

A NEW DOMESDAY OF (GEORGIAN) ENCLOSURES. HAMPSHIRE SECTION.

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A VERY competent authority¹ 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 16th and 17th centuries, but it is surprising that the same difficulty should obtain with reference to the Parliamentary enclosures of the 18th and 19th 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 1800.² These, especially the 1797 report,³ contain tables of the number 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*⁴ gave a similar table of Enclosure Acts in counties, under three headings, Acts passed in the 18th 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,⁵ and in Prof. Gonner's work 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."⁶ Dr. Slater's tables on the other hand are based entirely upon such 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.

1. Prof. W. Hasbach, *The English Agricultural Labourer*, 1908, App. II.(IV), p. 179.

2. *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.

3. Reprint above cited pp. 50-7.

4. *Statistical Journal*, vol. 1870.

5. *The English Peasantry and the Enclosure of Common Fields*, 1908.

6. *Common Land and Inclosure*. 1912, Appendices.

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 list⁷ of plans attached to awards enrolled in Chancery, and in the courts of King's Bench and Common Pleas. The next year⁸ 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*,⁹ and in Vardon's *Index to Local and Personal and Private Acts*, 1798 - 1839.¹⁰ In 1843 a list of Enclosure Acts alone appeared in *Lord Worsley's Return*, several times re-issued, having been revised to date, and last appearing in 1914.¹¹ The Stationery Office *List of Acts Local and Personal*¹² includes particulars of all Acts 1800-99. Enclosure awards deposited or enrolled among county records are indexed in a Blue Book issued in 1904,¹³ 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 1893.¹⁴

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. Like the lists in the Deputy Keeper's *Reports*, the Blue Book of 1904 contains also some references 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,¹⁵ the awards for which, unlike all others, were never enrolled nationally, but only locally. Such Enclosures, forming a class intermediate between those of the 18th century, which were generally attained with complete disregard for all interests save those of the dominant

7. *Report XXVI*, 1865, App. pp. 1-29, 1-15.

8. *Report XXVII*, 1866, App. pp. 1-29.

9. Two Vols., 1813 and 1835, reprinted 1913.

10. 1840.

11. No. 325 of 1843 . . . No. 399 of 1914.

12. *Letters*, 1900.

13. No. 50 of 1904.

14. No. 455 of 1893.

15. Especially of enclosures under the 1836 Act, 6 and 7 Wm. IV, c. 115.

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.

In respect of the record of its numerous Enclosures Hampshire is no exception to the other English counties.¹⁶ There appears to be no printed record of Hampshire Enclosure Acts and Awards, apart, of course, from the references in the Blue Books noted above. There do not seem to be even a few casual mentions of awards surviving among parish records occurring in Archdeacon Fearon's book.¹⁷ This is unfortunate, since the story of Enclosure in the county is of some interest. The early history of the movement would probably be particularly worth exploration, since the earliest anti-Enclosure legislation on the English Statute Book is of course the well-known Act of 1488,¹⁸ relating to the Isle of Wight. In later times, a rough calculation gives some 159 separate Enclosures, almost wholly by Act, in the 18th and 19th centuries. It is the hope of the present writer to work out as part of a general work covering the whole country a classified and corrected statement of these, and the main purpose of this note is to invite assistance in this task from those living in the county who are interested in the topic.

Such a list has been worked out in draft, and it is hoped that perhaps in happier times it may be printed with a suitable accompanying text. It is arranged under seven classified heads, with two of these further sub-divided under two sub-heads :—

- A. Enclosures by Private Act of Lands, including Open Field Arable (58).
- B. Enclosures by Private Act of Lands not including Open Field Arable (37).
- C. Enclosures (mainly of Open Field Arable), under the General Act of 1836 (6 and 7 Wm. IV, c. 115) (3).
- D. Enclosures (mainly of Lands other than Open Field Arable), under the General Acts of 1836 and 1840 (6 and 7 Wm. IV, c. 115, and 3 and 4 Vic., c. 31) (nil).
- E. Enclosures of Lands mostly including Open Field Arable under the General Acts of 1845 (6 and 7 Vic., c. 118), *et seq.*
 - (i) By Provisional Order not needing Confirmation in Annual General Act (2).
 - (ii) By Provisional Order confirmed in pursuance of Annual General Act (1).
- F. Enclosures of lands mostly not containing Open Field Arable under the General Acts of 1845 *et seq.*
 - (i) *Ut supra* (in E.) (nil).
 - (ii) *Ut supra* (in E.) (58).
- G. Enclosures by formal written Agreement enrolled among County or National Records (nil).

16. For a bibliography, arranged under county heads, see an article by the present author, *Bull. Inst. Hist. R.*, XVIII, 54, 1941, pp. 97-101.

17. Fearon and Williams, *Parish Registers and Records in the Archdeaconry of Winchester*, 1909, *passim*.

18. 4 Hen. VII, c. 16 (1488).

The bracketed italic figures following each head show the estimated number of Enclosures of this class recorded in the County of Southampton. The Isle of Wight figures include four Enclosures only, two in E (ii), and one each in F (i) and F (ii).

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.¹⁹ Although there are many errors in these lists, some of which it is believed have been corrected in those referred to, 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 cases by reference also to the 1904 Blue Book, or by enquiry from students of local history in the county.

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

- (1) A complete list of English 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.
- (5) Details of the enrolment of all Enclosure awards enrolled either in the National Courts at Westminster or among the records of the various counties. (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. In Durham they were often entered in the Halmote Court; in Middlesex and Yorkshire many were enrolled in the local statutory registries of deeds.)
- (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.

¹⁹ 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.

Though the 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 should be very grateful to any student of local economic history who would care to co-operate in the revision and completion of the draft text now available. Such help would of course be properly acknowledged if and when the work appears, either in a county essay, or when it is published, as it is hoped that eventually it may be in a comprehensive work covering the whole country—*A Hand List of English Enclosure Acts and Awards*, Part 14, *Hampshire* (with appendix covering the Isle of Wight).