Newport Pagnell enclosed in 1807-8 land was let for forty shillings after enclosure. Improved rentals seem to have been greatest in North Buckinghamshire where at Thornborough enclosed in 1797-1800, and Castlethorpe enclosed in 1793-4, they doubled and at Olney enclosed in 1767-8 they trebled.¹³²

The earlier Agricultural Report of 1794 states that the rents at Bierton, enclosed in 1779-80, improved by 145% and that several parishes that were then in the open fields could expect improvements of up to 150% if they were enclosed.¹³³ At Whitchurch enclosed in 1771-2, the rents rose from ten shillings to twenty seven shillings per acre.¹³⁴ At Cublington enclosed in 1769-70, certain charity estates were permitted to raise up to forty shillings per acre by mortgage to defray their enclosure costs and this would be recouped by a re-valuation of the estates from £66 to £90 per acre, and the proportional rent increase that would follow.¹³⁵

130 Arthur Young, The Farmers Tour through the East of England (London, 1771), Vol.1, p.25.

131 Ibid., p.24.

132 Rev. St. John Priest, A General View of the Agriculture of the County of Buckingham (London, 1813), pp.121-2.

133 William James and Jacob Malcolm, General View of the Agriculture of the County of Buckingham (London, 1794), p.31.

134 Joseph Holloway, The History of Whitchurch, two lectures delivered at the Wesleyan Day School, Whitchurch, March 14 and 21, 1889, (reprinted, Winslow, 1966). A copy can be found in C.R.O.Ayl., p.18.

135 George Lipscomb, op.cit. (1867), Vol.III, p.320.

Another consideration is that land values were rising throughout the period until at least the end of the War. These increases not only resulted from wartime inflation, there were increases in land values well before the War. Land had become a reasonably safe investment for idle capital. The profits from careful speculation on the land market could quite easily finance an enclosure. At Hanslope in 1801, 14 acres exchanged hands for £300. Only 2½ years later that same land sold for £483.¹³⁶ In the same parish a messuage sold for £12 in 1753 and was resold for £30 in 1782.¹³⁷ Another was sold for £13 in 1774 and resold for £35 in 1804 and again for £47 in 1806.¹³⁸ At Bow Brickhill, while the commissioners were enclosing the parish in 1791-2, two small plots of land in lieu of common rights were sold for £128. They were resold in 1798 as enclosures for £200.¹³⁹ The commissioners levied a rate of nearly £7 on the new owners of this plot to defray their costs of enclosure. If the same sum is applied to the fencing costs then the total investment in 1791-2 was of the order of £140. In six years that investment had realised a return of 43%.

Sir William Lee at Hartwell and Stone enclosed in 1776-7 had a number of options open to him for financing the enclosure of the two parishes. He was actively engaged in the land market at the time and quite probably had a ready source of capital for the transactions. He did in fact mortgage his estate to cover his enclosure costs.¹⁴⁰ Throughout the 1760's he was busily improving his estate, by landscaping and improving the gardens of Hartwell House, one bill alone came to over £1,000.¹⁴¹ At the time of the enclosure he had to pay £202 for the hedges and standing timber on his new allotments. In his own right he was

¹³⁶ The Swales Deposit, Hanslope, C.R.O.Ayl., DX/172, 37-40, Lease and Release of 6-7 February 1801, Lease and Release of 27-28 September 1803.

¹³⁷ Ibid., Items, 32 and 36.

¹³⁸ Ibid., Items, 33, 42 and 43.

¹³⁹ B.A.S. Deeds, C.R.O.Ayl., 531-3/42 Feoffments of 25 March 1791, 15 June 1792 and 21 December 1798.

¹⁴⁰ Lee Mss., C.R.O.Ayl., D/LE/1/732, Mortgage of 29 May 1781.

¹⁴¹ Ibid., D/LE/11/1-39, Hartwell House Improvements.

compensated £305 for the trees which were left standing on his former open fields. On balance therefore he was credited with £103 for lost timber.¹⁴² The value of his open field lands before enclosure varied from 15 to 30 shillings per acre, averaging 20 shillings.¹⁴³ After enclosure he increased his rent roll from £1,211 to £1,656 per annum, an improvement of 37%.¹⁴⁴ His enclosure costs before fencing came to £1,100, which he defrayed by mortgage, but anyway he could have recouped this cost within 2½ years on improved rentals alone. The Marquis of Buckingham at Thornborough enclosed in 1797-8 had calculated an expected improvement of nearly 50% on his estate.¹⁴⁵

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It must have been quite easy for large estates to finance improvements out of improved income, but the smaller estates not only found that the amortization period of the improvement took longer the smaller was the estate, but also, for maximum improvement, the expenses of an enclosure continued for several years afterwards with yearly bills for the making and repairing of subdivision fences.¹⁴⁶ Small though these annual expenses might be they could easily eat into the improved value of the land.¹⁴⁷ The financing of agricultural improvement remains in its earliest days of investigation, but this study highlights some of the many approaches that can be made and the problems₁ are met, and suggests that hitherto unexpected social consequences might have resulted.

142 Ibid., D/LE/8/14.

143 Ibid., D/LE/8/2-3, Farm particulars at Hartwell and Stone, 1777.

144 Lee Mss., op.cit., D/LE/8/102, details of tenancy agreements made after the Hartwell and Stone enclosure of 1776-7; also D/LE/8/40-45, Rentals of 1776-80.

145 Papers regarding the Thornborough enclosure of 1798. Henry Huntington Library, California, U.S.A., Stowe Collection.

146 The Marquis of Buckingham, in enclosing his estate in the Warwickshire parish of Morton Morrell in 1758 incurred regular small bills and charges, mainly for weeding and repairing fences, until at least 1784. Ibid., "Payments on Account of the Morton Morrell Inclosure from 1758".

147 On his Buckinghamshire estates, the Marquis of Buckingham made Miscellaneous payments in lieu of quicking, ditching, mounding, for gates and draining, for several years after the enclosure. At Thornborough enclosed 1797-8 these charges were repeated until at least 1810, at Weedon (1801-2) until 1810, at Maids Moreton (1801-2) until 1808, at Stoke Madeville (1797-8) and Weston Turville (1797-1800) until 1804. Ibid., T3WN1, Miscellaneous Enclosures.

Appendix X(a): The Financing of Enclosure by Mortgage.

<u>Parish</u>	<u>Date</u>	<u>Mortgagor</u>	<u>Mortgagee</u>	<u>Mortgage</u>	<u>Allotment at enclosure*</u>	<u>Cost at enclosure*</u>
Shenley	1762-3	Matthew Knapp	?	? for £1,300 in 1762	410a.	£450
Aylesbury	1771-2	Aylesbury Prebend	Robert Gosling	The Prebend for £2,000 in 1772	281a.	not assessed
Hartwell	1776-7	Sir William Lee	Thomas Foley	752a. for £1,500 in 1781	1169a.	£1,100
Hanslope	1778-9	Edward Watts	Alex. Wynch Thomas	358a. for £700 in 1780	450a.	£954
Hanslope	1778-9	Edward Watts	Alex. Wynch Thomas	522a. for £1,000 in 1780 (but included old enclosures)		
Steeple Clayden	1795-6	George Hardinge	Thomas Hearn	427a. for £800 in 1796	427a.	?
Padbury	1795-6	Samuel Greathead	Thomas Palmer Bull	76½a. for £228 in 1796	145½a.	?
Sherington	1796-8	Samuel Greathead	Thomas Palmer Bull	169½a. for £507 in 1797	393a.	?
Drayton Parslow	1797-8	Charles Greenwood	Richard Waine	The Manor for £2,300 in 1799	740a.	£2,059
Drayton Parslow	1797-8	Charles Greenwood	Edward Whitchurch	The Manor for £2,300 in 1799		
Lavendon	1801-2	William Andrews	William Wilson	68½a. for £222 in 1802	71½a.	?

* All figures rounded to the nearest acre and nearest £.

<u>Parish</u>	<u>Date</u>	<u>Mortgagor</u>	<u>Mortgagee</u>	<u>Mortgage</u>	<u>Allotment at enclosure*</u>	<u>Cost at enclosure*</u>
Kimble	1803-5	Thomas Aldridge	?	81a. for £380 in 1805	81a.	?
Slapton	1810-2	John Barrell Bigg	David Willis	6a. for £28 in 1813	6a.	?
Clifton Reynes	1822-4	Richard Hurd Lucas	John Hale Talbot	146a. for £730 in 1824	146a.	£715
Towersey	1822-5	Pye's Charity	William Rose	61a. for £231 in 1823	46a.	?
Princes Risborough	1820-3	John Grubb	?	? for £4,500 in 1822	409a.	?
Quainton	1840-3	Quainton Almshouses	William Payne	171a. for £775 in 1746	175a.	?

* All figures rounded to the nearest acre and nearest £.

CHAPTER XI: CONCLUSIONS.

Parliamentary enclosure in Buckinghamshire was the single most effective method of enclosure, involving the greatest area in the shortest time, but it should be understood in the light of considerable enclosure before 1750. By this date in some townships mere vestiges of the open fields remained, enclosure had proceeded over many centuries, by illegal encroachment, by agreement and now finally by Act of Parliament. Many of the earlier enclosures took place as home closes, or closes at the edges of parishes, producing familiar distributions on the enclosure maps of the eighteenth and nineteenth centuries. There were other reasons for pre-parliamentary enclosure, notably for emparkation and disafforestation.

The nature of piecemeal enclosure before 1750 lends support to other researchers who suggest times of periodic land hunger and the diminution of adequate areas of grazing land. In further support, coincident with piecemeal enclosure there was the strict regulation and adjustment of rules governing the economy of the open fields. In particular it seems that land hunger and the search for grazing, albeit temporary grazing, led to frequent revisions of these 'Field Rules' and the introduction of stinting agreements containing very strict covenants to regulate and ration the available grazing lands. Fines were imposed to resist overstocking. The land hunger is reflected in gradual reductions in the size of the stints.

The stinting agreements and piecemeal encroachments may have acted as a delaying mechanism and possibly Parliamentary enclosure was seen as the final and only possible solution in the search for grazing ground. Land hunger seems to have been a consideration, as important as many others, for the eventual emergence of enclosure by Act.

Parliamentary enclosure had a relatively late start in Buckinghamshire compared with other Midland Counties. It was almost entirely after 1750.

The peak of activity was reached in the 1790's, again unlike other Midland Counties where the main period was centred on the 1770's. The counties of England which also experienced a peak in the 1790's were those containing extensive marginal lands, and enclosure in many cases was directly attributable to an invasion of these margins during the French Wars. Not so in Buckinghamshire where most of the enclosure was of existing open field arable, though it is also true to say that the wastelands in the south of the county centred on Iver Heath were also enclosed at this time. The war period was also a time when townships showing hill and vale topographies were enclosed, and almost certainly the areas of common associated with the hilltop villages of the Chilterns were enclosed in response to the war economy.

Most of the Parliamentary enclosure in the county took place in the clay vales, north and north-west of the Chiltern escarpment, and was almost complete by 1840. If one only includes these lands, Buckinghamshire emerges as one of the leading counties in the period of Parliamentary enclosure. 35% of the county was enclosed by Act of Parliament, but for the five northern hundreds with which the study was mainly concerned the density of enclosure was nearer 50%. This compares very favourably with Northamptonshire, "The County of Enclosures", where the density of enclosure was 54%.

Depending on the approaches made, the initial questions asked, and the sources used, quite different conclusions can be formed regarding landownership distributions and landownership changes associated with enclosure. If anything this part of the study poses as many supplementary questions as it solves and demonstrates some of the insuperable problems that using a large number of source materials produces.

The first impression is that Parliamentary enclosure in the period 1760-1780 took place in parishes where few but large landowners dominated,

but on closer inspection it looked as though owners possessing less than 200 acres formed the largest group, both in terms of numbers and in terms of the percentage of land they owned. This is quite a different conclusion from that formed by J.M. Martin for parishes enclosed in the same period in Warwickshire, where owners possessing over 300 acres were allotted most of the land that was enclosed. In some respects, because a single landowner did not possess most of a parish, these earlier enclosures resemble the former enclosure agreements, that is a Gentlemen's Agreement. There were exceptions such as Westbury (1764-5), Olney (1767-8) and Shalstone (1767-8), where the leading landowners were allotted 73%, 70% and 87% respectively of all the lands that were enclosed. The inclusion of such figures in constructing aggregates for the 1760's and 1770's distorts a somewhat different feature. Clearly some parishes deserve special study.

By the 1790's and thereafter there is even less differentiation among the landowning groups but there are also many more landownership units. Only two landowners were allotted more than 500 acres each. The largest single group were in possession of between 1-200 acres, but even so, they only received 25% of all the lands that were enclosed. A further 32% was allotted to those possessing less than 100 acres, thus forming the so-called 'peasant' groups of V.M. Lavrovsky's studies. In this case the peasantry, judged to own up to 150 or 200 acres, were very strong in the 1790's and influences other than land accumulation might be considered to explain the chronology of enclosure. Possibly the inflationary years of the war period were influential because for the first time the marginal revenue on improved land was equal to or greater than the marginal cost of enclosure. In this sense I agree with the recent suggestions made by D.N. McCloskey.

The enclosures of the nineteenth century were characterised by

large numbers of landowners and also there was an accumulation of landowning strength in the possession of those with estates greater than 500 acres. By the 1820's and 1830's this group was allotted 36% and 34% respectively of all the lands to be enclosed, though since there were a large number of ownership units individuals were never awarded a large percentage of the parish, that is to say never as much as 50%. (The significant exception being the Ashridge estate, itemised in Appendix V(c).)

The balance of landownership strength from 1760-1850 lay with the group possessing from 2-500 acres, not rightly peasants but approaching substantial freeholder proportions (see Table IVc). The decade 1800-1809 saw the greatest convergence between the landownership groups and these were the parishes which recorded the strongest opposition to enclosure, an opposition that continued into the 1830's.

Taking all of the Buckinghamshire enclosures similar conclusions to those formed by V.M. Lavrovsky can be made, that is, the survival of the peasantry well into the nineteenth century. As late as the 1830's and 1840's those landowners possessing less than 50 acres were allotted as much as 21% of all the lands that were enclosed. The expropriation of the peasantry supposedly complete by 1780 was in fact incomplete in many parts of Buckinghamshire, as late as the mid-nineteenth century, and what is more crucial was probably instrumental in the late chronology of enclosure in the county.

The discussion of landownership changes produces the greatest problems in the interpretation of the many sources. Many parishes have a unique landownership history some aspects of which bear no relation to enclosure but whose inclusion in the foregoing analysis served to further confuse a sometimes already confusing situation.

It is evident that many of the transactions in the land market

which accompanied enclosure were for the purposes of minor consolidation and not in order to buy out would-be opponents of enclosure. In some cases it saved the smallest landowners the problem of finding enclosure fees. They often sold small parcels of lands and rights of common before enclosure to cover their costs. This is of course an important consequence of enclosure and contributed to some subtle manoeuvring on what I have termed the 'agricultural and social ladder'. There seems to be enough evidence of this sort to suggest that in certain parishes enclosure resulted in the partial removal of an independent peasant class, as put forward by Professor J. Saville.

The prohibitive cost of enclosure and the attendant cost of fencing very small allotments almost certainly promoted the market in small pieces of land and it also led to many cautious sales, the sale of small parts of larger estates to meet enclosure costs.

The study of landownership change was conducted using the Land Tax Returns for specific years. In 1785 in old enclosed parishes there were larger ownership and farming units (that is, fewer owners and occupiers) than in open field parishes, and a greater proportion of absentee ownership. In general this agrees with the similar analyses by E. Davies and Professor J.D. Chambers. This evidence is presented as a possible reason for delaying enclosure, especially the amount of owner-occupancy. As H.E. Hunt suggested for Leicestershire, it was easier to petition Parliament when there were fewer resident owners. The greater were the owner-occupiers the greater was the 'independent peasant class' and as the Stewkley enclosure demonstrated, the greater was the amount of opposition to enclosure. The conclusions differ somewhat from H.L. Gray's study of the Oxfordshire Land Tax of 1785. He found that only 9% of the county was in the possession of independent farmers, though in common with the present study he found they were strongest in parishes which remained uninclosed the longest.

By 1825 there were a number of changes. There was a decrease in the numbers of owners per parish but for all types of parish. The largest decreases were in parishes enclosed before 1800. At the same time there was a corresponding decrease in the number of farming units. The numbers of owner-occupiers did not change very much from 1785-1825 but because of these other changes they appeared to be stronger in the parishes. This may have resulted from owner-occupiers occupying all of their lands with the accompanying removal of tenants in the agriculturally prosperous war years.

A study of 1805 for the same parishes adds further complications to the fluctuations in landownership and occupation and indeed poses as many supplementary questions as are answered. Different parishes enclosed at different times had different landownership characteristics at different periods.

The survival of the Land Tax Returns for the Cottesloe Hundred for the year 1753 allowed a retrospective study of landownership from the mid-eighteenth century for what was the most extensive and densely enclosed hundred in the county. Having established that there was a decline in the numbers of landowners from 1785-1825 for all types of parish, it was possible to add that this decline was greatest in two periods, during the decades which preceded enclosure, and whilst the parishes were being enclosed. As with other analysis of landownership, some parishes had special landownership histories. At Stewkley for example there were 92 proprietors in 1753 and still as many as 95 in 1814 when the enclosure award was completed. In this case the owners of estates of less than 60 acres remained the largest single group, and the enclosure was attended by much opposition. For parishes of old enclosure and pre-1770 enclosure there appeared to be a consolidation of landownership in the hands of the largest estates and also the emergence of new large estates. This seems to suggest itself as a pre-requisite

of enclosure because such consolidation did not continue after enclosure. For parishes enclosed from 1780-1800 there was also a consolidation of landownership in the hands of large owners but no new large owners emerged, it was more of a consolidation by an already strong group, and because the largest decline was among the smallest owners possessing less than 5 acres it suggests a trend of slow accretion rather than large-scale estate building. Many of these parishes had very different landownership histories. For some like Wingrave there was a detectable consolidation of ownership in the hands of the largest owners immediately prior to enclosure, but for others like Drayton Parslow any such consolidation took place many years before enclosure. Factors other than landownership therefore explain the chronology of enclosure in many of these parishes. The most important consideration was the effect the war period had on domestic economy in narrowing the gap between the marginal cost of enclosure and the marginal revenue of the improved land. Similar conclusions emerge for some of the parishes enclosed from 1800-20. The parishes enclosed after 1820 fall into two groups, those within the Ashridge estate (for which see Appendix Va), and the others. In the latter there were not very many changes in landownership distribution after 1785. Possibly this was a reason for such late enclosure considering the resistance offered by landowners possessing less than 200 acres in holding the Quainton enclosure in abeyance for forty years.

Whatever changes might have occurred they cannot be pinpointed from an analysis of enclosure awards and land tax returns for widely separated years. To overcome this difficulty the land tax was used for selected parishes for ten crucial years, the years immediately before, during and after enclosure. Perhaps the most important conclusions of all emerge from this approach because for the first time a large group of individuals were studied.

The most crucial years for landowners were those most closely associated with enclosure. There were very dramatic changes in the personal constitution of the land tax for these years, changes which when taking 1785 and 1825 in isolation were completely hidden. The total number of owners per parish did not change very much over the ten year period but it was found that up to 60% of the original contributors to the land tax might disappear altogether in the space of two or three years. The average decline in such original owners for parishes enclosed from 1790-1830 was of the order of 40%. The distribution of ownership in terms of acreage groups did not change very much but researches by H.L. Gray and A.H. Johnson which only analyse this point obscure this other dramatic process of the replacement of original owners at enclosure.

More research needs to be conducted along these lines for other counties before anything but general conclusions can be drawn, though it seems probable that the cost of enclosure was a major consideration, particularly for common right owners and the owners of very small allotments. They found that after enclosure they were left with very small properties, the loss of common rights, albeit compensated, and the immediate task of finding sufficient funds to pay their share of the enclosure expenses. Enclosure might rightly be blamed for impeding the social and economic progress of the small man, and for many the traditional humble beginning was made for ever extinct. In addition, a number of transactions were conducted to reduce rather than to entirely sell estates, a method of off-setting enclosure costs, and a number of owners did not leave their lands altogether but were retained as tenant-farmer occupiers.

Most of the parishes so studied were enclosed in the 1790's and 1800's so perhaps there is a certain bias because of the war period, but in spite of this, very important social consequences emerge concerning the replacement of original landowners.

There did not appear to be a very important history of opposition to enclosure in Buckinghamshire, though there were exceptions in particular parishes. Apart from one or two incidents of assault there were no serious cases of rioting in the county of the order described by J.L. and Barbara Hammond. The rare instances, some four in number, of such assaults were directed against solicitors or their clerks while attempting to fix notices of intended enclosure on church doors. Similarly there were very few cases of the destruction of new fences. Indeed, it should not be expected that such violence would accompany enclosure in Buckinghamshire or for that matter in many counties of the Midlands because the most famous 'riots' at Otmoor, Haut Huntre Fen, Sheffield and others involved large areas of common and waste upon which many people depended for grazing and fuel gathering. Such large areas did not exist in Buckinghamshire except in the area around Iver Heath where there was an indictment for fence breaking. It is mainly with reference to the commons and waste that contemporary pamphleteers so forcefully oppose enclosure, and modern researchers publicise opposition and riots.

In saying that there was not a very important history of opposition in Buckinghamshire it should be added that most enclosures were attended by some disagreement. The source of evidence is the Report Stage in the House of Commons as transcribed in the House of Commons Journal. For most enclosures there was some opposition, usually a single landowner or a small group with a very small landowning interest. That there was any opposition at all is important because very rarely was there unanimous consent to enclosure. Proprietors might refuse to sign petitions or present counter-petitions to Parliament. It is evident though that the presentation of counter-petitions was not usually to prevent enclosure but rather to forestall it while more favourable clause amendments were introduced into original petitions. Also, some opposition was specifically

to avoid offending friends and neighbours rather than opposition to enclosure per se. The characteristic phrase in the House of Commons Journal is that "no person appeared [in order] to oppose the bill", though this may only indicate how expensive such representation to Parliament could be, quite a prohibitive cost for most proprietors in a parish.

In parishes enclosed after the war period there were different fears regarding enclosure. Many people had taken advantage of favourable prices for agricultural products and mortgaged their estates very heavily to accumulate additional capital. The post-war depression hit these estates very hard. The difficulty became one of finding capital to finance enclosure on an estate that was virtually mortgaged as far as law would allow. This was one of the main reasons for opposition at Princes Risborough in the early 1820's and other contemporary enclosures.

In spite of a number of studies identifying the commissioners of enclosure very little is yet known about these architects of the rural landscape, or for that matter of the many other personalities of Parliamentary enclosure. The commissioners have always been the central personalities and now, with the emergence of abundant first-hand sources, many of the earlier criticisms laid against them can be answered. For example, they seem to have acquired a greater share of the blame for the inordinate expense of enclosure than perhaps they deserve, though conversely, absenteeism by some of them certainly resulted in abnormally protracted and expensive enclosures.

Imperfect biographies have been constructed for some of the commissioners but in general terms a good deal has emerged about the profession. The earliest commissions were conducted by an assortment of people, most prominently by local rural dignatories and farmers who were rarely engaged very far from their home parish. One would imagine they acquired quite respected reputations, and indeed, some of them were also employed as quality surveyors where a local knowledge of topography and

soils might ensure an equitable re-allocation of the former open fields. Non-Buckinghamshire commissioners were not unknown but a man such as Francis Burton of Aynho in Northamptonshire, who was perhaps the busiest of all known commissioners before 1780, were very exceptional. The same must be true for other counties. A profession as such could not yet be recognised but certainly the seeds had been sown.

Many of the commissioners engaged after 1790 had very familiar names. They had served what I have termed an 'apprenticeship' on earlier enclosures as surveyors. Whereas before 1780 some commissioners only served once or twice, in the later enclosures it was very rare for someone to be appointed who was not already widely known in Buckinghamshire or in other counties, or who subsequently developed a reputation. At the same time the former dual duties as commissioner and quality surveyor of some of the commissioners was dispensed with because the professional commissioner had become a land agent and valuer-cum-surveyor.

One accusation that can be levelled against the professional commissioners after 1790 is that they undertook too many enclosures at the same time. They sometimes needed to be places many miles apart in relatively short spaces of time. This resulted in absenteeism by the commissioners which in turn produced adjournments of meetings, sometimes lengthy ones, which served to prolong enclosures unnecessarily and increase the costs. A counter-measure was the insertion of clauses into Acts and into the Standing Orders of the House of Commons to speed up enclosure proceedings and to direct the commissioners very specifically in their tasks. One such regulation compelled the commissioners to keep an attendance book. In addition, the working day was strictly defined and the commissioners could be penalised (by withholding fees or reducing fees over time) for unnecessarily lengthy enclosures.

The commissioners were expected to perform many tasks. Apart from

actually conducting the allotting they might be employed before an act was passed to test opinion in a parish or prepare preliminary surveys and valuations. During the allotting they also had to conduct the course of agriculture in the township. The appointment of farmers as commissioners in the earlier enclosures made this task easier and in later enclosures it was not unusual for special inspectors, usually local farmers, to be appointed as 'field inspectors'.

Sometimes disputes arose between the commissioners or between the allottees and the commissioners. At its worst it resulted in resignations at Monks Risborough (1830-9) and refusals to act at Hartwell and Stone (1776-7), and the appointment on occasions of an umpire. However, such instances are so few that it remains true to say that the commissioners meetings were conducted in harmony and they display a considerable amount of co-operation and fair play.

Of the other personalities of enclosure even less is known. Some of the surveyors in early enclosures became commissioners in later ones. In fact the most important commissioners in Buckinghamshire, and in other counties served lengthy periods as surveyors, developing contacts and reputations, an invaluable background for their later duties as commissioners. William Collisson, John Fellows and Thomas Hopcraft were all originally surveyors. The first two measured quantity and Hopcraft assessed quality. As surveyors they might be called upon by the commissioners to perform supplementary tasks, which was all good training for them.

In the same way that the commissioner-cum-surveyor can be recognised so another joint profession arose, the solicitor-cum-clerk. It was usual for the same firm that solicited a Bill through Parliament to act as clerks on the subsequent enclosure. Enclosure provided regular, secure employment for country attorneys. They usually came from nearby

towns and were sometimes directly associated with a particular landowner, perhaps as family solicitor, land agent or steward. In spite of such close associations I feel that there was no bias involved in the actual allotting, though there certainly was in the system of selection. The solicitor-cum-clerk received a greater income than any other official concerned with enclosure.

Enclosure also resulted in quite new rural industries, the nurseryman who cultivated the hedges and the contractors who displaced the old parish office of surveyor of the highways. In the earlier enclosures local landowners undertook much of the public fencing, probably as a method of defraying their own costs. Professional carpenters do not emerge in this role until the 1790's. By the nineteenth century such contract work had grown and professional nurserymen can be recognised for the first time. The most notable were William Poulton of Stanwell in Middlesex and Michael Messer of Dunstan in Oxfordshire. By the second quarter of the nineteenth century it had become usual for the commissioners to offer tenders for road and fence construction and a truly professional approach had emerged. No doubt a number of twentieth century rural activities owe their existence to the enclosures of the eighteenth and nineteenth centuries.

The appointment of bankers was introduced very late into enclosure. Rather than as a method of financing enclosure they were used mainly as holders of funds. Occasionally they were asked to advance loans to the commissioners to defray the earliest of the enclosure expenses, but other than this convenience there seems to be very little connection between enclosure and the appointment of bankers.

Perhaps one of the most important conclusions to emerge from this study is that the cost of enclosure was very much greater than past research believed it to be. Unfortunately the £1 per acre average cost of

enclosure computed by the 1808 General Report on Enclosures has not been tested as thoroughly as it should have been, though the researches by W.E. Tate and J.M. Martin have tended to revise this average cost upwards. The present study argues that much of the social cost of enclosure was caused by the prohibitive economic cost. This conclusion applies to a number of points raised in the chapters on landownership and was the main factor producing whatever opposition there was to enclosure. Also, the cost of enclosure, or more realistically the marginal cost in conjunction with the marginal revenue of improved land, as argued by D.N. McCloskey, may have been one of the determining factors in the spate of enclosures from 1790-1815.

Earlier historians such as the Hammonds held very extreme views on the effects of enclosure and for many years they were the object of much criticism, and were accused of over dramatisation. On the issue of costs at least, I lend them some support and because these costs were so high I feel they must have had an important social consequence. J.M. Martin also makes similar suggestions.

The main body of evidence is contained in relatively unresearched and unpublished sources, which comprise an immense wealth of information and these have only recently been deposited in local repositories. They show that costs were incurred after the enclosures were apparently finished, and at other times, no record of which was entered in the award and it is mainly with awards that past scholars have worked. The newer sources show this extra expenditure. These materials survive mainly for the period after 1790, therefore, as Figure VIII(a) showed the general rise in costs up to 1790 was the same for most counties that have so far been investigated. Thereafter the new sources show how the Buckinghamshire costs rise very dramatically. The minute books reveal commissioners meetings in some cases years after they had signed the

awards, and this is supported by miscellaneous bills and correspondence, and from account books. At its most extreme, at Bledlow in 1809-12, even the account book is incomplete but it shows expenditure of £10,203 while the miscellaneous bills show that the final cost was at least £13,104. It was not unusual for the commissioners to levy extra costs from the proprietors after the award was completed. The final cost of the enclosure might be as much as £5 per acre, to which must be added perhaps as much again for fencing. Such fees presented considerable problems to the proprietors and warrants of distress for failing to pay them were frequent.

Most of these new sources cover the period after 1790 but there are some isolated pieces of evidence for the 1760's and 1770's which support the conclusions. It seems that the cost of enclosure was greater than suggested by contemporary reports such as the Board of Agriculture volumes, and by the most recent of researchers.

In spite of such a large cost of enclosure, the sources also indicate that the commissioners conducted the levy of fees most equitably and showed no undue favour to any landowning group.

The size of the component costs of enclosure also vary through time, though one constant feature is the size of the solicitor's fees and the Parliamentary fees for obtaining the Act. They could be as high as 30% of the final cost. The exorbitance of such pre-act expenditure produced much criticism at the time from pamphleteers such as Henry Homer and from the Select Committee investigating Enclosure Bills in the 1790's.

There is evidence to suggest that road costs were not included in the early cost schedules of the 1760's and 1770's. As such the other cost items appear larger as a proportion of total cost than they actually were. Indeed, the commissioners have received much criticism in the past

for the apparently extravagant and extortionate incomes they received. The present study shows that their fees were not the greatest cost item and almost certainly they have received an undue share of the blame for the high cost of enclosure. Over time all costs became subordinate to the physical costs, in particular the road costs.

If anything the individual who stood to gain most from enclosure was the solicitor. He was engaged at every stage in the process, as agent for promoting the bill, as clerk to the commissioners and as recipient of any spin-off through an acceleration in the land market. Not enough is yet known but it is becoming clear that nurserymen and road contractors were also major beneficiaries.

The relation between the social and economic costs of enclosure is brought into focus when discussing the financing of enclosure, the ability of the individual to meet his costs. This aspect remains the least explored feature of enclosure history but it is becoming easier to study and understand with the emergence of estate materials, particularly deeds.

The cost of enclosure was very high and very often the proprietors were unable to raise sufficient to off-set the commissioners levy, let alone their own fencing, and this became a common cause for delaying the completion of an enclosure. A warrant of distress was not only a threat, it was also an actuality. References to defaulters in the minute books are common and at its worst, at Kimble (1803-5), such entries were still being made a full five years after the award was completed.

One method of financing an enclosure was for the commissioners to deduct or sell land in proportion to the cost. This was not a very common method until the nineteenth century, and then it was not applied to all of the proprietors in the parish. Very often it was restricted to rectorial or vicarial interests and certain charity estates. Indeed, there was

only one eighteenth-century enclosure in Buckinghamshire where proprietors other than the church or charity lands were afforded this convenience. When it was allowed it could be a substantial proportion of a proprietor's allotment, 13% of the land possessed by Hills Charity at Bierton in 1779-80, and at Marsh Gibbon 26% of all the lands allotted were sold to defray the costs. When this method became more common in the nineteenth century it was not unusual for the commissioners to levy fees as well. The most notable examples of this were the enclosures of Monks and Princes Risborough in 1830-9 and 1820-3 respectively. In both cases there was considerable opposition at Westminster. The major reason for discontent was the expected costs. This opposition was appeased in part by inserting clauses in the Acts suggesting defrayment of costs by land sales. At Monks Risborough such sales only realised 30% of the cost. On both occasions the commissioners levied rates on the proprietors, whose original fears were indeed well founded. The price of enclosure was certainly very high.

Many of the land sales coming to light in estate deeds and identifiable in the Land Tax records were used as a method of defraying costs. Not necessarily the sale of entire estates but perhaps parts of estates. The result of this was to reduce the size of allotments, and for the smaller landowners it might result in an allotment which was hardly bigger than a garden. In many cases these landowners sold the remainder of their lands. This is perhaps one of the most serious consequences of enclosure and goes far to substantiate the conclusions of some historians that enclosure resulted in the expropriation of the peasantry.

A major conclusion of this study is that the earlier belief that lands were mortgaged to defray costs was not in fact true. The misconception arises because nearly all enclosure acts contained a clause

allowing mortgages to be raised. Even if it were a widespread method restrictions on the amount that could be borrowed would mean that only enough to meet the commissioners levy would be defrayed this way, there would still remain the cost of fencing.

After an exhaustive search of all surviving Buckinghamshire estate deeds in the county muniments it is very evident that mortgaging was not a very widespread method of defraying enclosure costs. Where it was employed it was enjoyed by the largest landowners only. A mortgage deed specifically for enclosure is unmistakable because of restricting covenants and because the commissioners became parties to the deed.

Other evidence suggests that mortgages could not even be considered in the period after the French wars. Many estates were already heavily encumbered with debts arising out of capital expansion during the war period. These estates were sorely hit in the subsequent periods of intermittent depression and this was a major reason for the opposition to the Princes Risborough enclosure of 1820-3. In fact, throughout the period of enclosure many estates already had heavy mortgages on them. Again this can be seen as a cause for some landowners selling up at enclosure since they probably felt that without the chance to mortgage there was no other way for them to pay for their costs. This certainly would be the case where mortgages were so high that further borrowing would exceed the actual value of the land.

One possibility is that some landowners mortgaged lands in other parishes to defray their expenses. Many of this type of mortgage coincide with particular enclosures though at the moment it is only a suggestion that they were prompted by the pending enclosures.

I agree with L.S. Pressnell that country bankers were not a source of capital for financing enclosures. Of the mortgagees for which details are known they seem to be from an assortment of backgrounds. There were spinsters and widows, rural craftsmen and small merchants and

other humble people of yeoman stock, as well as more substantial merchants and professional men from London.

The possibility that enclosure was financed out of current income has also been investigated though unfortunately very few farm or personal account books have come to light. Improved rents could cover enclosure expenses but not for everyone since capital derived this way takes several years to accumulate, and enclosure was an expense which could not be defrayed over time, it had to be paid within a relatively short time of completion.

Some estate owners obviously had sufficient income from one estate to divert capital for the improvement of another estate, but they were certainly in a minority. Other landowners always had large reserves of capital, annual timber sales alone might pay for enclosure, and many landowners were buying and selling land throughout the period as a means of capital accumulation for other enterprises.

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Perhaps one of the most important consequences of this study has been to highlight the richness of the source materials and the way they complement each other under the different chapter headings. The result has been a study which contradicts earlier well-founded conclusions, substantiates or reinforces others, and offers new conclusions to unanswered questions and unsolved problems. The guiding theme has been one of source materials, which is also offered as the theme for future research.

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As Originals or Copies designated IR/---.

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As Photoduplicates of Enrolled Copies in the Public Record Office, London.

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Amersham	1815-16	IR/M/4 and AR/51/70(L)
Astwood	1836-40	IR/M/17
Bierton	1779-80	AR/32/60
Bottendon Hill	1856-57	AR/51/70(L)
Buckland	1842-44	IR/M/5 & 6 and AR/51/70(L)
Bledlow	1809-12	IR/M/2
Cheddington	1853-57	AR/51/70(L)
Drayton Parslow	1797-98	Not accessioned as such
Great Horwood	1841-42	IR/M/20/1
Hanslope	1778-79	IR/M/22
Hartwell and Stone	1776-77	IR/M/7
Hughenden	1856-62	AR/51/70(L)
Iver	1800-04	IR/22 (Tower Coll.) and D/W (Way Coll.)
Great & Little Kimble and Ellesborough	1803-05	AR/54/65, No. 19
Langley Marish	1809-13	IR/M/55
Lee	1855-56	AR/51/70(L)
Little Woolstone	1791-92	AR/11/58
Monks Risborough	1830-39	IR/M/176 and IR/M/8
Moulsoe	1802	Carrington Mas., Box 8a, Bundle No. II
Olney	1803	IR/M/16
Princes Risborough	1820-23	IR/M/1 and AR/51/70(L)
Quainton	1795-1810 and 1840-43	IR/M/9
Slapton	1810-12	AR/7/53
Stewkley	1811-14	IR/M/10
Stoke Mandeville	1797-98	IR/M/11
Towersey	1822-25	IR/M/19
Weston Turville	1798-1800	IR/M/3
Whaddon and Nash	1830-31	IR/M/13
Whaddon Chase	1841-44	IR/M/12
Wing	1797-98	IR/M/14

Records of Quarter Sessions:

Quarter Sessions Volumes, 13-38.

Quarter Sessions Case Books, Qs/JC/1, 1802-10; Qs/JC/6, 1822.

Quarter Sessions Rolls, Michaelmas 1819.

Land Tax Records:

1753 for Cottesloe Hundred alone, Nightingale Deposit D/12.
1780-1832, subdivided by years into Hundreds and Parishes.

Miscellaneous Wills:

D/A/WE/ 115/18, 115/11, 101/58 and 68/146.

Buckinghamshire Archaeological Society (BAS) Deposit at C.R.O.Ayl.
(Miscellaneous 5 and other localities)

Dinton	Enclosure Agreement
Great Woolstone	Deeds
Aston Clinton	Deeds
Olney	Deeds
Claydon	Deeds
Stoke Mandeville	Deeds
Bow Brickhill	Deeds
Whaddon	Deeds
Winslow	Deeds, Copyhold Surrenders
Walton (Aylesbury)	Deeds
Ivinghoe Aston	Deeds and Stinting Agreement
Sherington	Deeds and Stinting Agreement
North Crawley	Deeds and Stinting Agreement
Winslow and Little Horwood	Accounts
Thornborough	The Thornborough, Dayrell Collection
Stowe Estate Deposit (D/13)	Accounts

Private Estate Collections deposited in C.R.O.Ayl.:

D/2	Earl of Seftons Estate - Stoke Poges	Deeds
D/3	Bly Deposit - relating to the Tarrant Estate in Monks and Princes Risborough	Deeds, Mss. and Correspondence
D/9	Parrot and Coales Deposit - Stewkley and Monks Risborough	Deeds
D/12	Nightingale Deposit - Ashridge	Deeds, Land Tax, Stinting Agreements
D/14	Round Coppice Estate - Iver	Deeds
D/19	Lowndes Estate - Weston Turville	Deeds and Mss.
D/32	Stewkley	Deeds
D/40	Clifden Estate (per the Br. Records Ass.) - Padbury and Lenborough	Deeds
D/42	Grubb Estate - Princes Risborough	Deeds, Rentals, Timber Accounts and Mss.
D/45	Waddesdon	Deeds
D/52	Long Crendon	Deeds
D/57	Tyringham Estate - Sherington	Deeds
D/59	Ager Estate - Bow Brickhill and Penny Stratford	Deeds
D/73	Clifton Reynes	Deeds
D/78	Long Crendon	Manorial Records

D/82	Whaddon and Nash	Manorial Records
D/85	Townsend Estate - Marlow and Medmenham	Mss.
D/91	Iver and Langley Marish	Deeds.
D/93	Dormer Estate - Hughenden	Court Roll of Ravensmere Manor
D/C	Chester Estate - Chicheley, Emberton, North Crawley and Sherington	Deeds, Accounts, Rentals and Mss.
D/CA	Digby and Wrighte Family Estate - Gayhurst, Stoke Goldington & Castlethorpe	Deeds
D/CN	Carrington Mss. - Little Marlow, Moulsoe, Castlethorpe, Bledlow & Drayton Parslow	Deeds, Mss., including the Moulsoe
D/D and AR/23A/66	Doddershall Mss. - Doddershall (the Pigott Family)	Deeds, Estate Papers, Legal Papers and Stinting Agreement
D/DU	Duncombe Estate - Great Brickhill and Bletchley	Deeds and Mss.
D/FR/2	Fremantle Estate - Swanbourne	Deeds and Mss.
D/HV/A	Howard-Vyse Estate - Stoke Poges	Deeds
D/Knapp	Knapp Mss. - Shenley Brook End	Deeds, Mss. & Account
D/LE	Lee Mss. - Hartwell and Stone	Deeds, Accounts, Rentals, Tenancy Agreements & Mss.
D/MH	Earl of Buckinghamshire's Archives - Dunton, Kimble, Wendover & Hampden (see also the Monks Risborough Enclosure Papers)	Accounts
D/W	Way Mss. - Iver	Deeds, Mss. and Correspondence
D/Watts	Watts Estate - Hanslope & Castlethorpe	Deeds and Mss.
AR/6/63	Napier and Utthwatt Family Deposit - Great Linford	Deeds, Mss. and Enclosure Agreements
AR/19/66	Records of Winwoods Charity - Quainton	Deeds
AR/52/66	Pye's Charity Papers - Towersey	Deeds & Mss.
AR/57/67	Dropmore Deeds - Burnham	Deeds*
IR/M/122	Tower Collection - Iver	Deeds, Mss. and Correspondence
Misc.	Addington Deposit - Adstock	Deeds
Misc.	Garrard & Allen Deposit - Lavendon	Deeds
<u>D/X/Series, Miscellaneous Deeds:</u>		
D/X/14	Preston Bissett	
D/X/15	Swanbourne - includes a stinting agreement	
D/X/16	Stoke Hammond	
D/X/39	Datchet	
D/X/172	Hanslope - The Smales' Deposit	
D/X/190	Marsh Gibbon	
D/X/248 and D/X/250	Bledlow	

* This Collection was missing in Easter 1971. All information was derived from a typescript catalogue.

D/X/313 Stoke Mandeville
 D/X/318 Wavendon
 D/X/362 Stewkley - including the Farm Account Book of the Mead
 Family, 1788-1812
 D/X1/4 Great Brickhill

Parish Records (deposited in the C.R.O.Ayl.):

Leckhampstead Parish Register	PR/127/1/1
Iver Churchwardens Books	PR/115/4
Vestry Book	PR/115/8/3
Manorial Court Book	PR/115/8/5
Wingrave Incumbency Records	PR/235/3/3
Dunton Parish Register	PR/67/1/2
Padbury Field Orders	PR/162/28/1
Amersham Accounts of the Surveyors of the Highway, 1805-1832	PR/4/21/1
Princes Risborough Overseers Accounts	PR/175/11/1-3

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- Pitchcott & Fleet Marston, In 1694, C.R.O.Ayl., MA/165/1.
- Pitstone, In 1809, 1810 and N.D. but probably 1820-23. C.R.O.Ayl., MA/166/1-3, with reference books in D/12, P30/5-7 and E96/10.

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Berkshire Record Office	Edgecot Enclosure Minute Book, D/EW1 EH2
	Stinting Agreements, D/EBt-E28, D/EB-E2 and 3, D/ER-E5
Birmingham Reference Library	Papers referring to Aylesbury, 508622-25
Bodleian Library, Oxford	Radcliffe Mss., relating to the Manor of Wolverton
British Museum	Cole Mss., relating to the Antiquarian and Historian, Browne Willis, B.M.Add.Mss., 5839-40
	B.M.Add.Mss., 5821, 10605 and 37069
	Stowe Mss., 805-6, the Returns of the Posse Comitatus of 1798
Buckinghamshire Museum	Court Rolls for Quainton
Aylesbury	Map of "The Manor" of Great Linford, 1641, B.A.S. 632/43
Claydon House	Court Rolls for Steeple Claydon
Hampshire Record Office	Enclosure Awards, No. 19, Q0/19-20, QE/2
Henry Huntington Library, California, the Stowe Manuscripts	Tingewick Account Book, L7F10RHBox.
	Ashenden Account Book, T3 118.
	Miscellaneous Enclosure Accounts, T3 NN1
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Kent Record Office	Enclosure Awards, Q/SO W16, Q/RZ 1, Q/RDc 2, 3 and 10
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