

**A Handlist of English Enclosure Acts and  
Awards relating to land in Berkshire.**

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## PREFACE

A VERY competent authority<sup>1</sup> has said "The difficulty in the way of gaining an understanding of the true effects of enclosure . . . is the lack of statistical evidence. It is understandable enough that this difficulty should arise for the enclosures of the XVIth and XVIIth centuries, but it is surprising that the same difficulty should obtain with reference to the Parliamentary enclosures of the XVIIIth and XIXth centuries. The problem is not wholly the lack of evidence upon certain points, but also the existence of widely differing estimates given by different authorities but concerning the same phenomena."

The first important statistics upon the question are, we think, those given in the *Reports* of the Parliamentary Committees and Select Committees of 1795, 1797 and 1800.<sup>2</sup> These, especially the 1797 report<sup>3</sup>, contain tables of the numbers of enclosure acts passed in each year for each county. These were taken bodily by Sir John Porter for his *Progress of the Nation*, the figures in which replaced the earlier estimates in Chalmers' *Estimate of the Comparative Strength of Great Britain*. In 1870 Sir Robert Hunter in the *Statistical Journal*<sup>4</sup> gave a similar table of enclosure acts in counties, under three headings, Acts passed in the XVIIIth century, Acts passed 1800-42, and Enclosures under the General Acts, 1845-69. Much more detailed statistics appear in the late Dr. Slater's book,<sup>5</sup> and in Prof. Gonner's work<sup>6</sup> cited below. This last work contains some twenty statistical appendices, the data in which are drawn primarily from the acts, though some are taken from the awards and from "good estimates." Dr. Slater's tables on the other hand are based entirely upon such

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<sup>1</sup> Hasbach, W., *The English Agricultural Labourer*, (1908) App. II (IV), p. 179.

<sup>2</sup> *Report from the Select Committee . . . on promoting the cultivation of Waste . . . Lands . . . 1795, Report from the Committee . . . on promoting the cultivation of Waste . . . Lands . . . and common Arable Fields*, 1797, *Report of the Select Committee . . . on . . . the means of facilitating . . . the Enclosure of Waste Lands . . . Common Arable Fields . . . etc. . . . 1800*. All reprinted by the Commons Preservation Society, 1866.

<sup>3</sup> Reprint above cited pp. 50-7.

<sup>4</sup> *Statistical Journal*, vol. 33.

<sup>5</sup> *The English Peasantry and the Enclosure of Common Fields* (1908).

<sup>6</sup> *Common Land and Inclosure* (1912), Appendices.

enclosure acts as were to be found in the library of the British Museum (Dr. Slater having assumed that the British Museum collection was more or less a complete one), and upon these only in so far as their preambles contained specific mention of open field arable land.

Various *blue book* lists of enclosure acts and awards have been issued from time to time. In 1865 the Deputy Keeper of the Public Records printed a list<sup>1</sup> of plans attached to awards enrolled in Chancery, and in the courts of King's Bench and Common Pleas. The next year<sup>2</sup> this was followed by a list of the awards themselves, including a few enrolled among national records other than those mentioned above. Early lists of enclosure acts, together with other local acts had already been published in Bramwell's *Analytical Table of Private Statutes*<sup>3</sup> and in Vardon's *Index to Local and Personal and Private Acts, 1798-1839*.<sup>4</sup> In 1843 a list of enclosure acts alone appeared in *Lord Worsley's Return*,<sup>5</sup> several times re-issued, having been revised to date, and last appearing in 1914.<sup>6</sup> The Stationery Office *List of Acts Local and Personal*<sup>7</sup> includes particulars of all acts 1800-99. Enclosure awards deposited or enrolled among county records are indexed in a Blue Book issued in 1904,<sup>7</sup> based upon the answers returned to a questionnaire circulated to all Clerks of the Peace in 1913. Awards under the General Acts of 1845 *et seq.* are listed in another Blue Book issued in 1893.<sup>8</sup>

Most of these lists however are put together in a very haphazard and unmethodical fashion. The two reports of the Deputy Keeper do not tally with one another, much less with all the remaining lists, and while the 1914 *Blue Book* is generally very reliable, so far as it goes, that of 1904 is a perfect masterpiece of muddle and inaccuracy, every Clerk of the Peace having compiled his county list according to his own ideas, and the national return being composed simply of the county lists combined. It will be understandable enough that the value of the lists varies widely from county to county. Some of them are so carefully compiled that it would be almost impossible to improve on them, others are so confused and inaccurate as to be almost worthless. The Berkshire list is no exception to the rule, though it is a trifle above the average in accuracy. Like the lists in the Deputy Keeper's *Reports* the *Blue Book* of 1904 contains some references

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<sup>1</sup> Report XXVI, 1866, App. pp. 1-29, 1-15.

<sup>2</sup> Report XXVII, 1866, App. pp. 1-29.

<sup>3</sup> 2 Vols., 1813 and 1835, reprinted 1913.

<sup>4</sup> 1840.

<sup>5</sup> No. 325 of 1843 . . . no. 399 of 1914.

<sup>6</sup> 1900.

<sup>7</sup> No. 50 of 1904.

<sup>8</sup> No. 455 of 1893.

to non-Parliamentary enclosures. Another respect in which this book is of great value is that it is the only printed record of enclosures under the early General Acts<sup>1</sup>, the awards for which, unlike all others, were never enrolled nationally, but only locally. Such enclosures, forming a class intermediate between those of the XVIIIth century, which were generally attained with complete disregard for all interests save those of the dominant landed class, and the latest enclosures under the General Acts, where considerations of public interests have been paramount, deserve very much more attention than they have ever received.

As we have indicated above, Dr. Slater's lists of enclosure acts purport to include all acts covering lands which included any proportion of open field arable land. Acts relating to the enclosure of common meadow, pasture, and waste alone, are excluded from them.<sup>2</sup> Although there are many errors in these lists, some of which it is believed have been corrected in those below, Dr. Slater's decision has generally been accepted as to whether or not any act included reference to open field arable, though in some instances it has been possible to correct a few of his mistakes by reference to the 1866 *Report* which gives quite full particulars of the lands affected, and in some few instances by reference also to the 1904 *Blue Book*, or by enquiry from students of local history in the county.

It is submitted then that the lists below are likely to be useful to historians in that they contain:—

- (1) A complete list of Berkshire Enclosure Acts and of enclosures under the General Acts.
- (2) An indication (based upon Dr. Slater's work) as to which acts included any proportion, however small, of open field arable, and which acts related to common meadow and waste alone.
- (3) A list (we believe the only one in print) apart from the scattered and inaccurate references in the 1904 *Blue Book*), of enclosures under the General Acts of 1836 *et seq.*
- (4) Particulars of all formal agreements enrolled with the Clerk of the Peace, and relating to non-Parliamentary enclosures in the County, and similar particulars of such agreements *c.* 1750–1840 enrolled in the national courts.

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<sup>1</sup> Especially of enclosures under the 1836 Act, 6 & 7 Wm. IV c. 115.

<sup>2</sup> Though acts including common field *and* waste or meadow, however small the proportion of common field might be, are included. Dr. Slater's working methods are described above upon the authority of a letter to the author.

- (5) Details of the enrolment of all enclosure awards enrolled either in the national courts at Westminster or among the records of the County. (It seems that acts rarely made no provision for the enrolment of awards somewhere or other, and such awards as were not enrolled either at Westminster or with the Clerk of the Peace were generally entered among the records of local manorial courts.)
- (6) Notes of all enclosures in parishes which at the time of enclosure were in one county, but which have since been transferred to another. It is hardly necessary to point out that in such instances the records of both counties should be searched if one fails to trace the enclosure award in one of them.
- (7) Notes of all mistakes in previous compilations upon such important data as dates, areas, etc., so far as it has been possible to check these, and of all major changes in the official names of parishes which have taken place subsequent to the enclosures. These it is hoped will enable the enquirer to identify with some degree of assurance the data relating to any particular enclosure.

Though this work cannot claim to be anything more than a mere compilation, it is hoped that at any rate it may be a useful one. It is quite certain that despite all our care it must contain errors. We shall be very grateful if any fellow student noting such will be good enough to send us\* information correcting them. Similarly we shall be indebted to any user of the lists who is able to fill any of the gaps which still remain in them. Such help will be duly acknowledged if ever this work appears in a complete edition covering the whole country, as we hope that perhaps some day in happier times it may.

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### CONTRACTIONS USED.

a.	Acres.	(H.)	Hamlet.
Ch.	Chapelry, <i>or</i> Award enrolled on Chancery Close Roll in Public Record Office.	K.B.	Award enrolled on King's Bench Plea Rolls in Public Record Office.
C.P.	Award enrolled on Common Pleas Recovery Roll in Public Record Office.	(L)	Lordship or Liberty.
		(M.)	Manor.
		n.s.	(area) not specified.
C.R.	Award enrolled among County Records in custody of Clerk of the Peace.	(P.)	Parish.
		(T.)	Township or Tithing.
		*	Enrolled award has a plan.
E.K.R.	Award enrolled on Exchequer King's Remembrancer Rolls in Public Record Office.		

FIELD SYSTEMS AND ENCLOSURE MOVEMENTS  
IN BERKSHIRE.*Berkshire Field Systems.*

As the map<sup>1</sup> shows, Berkshire lies well within the great open-field area of England. The boundary of the district formerly owned and occupied under this system includes the whole of the shire.

So far as I know little work has been published concerning open field conditions in this county from the appearance of Professor Gray's book in 1915 until that of Dr. and Mrs. Orwin's book in 1938. Dr. and Mrs. Orwin, whose later work has elsewhere much modified some of Prof. Gray's pioneer findings, have little to add to his conclusions with reference to this county. By study of the enclosure acts and awards they are satisfied that an open field system was generally prevalent in the shire. In their map they mark as originally under open-field cultivation virtually the entire county. The only exceptions are a small district to the north of Newbury, a narrow strip along the southern boundary, and an area (of forest ?) near Windsor. The notes below therefore are based very largely on Professor Gray's work with one or two notes from that of Dr. and Mrs. Orwin.<sup>2</sup> He examined a variety of records relating to a number of Berkshire villages, and came to the conclusion that Berkshire was perhaps "more extensively characterised by two field townships" than was any other county. In the high bleak, downlands, the Berkshire Cotswolds, two-field agriculture was early the prevalent type, and here it lingered, little changed, at least until the XVIIth century.

It is fairly safe to suppose that one sees in the Berkshire references to open fields in Old English charters, cited in some detail by Nasse and Seebohm, Vinogradoff and Maitland,<sup>3</sup> the earliest references to open field agriculture, doubtless two-field agriculture, in this area. The places mentioned are:—Curragge (*recte* Curridge) in Chieveley, A.D. 953, Drayton, 958, Addington in Hungerford, 961, Hendred, 962, Kingston, *c.* 977 and "Ceorlatun" (Charlton.)

Professor Gray examined a variety of later records, from fines and charters of early mediaeval date to Tudor and Jacobean terriers and surveys, in the endeavour to find out how far the same two-field system prevailed in the county at later periods.

<sup>1</sup> Gray, H., *English Field Systems*, (Cambridge, Mass., 1915), frontispiece and p. 30.

<sup>2</sup> Orwin, C. S. & Orwin, C. S., *The Open Fields* (1938), 60, and map on p. 65.

<sup>3</sup> *ib.*, 52-8, Gray, *op.cit.*,

He found out<sup>1</sup> that of the townships examined, fourteen are definitely proved to have been at specific periods<sup>2</sup> in a two-field condition. These are: Ashbury 10 Hen. VIII, 1518-9, Bas(s)ildon *recte* Basildon, 7 Hen. IV, 1405-6, Bockhampton early XIIIth century, Chievel(e)y, *recte* Chieveley, 23 Hen. III, 1238-9, Clapcote (*recte* Clapcot), 1235-48, Coleshill 1 John, 1199-1200, Farnborough 18 Geo. III, 1777, Knighton c. 1150-60, Milton, 50 Geo. III, 1810, West Brook, 14 Ed. III, 1340-1, Cookham, 25 Ed. III, 1349-50, Shaw, 16 Ed. III, 1342-3, Upton, 11 Ed. III, 1337-8, and West Wittenham, 11 Ed. III, 1337-8. Only four townships are known to have been in a three-field state.<sup>3</sup> They are "Ballatesfeld", 14 Ed. III, 1340-1, Great Coxwell, early XVth century, "Hullefeld", 14 Ed. III, 1340-1, and Stanford in the Vale, 27 Eliz., 1584-5. Again he says, "All the down lands of Berkshire were in the XIIIth century in two fields."<sup>4</sup>

Of a quite different type were field systems elsewhere. The tithings of Okingham (*recte* Wokingham), Wynnersh (*recte* Winnersh), and Sonning in the very extensive parish of Sonning<sup>5</sup> *e. g.* show *temp.* Eliz. 1558-1603, an altogether irregular field system, with holdings unequally distributed among half a dozen or more fields. Clearly such an arrangement here, as in neighbouring counties, lent itself to early modification and piecemeal enclosure.

Professor Gray found little evidence of the change in Berkshire from two-field to three-field arrangements. It will be noticed that no township appears in both the lists given above, so that the information which may be gathered in some counties as to the extreme limits of time between which the introduction of a third field must have been effected is not available here. Nor is there, on the face of things, much more available evidence as to the date when a further change took place at East Hanney. This is known to have been in two fields in the XIIIth century, but had four at the time of the enclosure in 1809.<sup>6</sup>

### *Early Enclosure in Berkshire.*

It appears that even before the XVIth century in Hungerford and the Vale of Newbury, there was direct enclosure from the wild, probably largely to produce the wool needed as the raw material of local industries.<sup>7</sup> Throughout the XVIth century,

<sup>1</sup> *Ib.*, 452-4.

<sup>2</sup> At times ranging from 3 John, 1201-2, to 50 Geo. III, 1810.

<sup>3</sup> At times ranging from 14 Ed. III, 1340-1, to 27 Eliz., 1574-5.

<sup>4</sup> *Op. cit.*, 70.

<sup>5</sup> *Ib.*, 385 and 553-4.

<sup>6</sup> *Ib.*, 136 fn. 3.

<sup>7</sup> Gonner, E., *Common Land and Inclosure* (1912), 241.

however, the north-west of the county remained mostly open. Strype includes Berkshire among the counties affected by enclosure. The 1517 *Domesday of Inclosures* for Berkshire was printed by the late I. R. Leadam in two forms, once from the Landsowne Transcripts<sup>1</sup> and once from the Chancery Returns.<sup>2</sup> The Landsowne copy is merely "an abstract of excerpts"<sup>3</sup> probably made for the use of Edward VI's Commission half a century later. The Chancery Return contains no references whatever to two Hundreds, those of Lambourn and Faringdon, a fact which, as Leadam remarks, gives rise to a suspicion of incompleteness<sup>4</sup>. Altogether the extant returns relate to 6,615 acres enclosed, largely still remaining arable, in the middle and north-west of the county, but mostly converted to pasture along the other borders, especially the eastern edge of the shire. The places mentioned are:—Aldworth, Appleford, Ardington, Aston Turrold (*recte* Aston Tirrold), Barkham, Bastelden (*recte* Basildon), Bedon, Betterton, Binfield, Bisham, Boxford, Bradfield, Bray, Brightwell, Buckland, Burghfield Regis, Burton (? *recte* Bourton), Catmar (*recte* Catmore), Chaddleworth, Chieveley, Childrey, Chilton, Clewer, Compton, Compton Beauchamp, Cookham, Crookham, Dudcote (*recte* Didcot), Drayton, Earley "Eastgyng" (? *recte* Earley and East Ginge), Farnborough, Farnham in Shrivenham, Frilford, Fulscot, Fyfield, Garford, Greenham, Grove in Wantage, West Hagbourne, Hampstead Marshall, Hampstead Norris, East Hanne, Hartley in Shenfield (*recte* Shinfield), Harwell, East Hendred, West Hendred, Hinton Waldridge (*recte* Hinton Waldrist), Huddon (*recte* Hidden), in Hungerford, Hurst, Kentbury (*recte* Kintbury), West Illsley (*recte* Ilsley), Kennington, Knighton in Compton Beauchamp, Langford in Clewer, Leakhampstead (*recte* Leckhampstead), East Locking, West Locking, (*recte* East and West Lockinge), Lyford, Marsham (*recte* Marcham), Milford, Milton, South Morton (*recte* South Moreton), Newbridge in Kingston Bagpuize, Newton in Buckland, Oxenham, Pangbourne, Ray (Hyndford Ray), West Sandford, Sandhurst, Satwell (*recte* Sotwell), Shallingford (*recte* Shellingford), Southcote, Sparsholt, Steventon, Stretley (*recte* Streatley), Sutton Courtney (*recte* Sutton Courtenay), Tilehurst, Upton, Warfield, Wargrave, Wantage, Wilde, Winkfield, Winterbourne, Long Wittenham, Wokingham, Wolley, Woolhampton, and Yattendon.<sup>5</sup>

Leland<sup>6</sup> visited the county in 1536-44, and has the following references to its agricultural condition:—[From Chenies, Bucks,]

<sup>1</sup> In *Trans. R. Hist. S.*, N.S. VIII (1894).

<sup>2</sup> *Domesday of Inclosures*, 1898, I., 87-157.

<sup>3</sup> *Ib.*, 87.

<sup>4</sup> *Ib.*, 91.

<sup>5</sup> Of these I cannot trace Milford, Oxenham, and Ray (*P.S.*).

<sup>6</sup> *Itinerary through England and Wales* (ed. Miss L. Toulmin Smith, 1907) I, 106, 108-11, 118-22, 125; II, 75; IV, 78; V, 75-9.

much (go)od pasture and corne ground . . . a pratie uplandisch town in a bottom V miles of. And thens a V miles stil for the most parte on a mory grounde like Hundeslaue hethe [Hounslow Heath], to the which level by likelihood it streachith; and thens by sum enclosid and woddy ground . . . to Windelsore [Windsor]. From Windelsore . . . most be wood and enclosid pastures . . . and thens a 2 miles and more in faire open and levelle meadow ground . . . [to Staines Bridge] . . . [From Colnbrook, Bucks] a little above the (Maidenhead) bridge *ripa citeriori Tamesis* I saw a clifly ground as hanging over the Tamise and sum busschis groinge on it . . . There is great warfeage of timbre and fier wood on the west ende of the bridge, and this wood cummith out of Barkshir, and the great woddess of the forest of Windelsore and the great Frithe. From Maidenhedde [Maidenhead] Toun a 2 miles by narrow woddy way to the Frith . . . [Twiford], Sunning [Sonning] . . . and therby is a fair parke . . . to Reading 2 miles . . . there is a park cumming into Reading toun . . . to Causeiham [Caversham] . . . [From Dorchester, Oxon] . . . from the fery to Walingford [Wallingford] a mile by mervelus fair champain and fruteful ground of corne . . . From Walingford to Sinodune [Sinodun] . . . At this tyme it berith very plentifullye booth barley and whete. About this . . . beginneth the fruteful vale of White Horse . . . This vale is not plentiful of woode . . . to Abbingdon, [Abingdon] . . . to Chisilhampton—[Chiselhampton]—bridge. . . . [From Oxford] to Hinxei [Hinksey]. . . From this place the hilly grounde was meately wooddy for the space of a mile; and thens 10 miles al by chaumpain and sum corne, but most pasture to Farington . . . [and to Northleach, Gloucs]. . . . [From Oxford] to Hanney a 8 mils a 5 mils [*sic*] by hilly ground well woodd and frutefull of corne, and other 3 mils by low levelle ground in sum partes marschy . . . to Ock Broke [the R. Ock]. Thens a 2 myles by low wooddy ground into Wanetinge, [Wantage]. . . . Thens a 6 myls to Chepinge Lanburne, [Chipping Lambourn] . . . by hills well cornyd and some woode. . . . From Lameburne on to Ramesbyry [Ramsbury, Wilts], towne about a 5 mils, firste by champayne grounde fruteful of corne, then by hills fruteful of woodd and corne." It will be seen that in Lelands' time the county was very largely open.

There seems relatively little evidence of enclosure disturbances in Berkshire during either the XVIth or the XVIIth century.<sup>1</sup>

<sup>1</sup> The 1536 act includes Berkshire among the 14 counties to which it applies. [Miss Leonard in *Trans. R. Hist. S.*, N.S. XIX (1905), 124.] Enclosure tumults were apprehended in the county in 1549. Prof. E. Gay in *Trans. R. Hist. S.*, N.S. XVIII (1904), 100. *Vide atque, ib.* 201, n. 3 for references to the execution of rebels in Berkshire (*inter alia*), though none of the instances mentioned relates to men of this county. The "lively enclosure dispute" at Wickham and Colthorpe Berks, c. 1617, Miss Leonard, *op. cit.*, 126, presumably relates to Wickham and Colthorpe, Berks. Prof. Gonner, misled by the fact that there is a Calthorpe in Oxfordshire has transferred these two places into Oxon. (*op. cit.*, 164).



Norden includes Berkshire in his list of counties having the characteristic Dorset method of open field management:—"In Dorset, Hampshire, Barkshire, and other places champion the farmers do much enrich their land indeed with the sheepfold." It is probably significant that the county was included in those to which the 1598 Depopulation Act was to apply.<sup>1</sup> By 1675<sup>2</sup> Ogilby in visiting the county found enclosures along some of the roads which Leland a century and a half before had noted as traversing open country, especially that from Hinksey to Faringdon, and that from East Ilsley to Newbury. Professor Gonner's calculations,<sup>3</sup> based on the assumption that normally roads marked as open in *Britannia* traversed open land, while fenced or hedged roads passed through enclosed country, show Berkshire as having a percentage of open land approximately 32 per cent. If this is right Berkshire was 17th of the 37 counties listed in order of the percentage of open land still remaining. In the 1690's Celia Fiennes<sup>4</sup> says the Vale of the White Horse extends a vast way, a rich inclosed country, that the Isle of Purbeck (Wilts) contained "Good lands, meadows, woods, and inclosures," though the country round "Stonidge" as that near "Newtowntony" (Newton Toney, Dorset), was "most champion and open, husbandry mostly corn and sheep." There seems some substance in Professor Gonner's suggestion<sup>5</sup> that there was some enclosure in Berkshire from the end of the XVIth century to the beginning of the XVIIIth, though the testimony is not so definite, nor the enclosure in so great amount as in some of the other neighbouring counties. It is curious that Berkshire, unlike the other two-field counties, was rather slow to undertake enclosure.<sup>6</sup> Nevertheless the shire was not without an interest in agricultural improvement. Jethro Tull of the *Horse-hoeing Husbandry* was a local man, and farmed near Wallingford and at Shalbourn. There is an interesting note in Mavor's *Report* showing that even under open-field

<sup>1</sup> It does not appear in the counties covered by the 1607 Commission, or in those where enquiries as to enclosure were made of the magistrates etc., c. 1630.

<sup>2</sup> Vide Gonner *op. cit.*, 241 for references to Berkshire enclosures between the time of Leland and that of Ogilby. Similarly the country along the Bath Road was open in 1699, but largely enclosed, especially near Reading, by 1762 (G. E. Fussell in *Ministry of Agriculture Journal* (Sept. 1938), 567, quoting Ogilby, *Traveller's Guide* (1699), 21.)

<sup>3</sup> *Op. cit.*, 173.

<sup>4</sup> *Through England on a Side-Saddle* (c. 1695), 1889.

<sup>5</sup> *Op. cit.*, 179.

<sup>6</sup> Gray, *op. cit.*, 137 fn. Probably there is some connection between this and the fact that Berkshire is said to have been formerly essentially a county of small proprietors, with relatively few large estates. It has been estimated that as much as a third of the entire county was in the hands of owner-occupiers, Fussell, *op. cit.*, 567.

conditions it was sometimes found possible to effect fairly considerable agricultural improvements. Cumner (*recte* Cumnor) was "quartered" in 1784 under the rarely used act of 1773. This is an interesting case as Dr. Slater<sup>1</sup> knew of only one parish where the act had been put in operation, Hunmanby in the East Riding of Yorkshire. Mavor<sup>2</sup> was keenly interested in the improvement of agriculture. He was sufficient of an antiquary to regret *e.g.* the passing of the ancient custom of the "scouring of the White Horse," but also enough of a farmer to suggest that if the festival could be revived at three year or seven year intervals it would serve "to mark the rotation of Crops." He discloses the interesting fact<sup>3</sup> that Berkshire common fields were generally in pretty large portions, not in single ridges, intermixed, as was frequent in other counties. This seems to suggest that there had been locally exchange of open land and consolidation of open field properties, perhaps for centuries before the time of general enclosure. He refers<sup>4</sup> to the practice of "hitching" *i.e.* cropping open lands by agreement which in the old course would have lain fallow, but notes that while this was a "general desire in common-field bargains" "it could be achieved only when the parishioners can agree." Arthur Young seems to have little to say of the enclosure condition of Berkshire. Sir Francis Eden,<sup>5</sup> too, has not much to say of either commons or open fields in the parishes he visited. At Reading St. Mary's, however, he notes that there are no commons or waste lands, at Streatley "several acres of good common," at Wallingford St. Mary's "about 30 acres of common annexed to the whole town."

There are two agricultural reports upon the county,<sup>6</sup> the first by W. Pearce in 1794, the second by Dr. William Mavor in 1808, reprinted *verbatim* in 1813. Pearce was a nephew and pupil of Nathaniel Kent, a celebrated agricultural writer, and for some time the King's bailiff at Windsor. Mavor was a schoolmaster, who later became rector of Hurley. The *D.N.B.* gives his principal literary work as a spelling book. Of this, if his publishers were truthful, "Eighty thousand copies are sold *per annum*." However that may have been, both men thoroughly understood agriculture, both were accurate observers and pleasing writers, and both had

<sup>1</sup> Work cited below p. 140 fn. The act is 13 Geo. III c. 81 (1773) not of course, 13 Geo. IV, or 43 Geo. III as Dr. Slater has it in two separate places. Slater work cited below pp. 14, 90, 329.

<sup>2</sup> Work cited below, pp. 25-6, fn.

<sup>3</sup> P. 146. See also pp. 159-60 for an interesting note upon former baulks—"petty doles"—provincialised into "pettitoes."

<sup>4</sup> P. 163.

<sup>5</sup> *State of the Poor*, 1798; Reprint of 1928, pp. 133-40.

<sup>6</sup> W. Pearce, *General View* . . . 1794; W. Mavor, *General View* . . . 1808 and 1813, describing conditions as they were in 1807.

much more regard for the claims of the poor than had most agricultural reformers of the time. According to Pearce's estimate, there were in 1794 some 40,000 acres of waste in the shire, and at least half the area was in open fields. His figures are :—

Enclosed lands	.. 170,000 acres	Mavor's estimate is a total area
Common fields		in the county of 464,500
and downs	.. 20,000 <sup>1</sup> acres	acres, with a total area of
Forests, wastes		common and waste some
and commons	40,000 acres	60,000 acres. Common fields
Roads, etc.	.. 8,977 acres	he thinks had decreased by
		at least 30,000 a. since the
Total	<u>438,977</u> acres	time of Pearce's <i>Report</i> ,
		"though they still occupy by
		far too large a space."

Pearce considers the advantages of enclosure to be self-evident and suggests that "the difficulty, and expense, of procuring legal authority" were the principal arguments against it. As remedy he suggests the passing of a General Enclosure Act. Tithes he thinks should certainly be commuted upon enclosure, and for an allotment of land, not a corn rent. He<sup>2</sup> notes as the principal wastes in the county, Windsor Forest, Maidenhead Thicket, Tylehurst (*recte* Tilehurst) Heath, Wickham Heath, and numerous other commons with a total area of *c.* 40,000 a. The lands were almost worthless, their sole produce a "number of miserable cattle, sheep, and horses, which are a disgrace to their respective breeds, and the cause of many distempers." The landowners he thought "often as discontented and averse to any step, that leads towards bringing this dormant treasure to the community, as the indigent man, who is interested in no other estate, and has consequently more reason, to be tenacious of those little common rights vested in him." He stresses, however, that on enclosure the cottager should be handsomely compensated, "the gentleman of landed property . . . giving up a greater proportion of this uncultivated land (from which he receives no benefit), than the law at present, obliges him."

Maidenhead Thicket according to Mavor<sup>3</sup> had been a waste area and a centre of highway robbery since 39 Eliz. (1597-8), and in his time it still remained "a blot on the agriculture of the county, though not on its morality." On the south of the Kennet from Newbury to the county boundary and along much of the southern

<sup>1</sup> This includes, of course, a considerable area of downland. Fussell, *op. cit.*, 568, Mavor, *op. cit.*, 324.

<sup>2</sup> pp. 49 and 59-60.

<sup>3</sup> p. 6, fn.

border the land was largely in heath, Greenham Heath, Aldermaston, Ufton, and many other parishes. Much of the peat land in the vale of the Kennet could not be brought into use from "that bane to all agricultural improvement—the right of commons."<sup>1</sup> Windsor Forest had largely been brought into cultivation, much because "here the King and Father of his country has deigned to take agriculture under his more immediate cognizance."<sup>2</sup> There were still, however, considerable wastes; in the south there were many common rights of turbary, and here were, apart from Maidenhead Thicket and the Downs, the most extensive wastes in the county. Bagley Wood was extra-parochial, and was commonable to South Hinksey, Radley, Sunningwell and Kennington.<sup>3</sup>

Elsewhere<sup>4</sup> Mavor lists, in addition to these wastes, Bulmarsh Heath and many smaller wastes, the Downs from Ilsley to Ashbury, and a tract of waste from Inkpen to Windsor Forest, about two or three miles wide, and forming the Hampshire boundary. Concerning these wastes and their alleged benefit to the poor he was very dubious. Occasionally, he thought, when they were very extensive they might serve to provide keep for a cow or a few sheep, but as a rule they were as worthless socially as agriculturally. Mavor however approved of the practice,<sup>5</sup> (he does not say how widely spread it was), of the lord of the manor allowing the poor to build cottages on the waste at a nominal rental, or to hold as copyhold of inheritance. He approved strongly also of a general practice to allow the poor to reclaim scraps of waste as potato-ground in order to supplement their cottage gardens. It will be seen that Mavor was not without a social conscience. He was doubtful as to the consequences of the increase of large farms, and he quotes<sup>6</sup> with approval another writer's reference to "the poor labouring peasantry, who are entitled by every law of nature, justice and propriety, to a share of the inclosures of the waste lands, now kept in a useless state, and generally, when inclosed, added to the farm of some rich, overgrown cultivator, instead, as they ought to be, of being allotted to . . . honest, industrious, labouring men . . ."<sup>7</sup>

Both reporters are enthusiastic concerning the Royal improvements<sup>8</sup> in Windsor Park since it had fallen into the King's possession in 1791. Mavor estimates the area of Windsor Forest at a total of 59,600 a., of which enclosed land of the Crown was 5,400 a., open forest 24,500 a., encroachments 600 a., and private property 29,000 a. They were at one concerning the harmfulness of

<sup>1</sup> pp. 27–28.

<sup>2</sup> p. 30.

<sup>3</sup> p. 31.

<sup>4</sup> p. 324.

<sup>5</sup> p. 312, fn.

<sup>6</sup> pp. 74–6.

<sup>7</sup> p. 82.

<sup>8</sup> Pearce, pp. 63–9, Mavor, pp. 309–10 and 334–47.

commons. The right of common was "frequently synonymous to the right of trespass," the land was "greatly abused by overstocking, so that many of the deer died each year from starvation," and the forest "in its present state bids defiance to rational improvement, and must remain unproductive or useless, till some means are adopted of separating private from public claims, and throwing them into severalty." The poor near Windsor Forest and its purlieu were idle and shiftless, "from the facility with which they obtain fuel and mere subsistence. Wherever there are large wastes, and particularly near forests the lazy industry (*sic*) and beggarly independence of the lower orders of people, who enjoy commons, is a source of misery to themselves, and of loss to the community."<sup>1</sup> Mavor quotes with approval Pearce's estimates, "The lapse of fourteen years has not materially altered his data, though it has rendered his estimates of value too low." Despite recent enclosures there was still almost as much unproductive land as in Pearce's time, and when brought into cultivation it could return produce to the value of £125,000 p.a., bread and beer corn for 30,000 people, and so support and employ an increased county population of nearly 25 per cent.

At the same time<sup>2</sup> he is clear to note that as common rights are regarded as a legal inheritance they ought to be adequately compensated for, and the waste land ought not to be added to farms already too large, but part added to cottage holdings, part divided into moderate-sized farms let on lease for three lives renewable, or 99 years certain.

The two reporters have then rather similar ideas of the desirability of wholesale enclosure. Pearce is particularly scathing as to the value of the stock reared on the commons. Mavor<sup>3</sup> is fully alive to the inconvenience and wastefulness of common fields. He says "The importance of enclosing is now so generally allowed, its beneficial effects so well understood, that it would be idle to expatiate on the subject, and it is only extraordinary, that so many impediments and discouragements should be suffered to exist against carrying it universally into practice. No real improvement can possibly take place, where the owner or occupier of the land is obliged to depend on the caprice of others, and where the awkwardness or ill nature of one bad neighbour may defeat the best intentions of a whole parish." He gives an instance of a "deserving young farmer" whose attempt to grow sainfoin and turnips in a common field (an attempt which was sanctioned by the other proprietors), was frustrated by "a purse-proud overbearing wretch in an adjoining

<sup>1</sup> Mavor, pp, 328-9.

<sup>2</sup> pp. 330-7.

<sup>3</sup> See Appendix and pp. 137-40, 236-7, 293, and fn p. 370.

parish who occupied only a few acres in the other, but who turned in his sheep and cattle at the usual times . . . for which there was no redress."

Along the line of the Kennet there was much peat land in the common meadows, but despite the enormous price of peat this could not be dug till the meadows were "reduced to severalty." Beenham, Padworth, Ufton and Sulhampstead intercommoned in a tract of open field and common pasture of about 2,000 a., and extending from the "forty-ninth to the forty-sixth milestone on the Bath and London Road." The arable varied widely in quality and was ill cultivated because of the insistence by the proprietors on a uniform course of cropping, and a turnip crop was "an epoch in the history of the common field." The meadows in this area were often flooded and the hay crop rotted, but the proprietors would not agree to make an embankment. Much open field land was leasehold, and a major reason for failure to carry out enclosure was the tenants dread of avoiding their leases.

"Many insuperable difficulties to improvement undoubtedly arise from common meadows, which, like common field arable land, are the bane of agriculture, and reduce the spirited and well informed cultivator to the same state of apathy and indifference, as the drone who follows the practice of his prefathers, and leaves the rest to chance. Till all the lands in the Kingdom, capable of cultivation, are thrown into severalty, whether inclosed or not, it will be vain to expect systematic and general improvements. Where meadows are common, perhaps from Michaelmas to Lady-day, and in some cases they are common after they are once owned, what individual interest can be felt, or what individual expense will be incurred." The Kennet meadows had been irrigated "where the state of the property will allow," but Theale meadow "the most valuable and extensive in this track" was still subject to the right of commonage.

Again "common meadows indeed, where usage determines the time of haining up, must ever be subject to their own absurd and peculiar laws; and the common rights are swept from the code of English agriculture, improvements must be stationary!" On the enclosure of such meadows especially along the Kennet and the Loddon, Ozier beds had been planted in the wettest part of the land, and these had proved extremely profitable. In their open state common meadows—like for that matter common arable fields—were atrociously ill drained. At Binfield there was a common field of 200 a. (I can find nothing as to the subsequent enclosure of this, unless it is under the Cumnor Act of 1814.) Its value would be increased by 50 per cent. on enclosure, for, in addition to the usual archaic open-field customs, here "an absurd custom prevails of turning in cattle, as soon as all the occupiers but *one* have carried off their crops; so that the

last person, from whatever cause it may arise, is exposed to the danger of having his corn eaten up, which must be very irritating and productive of bad neighbourhood." Nevertheless Mavor was indignant<sup>1</sup> at the gross wastefulness of the process of enclosure as actually carried out, and he offered very sensible detailed suggestions for its reform.

*Survivals of Open Lands in Berkshire.*

I have been able to find very little concerning the survival in recent years of open lands in this county. According to the, (notoriously inaccurate), return of 1874,<sup>2</sup> there were in 1873 at least 21 parishes still in part open, with a total open acreage of 13,227 a., and an estimate of open fields in other parishes gave a further area of open arable of 2,705 a. The area of open pasture and waste was estimated at 7,663 a. Probably these figures, at any rate the first two, are many times too large. There was an interesting survival of a lot meadow at Shilton until quite late years.<sup>3</sup> A plan of this is given in the Report of the *Select Committee on Commons Enclosure* 1844. (I can find no Shilton<sup>6</sup> in Berkshire, and I had taken it this must be Chilton near Didcot or Chilton Lodge near Hungerford. A Chilton enclosure appears below, List C, 1836 but this may be Chilton Foliat now in Wilts. The only reference to the county in Lord Eversley's book<sup>4</sup> concerns a dispute over the enclosure of a lengthy strip of roadside waste in Ascot parish on the main road between Windsor and Reading. It gives in some detail an account of the legal proceedings which were necessary before this strip was thrown open again.

Pearce thought<sup>5</sup> enclosure "the primary step, to increase of produce, and population; since not only the interest of the individual, but that of the State, is closely combined in the good effects arising from them." In describing the usual crop rotations of the county he notes that practised in the common field parishes of this county; where "from the mixed rights that prevail turnips and vetch crops, cannot well be introduced" (wheat, barley, oats with seeds, clover mowed, oats or barley, and fallow). "This management, though bad, I fear cannot be amended, whilst the land lies in its present state; and although there is a method called "hitching the fields" (a kind of agreement amongst

<sup>1</sup> See below p. 88, and Pearce pp. 221 and 251.

<sup>2</sup> PP., (H.C.), 85, (1874).

<sup>3</sup> Slater, *op. cit.*, 35.

<sup>4</sup> *English Commons and Forests*, 1894, pp. 293-6.

<sup>5</sup> p. 15.

<sup>6</sup> Part of Shilton (now wholly in Bampton Hundred of Oxfordshire) was in Berkshire; by Acts 2 & 3 Wm, IV, c. 64 and 7 & 8 Vict., c. 61 it was annexed to Oxfordshire.—Ed.

the parishioners, to with-hold turning stock out, whilst particular crops are growing, and by which means a few brush turnips, clover, and vetches are sown), yet its lying open, subject to commonage, is a bar to all essential improvement, and cramps the spirited farmer, who is disposed to make the most of his land, since he is subject to the caprice of individuals, who are too often deaf to reason, and absurdly say "they have their rights," and will give no other answer.

Concerning the effects of enclosure Mavor has a great deal to say. In a table of rental values of land he notes<sup>1</sup> a marked increase upon enclosure. The figures he quotes are: Kingston Bagpuize, common field 15s. per acre, enclosure £1. 1s. Enclosure was often though not always followed by consolidation of farms, *e.g.* at Letcombe Bassett and Letcombe Regis (enclosed 1802-4) "not one farm in three formerly," but at Harwell "lately enclosed" (actually in 1802-5?), little alteration in the size of farms." As a clergyman Mavor was particularly interested in the tithe question. Professor Gonner<sup>2</sup> says that tithe commutation was usual in Berkshire enclosure acts, though not quite so usual as in some other counties. Mavor gives a most interesting table of 28 enclosures mostly *c.* 1797-1807. Of these twelve left tithe still payable, thirteen commuted tithe for allotments of land, two for corn rents, and one for a money payment. At Stratfield Mortimer<sup>3</sup> there had been much planting of fir trees since the enclosure "which thrive well on that poor heathy soil."

In general enclosure was an unquestionable public and private benefit. Even the Downs would be twice as productive enclosed as open (though Mavor admits that "many farmers did not agree here.") Every parish except those most recently enclosed contained some waste and the total acreage within the county was enormous. Whether or not the Downs were enclosed there was no doubt that commons in general should be, and given a general enclosure act no doubt they would be.<sup>4</sup> Meanwhile the commons were "a loss to the proprietors and the community, and a blot on the face of cultivation," while open fields and meadow had such disadvantages that the reporter was "struck with astonishment that such absurdities should ever have existed, or rather that they should have been suffered to continue so long." Mavor however prints an appendix of notes contributed by Dr. Beeke,<sup>5</sup> the rector of Ufton. He thought that often although the common field holdings of the cottagers

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<sup>1</sup> pp. 83-4. See also p. 100.

<sup>2</sup> *Op. cit.*, 317, Mavor, pp. 94-5.

<sup>3</sup> Mavor, p. 323.

<sup>4</sup> p. 325.

<sup>5</sup> pp. 518-29.



had been of little use to them, their small closes, after enclosure consolidated with the greater farms, had been of the utmost benefit. He seems to suggest that common field enclosure—however profitable economically—could be regarded as a social benefit only if the lands enclosed were of a quality to admit of turnip husbandry. Enclosure of wastes for cultivation he thought of dubious value from either the public or the private point of view, unless the land after enclosure would be worth more than ten or twelve shillings an acre. Otherwise if it was enclosed at all it should be for planting. And in many parishes it would be at once humane and sound business to deal with the destruction of some cottages and the partitioning of many of the remaining ones, which often followed enclosure, by assigning cottage and land (apparently rent free), for the life of husband, wife and child, to "the more industrious labourers."

*Berkshire Parliamentary Enclosures.*

There seem to be few exceptional features in the lists of Berkshire enclosures in various classes. One very unfortunate one is that for some reason which is not clear, an unusually high proportion of the acts make no attempt to estimate the approximate area of open land affected. Of the 96 enclosures in this county by private act,<sup>1</sup> only 45—less than half—contain such an estimate expressed in acres. This means, of course, that all Dr. Slater's carefully worked-out attempts at averaging, which serve quite well for obtaining approximate statistics in some other counties, fall to the ground here, and that full particulars of award acreages are necessary before one can compile statistical tables which shall have any real value. It is, of course, quite usual to find such areas missing for acts carried in the early part of the Georgian era of enclosure, but here it will be noted that there are many such well after 1800, and some even as late as 1818, 1827, and 1846. The 18th century acts are more evenly distributed than in most other counties, and there is not the usual marked gap in the 1780's. The sudden rise in enclosure in 1801 and the following years is very marked—it will be seen that there is another equally sudden rise in 1811. Of the 88 acts including open field arable, 55 —, nearly two-thirds—were passed between 1796 and 1816.<sup>2</sup> Very marked too is the contrast between these 88 acts and the mere 10<sup>3</sup> for waste etc. alone. Evidently the normal Berkshire enclosure

<sup>1</sup> Lists A and B.

<sup>2</sup> Gonner, *op. cit.*, 228, refers to these late enclosures on chalk soils in Berkshire and the neighbouring counties, as conditioned by high prices and improved farming methods not generally applicable until after c. 1790.

<sup>3</sup> *Vide* Gonner, *op. cit.*, 241, for another reference to the fact that few Berkshire enclosures are mainly from common or waste. Dr. Slater's estimate for enclosure of open field and some arable waste by act, after 1700 is 26 per cent. of the total county area, Prof. Gonner's, for common field alone, 30.7 per cent., common pasture etc., 3.9 per cent.

act was one for the enclosure of open field *plus* waste. It is interesting to note, as many as 14 enclosures under the late and very interesting General Act of 1836.<sup>1</sup> On the other hand, it may be as Dr. Peyton suggests<sup>2</sup> that the large scale of Berkshire agriculture delayed enclosure. Even now many of the closes are almost the size of mediæval open fields. Presumably, here as elsewhere, enclosures under this act often show the survival of genuine peasant communities, able to defer enclosure until it could be carried out cheaply and with much more consideration for the welfare of the peasant proprietors than was shown in most enclosures carried out under the private acts of the 18th century. Similarly, it is rather surprising to note a considerable acreage of open field remaining open until enclosed under the provisions of the General Act of 1845.<sup>3</sup> It will be seen that if my figures are correct, four extensive areas remained open arable until 1860, two of them until 1880 (East Lockinge etc., and Steventon.)

Dr. Slater suggests<sup>4</sup> that enclosures under the General Acts of 1836 and 1840 may have been much more extensive in this county than in most others. It will be seen that his suggestion is borne out by my own enquiries. The evidence on which it is based, however, if it is reliable, is enough to account for an area vastly greater than any conceivable acreage covered by the enclosures listed in Lists C and D. It is largely the difference between the area stated as in open field in 1794, some 222,000 acres, and the area of open field subsequently enclosed by parliamentary means, which he estimates at 77,000 acres. Clearly a very small proportion of the "missing" acreage may be accounted for in this way. Dr. Slater suggests that part of the discrepancy may be accounted for by supposing that Berkshire, for some reason unspecified, had enormous areas of non-Parliamentary enclosure in the 19th century. The recorded instances of enclosure by agreement,<sup>5</sup> are quite insufficient to account for any substantial proportion of the missing area. There seem to be three possible explanations of the mystery, (a) that the figure of 220,000 is a gross over-estimate, (b) that the 77,000 is an equally grave under-estimate, or (c) that for some reason which is not clear many enclosure agreements were entered into in Berkshire which were nowhere recorded, and of which all trace is lost. Certainly it is difficult to believe that over thirty per cent. of the whole county area was so enclosed within the last century and a half, without the slightest trace of the process. Clearly again the matter calls for some further enquiry.

<sup>1</sup> List C.

<sup>2</sup> In a letter to the present writer, June 26th, 1941.

<sup>3</sup> Lists E (i) and E (ii).

<sup>4</sup> *Op. cit.*, 238.

<sup>5</sup> List G. See on this point the third part of a note on p. 86.

A further difficulty which faces the student in enquiring into the enclosure movement in Berkshire is due to the very extensive alterations of county boundaries which have taken place in the last century. I think that in paragraph H. on p. 87 I have noted all such as have resulted in Berkshire enclosure acts being wrongly attributed to other counties, or those of other shires being listed in Berkshire. It will be seen that one such alteration of county boundary has misled so careful and accurate a scholar as Professor Gray, and has resulted in the introduction of a minor error in his classical account of the enclosure movement in Oxfordshire.

## A TABULAR SUMMARY OF BERKSHIRE ENCLOSURE ACTS AND AWARDS.

Mavor's *Report*\* is much more valuable than are those of most other counties in respect of information concerning enclosure. He gives a carefully worked out table concerning the state of the land as to enclosure in every parish in the county. The following notes are based upon his table.

*Old Enclosures*, Buscot *temp.* Jac. I, 1603-25, Eaton Hastings *temp.* Jac. I, Hampstead Marshall (noted simply as old enclosure, but see List A, 1810), Hatford 1577, Hurley old enclosure, Milton (mainly ?) old enclosure, and Shellingford old enclosure.

### A. Enclosures by Private Act of Lands including some Open Field arable.

<i>Date of Act.</i>	<i>Place(s)</i>	<i>Approx. acreage</i>	<i>Date of award</i>	<i>Award enrolled.</i>	<i>Notes.</i>
1723	Sunningwell cum Bayworth Sonning (L)	(1190)	?	?	Not 1724 and Sunninghill as in Slater. Sunninghill is a quite different place. See below, 1802.
1743	Aston Tirrold	n.s.	?	?	Enclosure Act given by Mavor as in 1742.
1743	Son(n)ing ( <i>recte</i> Sonning)	(423)	?	?	Not mentioned by Slater. He gives, however, an act for <i>Earley</i> 1743 not met with in the other lists. <i>Quaere</i> are those alternative descriptions of the same act? Apparently so. Mavor gives E. as a liberty in S. parish. Mavor's Sunning, "chiefly enclosed, part in 1742." See below, 1816.

\* *Op. cit.*, 146-51.

A HANDLIST OF ENCLOSURE ACTS AND AWARDS  
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<i>Date of Act</i>	<i>Place(s)</i>	<i>Approx. acreage</i>	<i>Date of award</i>	<i>Award enrolled</i>	<i>Notes.</i>
1746	Inkpen	n.s.	?	?	Mavor says enclosed 1747 but two large commons remained in 1807, (and were enclosed 1810-5). See below 1810 act for enclosure of Kintbury etc.
1758	Upton (T) in Blewbury (P)	1800	1759	C.R.	
1760	Hinton <i>als.</i> Hinton Walrish (Waldrist), ( <i>recte</i> Hinton Waldrist)	(2420)	1762	C.R.	The Hinton, enclosed 1760, given in Mavor.
1770	Ashbury	n.s.	?	C.P. 1772	
1771	East Garston	n.s.	?	C.P. 1772	
1771	Hampstead Norreys, ( <i>recte</i> Hampstead Norris)	1450	1773	C.R.	
1772	Great Far(r)ingdon ( <i>recte</i> Great Faringdon)	1660	1773	C.R.	Mavor's Faringdon enclosed 1771.
1772	Letcombe Basset(t) <i>als.</i> Upper Letcombe, <i>recte</i> Letcombe Bassett), and Childrey	n.s.	?	C.P. 1775	
1776	North Hinksey <i>als.</i> (et <i>recte</i> ) Ferry Hinksey	n.s.	?	?	
1776	Eastbury <i>als.</i> Isbury ( <i>recte</i> Eastbury), and Blagrave (Ts) or (Ls) in Chipping Lambo(u)rne ( <i>recte</i> Chipping Lam-bourn)	n.s.	?	C.P. 1777	
1777	Uffington (T) and Balking Woolston <i>als.</i> Wolverston, ( <i>recte</i> Balking with Woolstone) Kingston Lisle, and Fawler, (Fawley) (Hs)	n.s.	1777	C.R. and C.P. 1778	Not K. L., etc. as in 1914 <i>Blue Book</i> .
1777	Farmborough <i>als.</i> (et <i>recte</i> ) Farnborough	n.s.	?	C.P. 1778	Award enrolled Mich. ro. 6, award including exchanges enrolled Mich. ro. 61.
1778	Bockhampton (H) or (T) in Chipping Lam-bourn	n.s.	1780	C.R.	
1779	Elcot (T) in Kintbury	338	1780	C.R.	

A HANDLIST OF ENCLOSURE ACTS AND AWARDS  
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<i>Date of Act</i>	<i>Place(s)</i>	<i>Approx. acreage</i>	<i>Date of award</i>	<i>Award enrolled</i>	<i>Notes.</i>
1779	Speen	n.s.	1780	C.R.	
1783	Stanford (M) or (T)	2000	?	C.P. 1784	
1786	Bray	320	1787	C.R.	
1789	Bourton and Watchfield (Hs) in Shrivvenham	n.s.	1792	C.R.	Not in Slater's list, but clearly omitted by mistake
1793	Aston Upthorpe (H) in Blewbury	n.s.	1794	C.R.	
1794	Shilton	n.s.	?	C.P. 1795	
1794	Compton <i>als. (et recte)</i> Compton Beauchamp	n.s.	1795	C.R.	All enclosed by Mavor's time, "partly" in 1794.
1795	Wootton and Boreshill ( <i>recte</i> Boar's Hill) in Cumner ( <i>recte</i> Cumnor)	n.s.	1796	?	Not Walton as in Slater. Enrolled in 1817, according to 1904 <i>Blue Book</i> . <i>Quaere</i> where? Enclosed c. 1793-5 according to Mavor.
1796	Longcot(t) ( <i>recte</i> Longcot) (H) or (T). in Shrivvenham and Far(r)ingdon ( <i>recte</i> Faringdon)	n.s.	1797	C.R.	
1799	Remenham	n.s.	?	K.B.1880* K.B.1883	I take it the second award is under the same act, but do not know why it was necessary.
1800	Sparsholt and Westcote (H)	n.s.	1801	C.R.	Mavor says enclosed 1777 and 1801.
1801	East Hendred	n.s.	1802	C.R.	Mavor says partly enclosed 1801, rest common field.
1801	Little Coxwell (T) in Great Faringdon	n.s.	1803	C.R.	
1801	Lyford (H) in Hanney (P)	560	1803	C.R.	Not 506a as in Slater.
1801	Denchworth	700	1803	C.R.	
1801	Sutton Courtney ( <i>recte</i> Sutton Courtenay) and Sutton Wick (H)	n.s.	?	K.B.1805*	
1801	East and West Challow (Hs) in Latcombe Regis and Latcombe Basset (t) ( <i>recte</i> Letcombe Bassett)	n.s.	1804	C.R.	Separate awards for the two places. Mavor says L.R. 1801, c. 1802.

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RELATING TO LANDS IN BERKSHIRE

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<i>Date of Act.</i>	<i>Place(s)</i>	<i>Approx. acreage</i>	<i>Date of award</i>	<i>Award enrolled.</i>	<i>Notes.</i>
1802	Buckland (H) or (L.)	2074	?	C.P. 1803	
1802	Up Lambourne (T) or (H) in Chipping Lambourne <i>recte</i> Chipping Lambourn)	n.s.	?	K.B.1805*	
1802	Harwell	n.s.	?	K.B.1805*	
1802	West Challow (M) and (H) in Letcomb(e) Regis ( <i>recte</i> Letcombe Regis)	403	1803	K.B. 1805	
1802	Kennington (T) in Sunningwell and Radley	n.s.	?	?	Sunningwell "enclosed—partly in 1802" according to Mavor. Award said to be enrolled in in P.R.O. No record of it there?
1803	Chipping Lambourne and Blagrove	n.s.	?	C.P.1807*	
1803	East Hanney (H) in West Hanney (P)	n.s.	?	C.P. 1809	Mavor says merely "H. enclosed 1803 etc."
1803	Hall and Waltham St. Lawrence in Waltham St. Lawrence	700	1805	C.R.	Not 780 a. as in Slater. Presumably Mavor's White Waltham, enclosed 1803.
1803	Grove (H) and Wantage (T) in Wantage	2400	1806	C.R.	Not 1801 as in 1904 <i>Blue Book</i> .
1804	Charney (T) in Longworth	950	?	K.B.1818*	Mavor's Charney (Ch.) lately enclosed.
1804	Ufton	n.s.	1805	C.R.	
1806	Kingston Bagpuize	1070	?	C.R. and K.B.1810*	Not 655 a. as in Slater. Mavor says chiefly open field in 1807.
1807	Shottesbrook and White Waltham	400	?	C.P. 1811	
1807	Hurst	1300	1812	C.R.	Indexed also under Wilts. Here counted as wholly in Berks. Hurst is to the east of Reading, far from the present Wilts boundary.

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<i>Date of Act.</i>	<i>P l a c e (s)</i>	<i>Approx. acreage</i>	<i>Date of award</i>	<i>Award enrolled</i>	<i>Notes.</i>
1808	Aston Upthorpe, Aston Tirrold and Blewbury	n.s.	1817	C.R.	
1808	Ardington, West Hen- dred, East and West Lockinge and Steven- ton	n.s.	?	K.B.1813*	According to Mavor in 1807 A. was in common field, West H. chiefly in common field (apart from East Ginge (H.)), East L. chiefly in common field, (West. L. no mention), and S. chiefly in common field.
1809	Long Wittenham	n.s.	1812	C.R.	Not in 1904 <i>Blue Book</i> . Chiefly common field in 1807 according to Mavor.
1809	Englefield	363	?	?	Mavor says enclosed before 1807. Amending act passed 1827.
1809	Milton	663	?	C.P.1810*	Old enclosures and com- mon field in 1807 accord- ing to Mavor.
1809	Basildon	110	1811	C.R.	
1810	Chieveley (T) or (H)	600	1812	C.R.	Mavor says this was "chiefly allotted or en- closed" before 1807.
1810	Enborne, Ham(p)stead Marshall ( <i>recte</i> Hamp- stead Marshall), Inkpen and Kintbury	1400	1815 1815 1815 1815 1815	C.R. C.R. C.R. C.R. C.R.	Not Hampstead, Marshall etc., as in 1914 <i>Blue Book</i> . Five separate awards under same act. According to Mavor in 1807 E. was enclosed "except a large common," H. M. (all ?) old enclosure, I. enclosed 1747 except for two large commons (see above p. 75) and K. part (Elcot T. above p. 75) enclosed 1779, rest in common field.
1811	Brightwell	n.s.	1813	C.R.	Mavor says partly enclosed before 1807.
1811	Fyfield	1100	1816	C.R.	Chiefly common field in 1807 according to Mavor.

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<i>Date of Act.</i>	<i>Place(s)</i>	<i>Approx. acreage</i>	<i>Date of award</i>	<i>Award enrolled</i>	<i>Notes.</i>
1811	Woolhampton	2630	1811	C.R.	Not 1995a. as in Slater. Partly enclosed by 1807, partly common field then according to Mavor. In 1817 according to Mavor "chiefly enclosed, some common field, and a very large common meadow at Theale."
1811	Tilehurst	1200	1817	C.R.	
1811	Beenham and Padworth	574	1814	Ch.1815-6*	Mavor p. 138 refers to (this land) plus other in Ufton and Sulhampstead as nearly 2000 a. According to Mavor by 1807 B. was chiefly common field and commonable, P. chiefly enclosed.
1811	Drayton	14	?	K.B.1815*	No area given in Slater. Either this figure must be wrong or there must have been another enclosure if the place was, as Mavor asserts, "chiefly in common field" in 1807.
1811	Sulhampstead Abbotts, and Sulhampstead Bannister <i>als</i> Meales, ( <i>recte</i> Sulhampstead Bannister)	n.s.	1817	C.R.	Both places "chiefly enclosed — considerable commons"—according to Mavor in 1807.
1811	Awbery Street Parsonage, Thatcham Borough Henwick, and Calthorpe (Ts) or (Hs) in Thatcham	825	1817	Ch.1820*	See List C., 1836, and List F, 1848 below.
1811	Hungerford	780	1820	C.R.	Also indexed under Wilts. Here counted as wholly in Berks. Partly enclosed, partly open in 1807 according to Mavor.
1811	Chaddleworth	n.s.	?	K.B.1815*	Mavor gives this as "chiefly" open field in 1807.
1812	Great Shefford <i>als</i> West Shefford, ( <i>recte</i> Great Shefford)	520	1818	C.R.	According to Mavor, about two thirds enclosed by 1807, the rest common field.



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<i>Date of Act.</i>	<i>Place(s)</i>	<i>Approx. acreage</i>	<i>Date of award</i>	<i>Award enrolled</i>	<i>Notes.</i>
1812	West Compton (H) in Compton	2000	1814	C.R.	Mavor's "Compton", partly enclosed before 1807.
1813	Windsor Forest etc. (Old Windsor, New Windsor, Winkfield, Sunninghill, Binfield, Easthampstead, Sand- hurst, Finchampstead, Barkham, Wokingham, Arborfield, Clewer, Bray, Hurst, and Swallowfield)	24,520	1817	C.R. and Ch.1816—7	Area n.s. in act. That given is from Mavor as open space in 1807. According to Mavor in 1807 Old W. was mainly common field, New W. enclosed, Winkfield "chiefly enclosed—con- siderable wastes, Sun- hill partly enclosed, partly common field and waste, Binfield "chiefly enclosed, some common field etc.", Easthampstead (which he has as E. H.), partly en- closed, (also) common common field and heath land, Sandhurst chiefly common field and wastes, Finchampstead "chiefly enclosed, considerable wastes," Barkham "part enclosed, part common field and wastes, Woking- ham (no mention), Mavor's Oakingham about half enclosed by 1807, the rest common field and wastes, Arbor- field "chiefly enclosed, some wastes," Clewer chiefly enclosed, Bray, (see below 1814), part enclosed, part com- mon field and wastes, Hurst (see above 1807) enclosed 1807 etc., and Swallowfield, (see below List F, 1861.), "chiefly enclosed, some wastes." Amending Act passed 1816. Deposited copy of award formerly in C.R. is now in possession of Commissioners of Crown Lands.
1814	Bray	n.s.	1817	C.R.	
1814	Streatley	n.s.	?	C.P.1817*	Chiefly common field in 1807 according to Mavor.

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<i>Date of Act.</i>	<i>Place(s)</i>	<i>Approx. acreage</i>	<i>Date of award</i>	<i>Award enrolled</i>	<i>Notes.</i>
1814	Welford	3800	1820	C.R.	Not 1400 a. as in Slater.
1814	Boxford	2600	1819	C.R.	Not 1700 a. as in Slater.
1814	Cumner ( <i>recte</i> Cumnor) and South Hinksey (Ch.)	3000	1820	C.R.	Cumnor was chiefly in common field in 1807 when Mavor wrote. See above p. 65 concerning its "quartering" in 1784.
1814	Wargrave and Warfield	2000		C.R.	Not Warefield as in Slater.
	Wargrave		1818		Two separate awards.
	Warfield		1817	C.R.	Not in 1904 <i>Blue Book</i> . Wargrave "chiefly enclosed, some wastes," Warfield partly enclosed partly common field according to Mavor in 1807.
1814	Wytham	620	1816	C.R.	Mavor says Wytham partly enclosed, partly common field in 1807.
1814	Courage ( <i>recte</i> Curridge) (T) in Chieveley	400	?	K.B.1821*	
1815	Marcham	n.s.	?	Ch.1827*	Not 1814 as in Slater.
1815	Sandhurst	3400	?	?	
1816	Sonning	2400	1820	C.R.	Indexed also under Oxon. Here counted as wholly in Berks. Award 2409 a. See above, List A, 1743.
1818	South Moreton	n.s.	1820	C.R.	Partly enclosed by 1807 according to Mavor.
1821	Easthampstead	2250	1827	C.R.	This is presumably Mavor's Ashampstead, partly open in 1807.
1823	Garford (T) in Marcham	700	?	K.B.1827*	
1825	West Ilsley	1270	1828	C.R.	Mavor says mainly enclosed before 1807.
1827	Ruscombe	n.s.	?	?	
1828	Appleton	1500	1831	C.R.	
1840	East Hagbourne	181	1841	C.R.	Indexed in 1914 <i>Blue Book</i> as H. only. This place was chiefly in common field in 1807 according to Mavor.

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<i>Date of Act.</i>	<i>Place(s)</i>	<i>Approx. acreage</i>	<i>Date of award</i>	<i>Award enrolled</i>	<i>Notes.</i>
1841	St. Helen's and St. Nicholas (Ps.) Abingdon	n.s.	1842	C.R.	
1846	Frilford (T) in Marcham	n.s.	1861	C.R.	

B. Enclosures by Private Act of Lands including no Open Field arable.

<i>Date of Act.</i>	<i>Place(s)</i>	<i>Approx. acreage</i>	<i>Date of award</i>	<i>Award enrolled</i>	<i>Notes.</i>
1738	Speen	n.s.	1780	?	Mavor's Speen—enclosed 1731 and 1779.
1744	Basledon ( <i>recte</i> Basil-don) Heath	n.s.	?	?	The Basilden given by Mavor as partly enclosed 1744 partly open in 1807.
1776	Clewer	n.s.	1817	C.R.	"Chiefly enclosed" before 1807 according to Mavor.
1778	Hampstead Norreys (Hampstead Norris)	n.s.	?	?	
1802	Stratfield Mortimer	1532	1804	C.R.	Indexed also under Hants, here counted as wholly in Berks. This enclosure is especially notable in that a substantial allotment was made to the poor. <i>Vide supra</i> p. 67, <i>et infra</i> p. 89.
1802	Chipping Lambourne ( <i>recte</i> Chipping Lambourn)	n.s.	?	?	
1803	Blewbury	3580	?	C.R. and K.B.1805*	Mavor p. 85, says 1500 a. of downs.
1810	Waltham St. Lawrence	500	?	?	"Lawrence Waltham" chiefly enclosed before 1807 according to Mavor.
1812	Sandhurst (M)	n.s.	?	?	This is a public act.

C. Enclosures (presumably largely of Open Field arable)  
under 6 & 7 Wm. IV. c. 115.

<i>Date of Act.</i>	<i>Place(s)</i>	<i>Approx. acreage</i>	<i>Date of award</i>	<i>Award enrolled</i>	<i>Notes.</i>
1836	Appleford	?	1838	C.R.	
1836	Beedon	?	1840	C.R.	Mavor's Bedon, mostly enclosed before 1807.
1836	Burghfield	?	1841	C.R.	According to Mavor there was "much" common field here in 1807.
1836	Chilton	?	1840	C.R.	Award not 1890 as in 1904 <i>Blue Book</i> . This place was (almost wholly ?) in common field in 1807 according to Mavor.
1836	Cookham	?	1852	C.R.	"Partly enclosed" before 1807 according to Mavor, (the whole of ?) the remainder was common field.
1836	Didcot	?	1852	C.R.	"Chiefly" in common field in 1807 according to Mavor.
1836	Draycott Moor <i>als.</i> South Moor in Longworth (P)	?	1844	C.R.	
1836	East Hagbourne	?	1840	C.R.	
1836	Greenham (Ch) in Thatcham (P)	?	1845	C.R.	See above List A 1811, and reference given there.
1836	Northcourt (H) in St. Nicholas and St. Helen's (Ps) Abingdon	?	1841	C.R.	
1836	Sotwell	?	1842	C.R.	Award not 1841 as in 1904 <i>Blue Book</i> .
1836	West Hagbourne in East Hagbourne (P)	?	1843	C.R.	

D. Enclosures of land other than Open Field arable  
under 6 & 7 Wm. IV. c. 115 and 3 & 4 Vic. c. 31.

N I L .

(Unless any of the enclosures in (C) above should properly be entered here.)

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E. Enclosures of Lands including Open Field arable  
under the General Acts of 1845 et seq.

<i>Date of Order.</i>	<i>P l a c e (s)</i>	<i>Approx. acreage</i>	<i>Date of award</i>	<i>Award enrolled</i>	<i>Notes.</i>
(i) <i>By Provisional Order, not needing confirmation in annual general act.</i>					
1851	Newbury	212	1849	Ministry of Agriculture and : C.R.	Partly enclosed, partly common fields and waste in 1807 according to Mavor. See also below List F, 1855.
1851	North Moreton	1025	1849	C.R.	Partly enclosed by 1807 according to Mavor.
1860	Cholsey	2190	1851	C.R.	Chiefly in common field in 1807 according to Mavor.
1880	East Lockinge	970	1853	C.R.	
?	Purley, Sulham, and Whitchurch	300	1856	C.R.	Date of act not ascertained. Slater counts in Berks. and Oxon. Whitchurch is in Oxon., Purley and Sulham are in Berks. P. partly enclosed partly common field, S., "chiefly enclosed" before 1807 according to Mavor.

<i>Date of con- firming Act.</i>	<i>P l a c e (s)</i>	<i>Approx. acreage</i>	<i>Date of award</i>	<i>Award enrolled</i>	<i>Notes.</i>
(ii) <i>By Provisional Order confirmed in pursuance of annual general act.</i>					
1851	Shinfield Green	330	1856	C.R.	Not 312 a. as in Slater. The figures given are from 1904 <i>Blue Book</i> . See also below List F 1846.
1851	St. Giles, Reading	243	1858		Not 242 a. as in Slater. The figures given are from 1904 <i>Blue Book</i> .
1860	Charlton in Wantage	1280	1868	C.R.	
1880	Steventon	1357	1885	C.R.	Not 1373 a. and 1883 as in Slater. The figures given are from 1904 <i>Blue Book</i> . Award date from 1904 <i>Blue Book</i> . <i>Quaere</i> a mistake for 1858? Mavor says chiefly common field in 1807.

F. Enclosures of Land including no Open Field arable  
under the General Acts of 1845 et seq.

<i>Date of con- firming Order.</i>	<i>Place(s)</i>	<i>Approx. acreage</i>	<i>Date award</i>	<i>Award enrolled</i>	<i>Notes.</i>
1846	Shinfield, Hartley, Dunmer Moor Place and Diddenham (Ms)	158	1858	C.R.	Indexed also under Wilts. Here counted as wholly in Berks. Chiefly en- closed by 1807 according to Mavor. The lands remaining were "some wastes." See also above List E, 1851.
1848	Burgh Field ( <i>recte</i> Burghfield)	252	1853	C.R.	
1848	Bagley Wood (T)	342	1856	C.R.	
1848	Crookham, Henwick Parsonage, Thatcham Borough, and Awberry Street Ts. in Thatcham (P.)	470	1852	C.R.	1914 <i>Blue Book</i> indexes as T. only. Not Cookham as in one place in 1904 <i>Blue Book</i> . Cookham is a quite different place also in Berks. Thatcham part enclosed, part com- mon field, about 600 a. waste in 1807 according to Mavor. See above List A, 1811.
1852	Beedon	124	1855	C.R.	Mavor's Bedon mostly enclosed before 1808.
1854	Stanmore Common	106	1856	C.R.	
1855	Wash Common, New- bury	237	1857	C.R.	See above List E 1851.
1855	Frilsham	128	1857	C.R.	According to Mavor partly enclosed before 1807.
1859	Wadley (M) in Far- ringdon	730	1864	C.R.	
1861	Brightwalton	60	?	?	Date of award not as- certained. Award is not among C.R.
1861	Spencer's Wood Com- mon, Shinfield	56	1863	C.R.	
1861	Swallowfield	190	1865	C.R.	

### G. Enclosures by formal agreement enrolled or deposited in National or County Records.

<i>Date of Agree- ment.</i>	<i>Place(s)</i>	<i>Approx. acreage</i>	<i>Date of award</i>	<i>Award enrolled</i>	<i>Notes.</i>
1811	Aldermaston	?	1815	C.R.	
1811	Brimpton	?	1815	C.R.	Mavor says partly enclosed before 1807. (The whole of ?) the remainder was common field.
?	Ealing (probably Eling in Hampstead Norris)	?	1778	C.R.	
29 Geo. II (i.e. 1755-6),	Earley	?	1761	C.R.	There is no E. in Mavor's list. See above list A Sonning, 1743.
1811	Midgham	?	1814	C.R.	
?	West Hanney	?	1840	Ch.1840*	

Two awards enrolled respectively in C.P. 1815\* and K.B. 1833\*, must presumably refer to enclosures by agreement. They both relate to Remenham. The parish council there has one original award.

Mavor attempted—as few other county reporters did—to list the parishes in his area and to give some information as to enclosure in each. He found the task difficult since “there is scarcely a single parish without some old enclosures,” and “in others which are said generally, to be enclosed, particular commons are sometimes left as before.”

He gives<sup>1</sup> particulars of these places said to be enclosed at definite dates, but of which no Parliamentary enclosure is recorded. Presumably these (unless they appear in the lists under other names) are enclosures by private agreement:—Pusey 1753, Radley c. 1767, Childrey 1772, Coleshill c. 1777, 1777 and 1780, Sparsholt (and Westcote ?), Wallingford St. Leonard's, St. Mary's, and St. Peter's in severalty by agreement (n.d.). These places were wholly or largely enclosed by 1807, but no enclosure seems to be recorded in the lists above. Presumably then they are either places of old enclosure, or enclosures by agreement in the 18th century:—Abingdon St. Helen's and St. Nicholas in part, Aldworth, Avington, Beenham in part, Beselsleigh (*recte* Bessels Leigh), Bisham, Bradfield, East Ginge (H.) in West Hendred, Englefield (but see note in List A, 1809), Finchampstead, chiefly enclosed, Great Coxwell, Great Shefford about two-thirds enclosed, Longworth chiefly enclosed apart from Charney (Ch) enclosed “lately”, Little Shefford, Little Wittenham, chiefly common field, Long Wittenham, chiefly common field, Marcham chiefly enclosed, Newbury partly enclosed, New Windsor, North Moreton partly enclosed, Wokingham about half enclosed, Old Windsor chiefly in common field, Padworth chiefly enclosed, Pangbourne, Purley partly enclosed, Reading St. Mary's, St. Giles' and St. Lawrence's (Ps.), Ruscombe (apart from the common), Shaw partly enclosed, Shinfield chiefly enclosed, some wastes, Stanford Dingley chiefly enclosed, Steventon chiefly common field, Sulham chiefly enclosed, Thatcham partly enclosed, Tidmarsh,

<sup>1</sup> *Ut supra*, p. 65, fn. 6.

Tylehurst (*recte* Tilehurst) chiefly enclosed, Lawrence Waltham (*recte* Waltham St. Lawrence) chiefly enclosed, Warfield partly enclosed, Wargrave chiefly enclosed, Wasing chiefly enclosed, Welford partly common field, West Woodhay chiefly enclosed, Winkfield chiefly enclosed, Wytham partly enclosed, Woolhampton partly enclosed, and Yattendon chiefly enclosed. These places among others Mavor notes as being wholly or partly open in 1807. I can trace no subsequent enclosures for any of them. No doubt in some cases their enclosures are entered under other names because of my lack of local knowledge. Apparently the places which cannot be accounted for under this head must have had non-parliamentary enclosures after 1807:—Arborfield waste only, Bucklebury some common fields and waste, East Hendred, East Ilsley common field chiefly, (or *qu.* was the place enclosed with West Ilsley, 1815–8) Hurley “some wastes,” Little Wittenham chiefly in common field, (*qu.* if enclosed with Long W. in 1909?), Longworth (apart from Charney (Ch)) partly open, Peasmore chiefly open field, Ruscombe “some common,” Shaw partly in common field, South Hinksey chiefly in open field, Stanford Dingley chiefly enclosed, Sutton Courtenay part in common field, (but see List A—1801), Wasing chiefly enclosed, Welford partly enclosed, West Woodhay chiefly enclosed, and Yattendon chiefly enclosed.

I give these three lists for what they are worth. The first is useful and I believe accurate. The other two may perhaps serve to indicate lines of inquiry as to the story of enclosure in some Berkshire villages whose agrarian history seems to be still obscure.

## H. Notes and Queries.

Little Far(r)ingdon (T) in Langford is indexed in Berks. by Slater and the *blue books*. Its award, 1788, was not enrolled in Berks C.R. as the 1904 *Blue Book* asserts. It is now in Oxon. It is mistakenly suggested by Professor Gray (*op. cit.*, 122, fn. 1), as a non-Parliamentary enclosure.

Ashall 1812, noted by Dr. Slater, has not been identified. Haversham, 1764, listed by Dr. Slater in Berks. is in Bucks. Englefield 1899, had an amending act 1887, Old Windsor, etc. 1813, had amending acts in 1815 and 1816. Langford 1808, with amending act 1827, is here counted as wholly in Oxon., similarly Chilton Foliat 1809 and Shalbourne 1800 are counted in Wilts, Bampton and Shilton, 1852 in Oxon., Stratfield Turgis and Stratfield Saye 1858 in Hants. The following places listed elsewhere also under other counties, here reckoned as wholly in Berks. are:—Stratfield Mortimer, 1802, formerly reckoned as partly in Hants. Hurst, 1807, formerly reckoned as partly in Wilts and Hungerford, 1811. Mavor *op. cit.*, 2 notes that there were many outlying parishes of Berkshire insulated in the midst of other counties and *vice versa*. His instances are Shilton and Langford in Berkshire though wholly surrounded by Oxfordshire, half Great Barrington in Gloucestershire, the other half in Berkshire, and Wiltshire much intermixed with Berkshire “in several parishes in the direction of Oakingham.” Wokingham was in Wiltshire, “though distant from the body of that county nearly forty miles.”

In completing this further section of my work I have received some very valuable and much appreciated help from Mr. H. J. C. Neobard, clerk of the peace for the county, Dr. S. R. Peyton of the University of Sheffield, and Mr. P. S. Spokes, editor of the *Journal*. It is a pleasant duty to acknowledge their help. I am indebted also to the Leverhulme Research Trustees and their Secretary Dr. L. Haden Guest, M.P., for the interest they have taken in my work, and the help they have given me in completing this further instalment of it.



## APPENDIX.

### *Mavor's Criticism of Enclosure by Act of Parliament.*<sup>1</sup>

The discouragements to enclosures are numerous; not only the difficulties of adjusting preliminaries are considerable, but the subsequent expenses are enormous. Had not the public good been sacrificed to private emolument, long before this period a general enclosure act would have been obtained, by the talents and exertions of the present President of the Board of Agriculture (Sir John Sinclair, Baronet, the patron of every rational improvement), simple in its plan, and efficacious, and economical in its operation. If the fees of the clerks of the House of Commons are considered as a sacred property which must not be touched, let a fair and full value be put on them, to be paid by the public; but let not those who wish to enclose or allot a few hundred acres, in passing a bill through the House, be subjected nearly to the same expense as if the object were several thousands. Every bill of enclosure likewise ought to be a public bill, and admitted in evidence, without putting persons to the enormous charge of forty, fifty, or sixty guineas, for an attested *written* copy. The general acts of parliament which are *printed* by legal authority, are certainly sufficiently binding on the subject, when it is required to put them in force, and why should there be exceptions, merely to increase the perquisites of office? In courts of law, I have more than once seen the parties obliged to produce a written copy of a bill of enclosure; and in one instance, I am well assured that the solicitor, in a suit of this kind, being pressed for time, and finding the clerks otherwise engaged, was glad to copy the act himself, and only received the usual attestation, for which they were paid as if they had done the whole business. Even admitting the distinction between public and private bills, might not the subject be relieved, and the revenue increased, by affixing a stamp of five guineas to every private printed act, in order to give it the validity required? I throw out these hints to country gentlemen, members of parliament, whose interest and whose duty imperiously call upon them to bring forward some regulations in this respect.

But it is not only in obtaining an act of parliament that the proprietors of land have to lament a wanton waste of money. The grand system of fleecing only commences with the circuitous and protracted manoeuvres of solicitors and commissioners, who are to put it in force. Summonses are sent to every individual proprietor by the attorney, on the most trifling occasions, in order to swell his bill; and meeting is held on meeting by the

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<sup>1</sup> *Op. cit.*, 140-3, 151, 492.

commissioners, that they may come in for their full share of the spoil. When an act of parliament is passed, it must be a matter of notoriety to the proprietors of land, and an advertisement in the provincial papers ought to be the only further notice to parties interested in subsequent arrangements.

At length the award is made out and signed ; but this instrument, so far from defining everything with a precision that will allow no scope for future litigation, has been known to contain *accidental* or *intentional* omissions, which furnish the lawyer with a future job, and involve the proprietors in new expenses.

But supposing everything adjusted as it ought to be, which I will hope is frequently the case, it is always expressly ordered that a copy of the award shall be deposited in the parish chest : and as a further security, that another copy shall be lodged with the clerk of the peace, or in one of the courts at Westminster. This wise provision, however, of rendering what concerns all easily accessible to all, at a trifling expense, is not unusually defeated by the interested policy of the solicitor, who perhaps keeps the only copy of the award in his own possession, as long as the proprietors will submit to it ; and charges for information and extracts, according to his own fancy. I speak of practices that have fallen under my personal notice elsewhere ; and though I am certain there are many liberal minded and honourable men in Berkshire more especially, in the possession of the law, who would despise such artifices, and who are infinitely above the meanness to which I allude, nothing, in my opinion, ought to be left to the honesty or the discretion of the individual, but every step and process should be strictly observed in the terms of the act . . . .

On inclosures, it is frequently found that too little regard has been paid to the real or customary rights of the poor, though there are some splendid exceptions. It is impossible, indeed, to allot a fraction of land to each individual of that description, particularly such as have no original freehold of copyhold property ; but where the privilege has been usual of cutting furze, heath, turf, or of turning out cattle or geese, it is only reasonable that an adequate compensation should be made in gross, which should be let to the best advantage, and laid out by the parish officers in the purchase of fuel, to be apportioned to each family according to its circumstances. This would be not only just but politic ; for as the poor must be maintained, whatever they derive from this source is not merely a comfort to them, but also an alleviation of the rates. In the parish of Stratfield Mortimer, lately enclosed, one hundred acres were allotted to the poor, in lieu of their rights of cutting heath and turf.

In allotting commons or wastes, regard should likewise be paid, not only to the real, but to the relative value. Farms at a distance

cannot possibly be benefited by them in an equal proportion with such as are near ; and therefore it appears reasonable to pay some regard to situation, and other circumstances. . . . The want of a general inclosure, and the enormous expenses attending private bills of this kind being carried into execution, are not only checks on agricultueal improvement, but in many cases render it impossible. A common field bargain, in which many have an interest, but no-one can be said to have an exclusive property, can neither be cultivated, drained, manured, or managed with any degree of spirit or effect. As for wastes, however productive they are susceptible of being made, they are invariably devoted to sterility and neglect, till allotted to individual owners ; and it may be said in regard to all property, not in severalty :—

*The lands that many owners share,  
Can never know an owner's care.*