



PARLIAMENTARY ENCLOSURE AND THE ENCLOSURE OF LINGFIELD COMMON 1815

It is impossible to be certain when open-field farming began and also when enclosure started. Possibly the former dates back to the Saxons but maybe to the Romans. Common and the Rights which went with them were part of the Norman feudal system and during that period land was enclosed to provide hunting forests. There are various references to enclosures in the Middle Ages. The Black Death of 1348/49 resulted in such a fall of population that there was neither the same demand for grain nor enough people to work the labour intensive open field system, so land was enclosed to provide the more profitable sheep pastures. In Tudor times sheep farming and the production of wool became even more profitable with restrictions on wool export having ended in the late 15th century. The population was also rising and there was a greater need for the more economic use of land.

During the next two centuries there were further moves to enclose land necessitated in part by the improvement of agriculture – a revolution keeping pace with that of industry, although perhaps not receiving so much attention. Additionally during the 18th century there had been the emparking of estates resulting in villages being destroyed. Evidence of this is still visible. An isolated church within the grounds of an estate but still the parish church is a sign of this. Buxted in Sussex is an example.

Enclosure was not necessarily harmful, particularly that to consolidate the strips of open field farming, but certain aspects such as the arbitrary enclosure of waste by the Lord of the Manor and the change of tillage to pasture were detrimental. The Tudors did try to mitigate the problems with statutes and as economic conditions settled the attention given to the evils slackened and governments seemed to gain control of the social problems.

The ad hoc arrangements continued, however, but increasingly in the second half of the 18th century landowners resorted to an Act of Parliament which had the advantage of legality, although the disadvantage was cost. The process intensified during the 1760/70s and also during the period of the Napoleonic Wars (1793 – 1815) when there was an urgent need to improve crop yields.

The Parliamentary Enclosures of the 17th and early 18th centuries, as opposed to earlier ad hoc enclosures, brought about enormous social changes, farming methods and an alteration in the appearance of the countryside. Over 6,000,000 acres were affected – something like a quarter of the cultivated area. It also caused an intense

controversy which still continues and anyone can use statistics to prove whatever point they wish. Did it result in increased demands on the Poor Law, was it corrupt, did it result in destitution for the many and profit for the few, or was it conducted with reasonableness and fairness with proper regard to the needs of the small landowner, the poor? Was it, in fact, vitally necessary to ensure more efficient farming to feed the rising population? In other words, would there have been widespread starvation without it?

Conditions varied enormously area by area and it is still a politically sensitive subject, but looked at dispassionately the actual change itself was done with remarkable speed and efficiency and various checks and balances were put in place to try to ensure greater fairness.

Procedure – Larger owners put forward the idea and then tried to persuade smaller landowners to join them. The intention to put forward a Bill had to be made public and a public meeting arranged. This was to prevent the larger landowners going ahead privately and excluding the smaller ones. Notices were usually pinned on the church door and the intention to apply for enclosure announced at the church service and printed in the local paper. Meetings were either local or within 5 miles of the village, and usually at an inn.

The first meeting would include lords of the manor, the vicar/rector, representatives of absent landlords, smaller farmers and those holding common rights. Possibly about 50 people could attend. The only concession to sexual equality was the presence of widows and spinsters. Land which had been inherited by married women was held by their husbands and it was they who attended the meeting.

It needs little imagination to appreciate the range of emotions, from impatience to reluctance, from excitement to dread, but perhaps a little more to understand the sweeping changes the village was going to have to face.

There were many things to be discussed – practical things like presenting the Bill, the List of Consents which had to accompany it showing those for, those against and those who opposed it on principle, like the Quakers. Then other matters like the manorial lords' demands, tithes, appointment of Commissioners, the needs of the church, allocation, if any, to the poor. It must all have become quite heated and in many cases a second meeting was needed.

A draft Bill had to be drawn up. Many people involved did not live locally and a considerable amount of lobbying meant travel. This could be costly, time consuming and uncomfortable given the state of the roads. A State of Property had to be compiled and those in favour of the Bill, who had been in the majority, had to be questioned by Parliament. They had to be in possession of all the facts and this was not necessarily easy. Even the methods of measuring land could be a nightmare – yardlands, oxgangs, acres, rods, poles, perches, sulongs etc. This could lead to seeming discrepancies between land claimed under the Act and that actually awarded, although this could sometimes be accounted for by that allocated for roads, gravel pits etc.

Once the draft Bill had been agreed a fair copy was made. First this had to be signed by the Lords of the Manor, then everyone else. All these had to be witnessed. If anyone refused he had to give reasons. The vicar/rector had to give details to the Bishop regarding the effect on tithes, glebe lands and church upkeep. Then the Bishop had to sign and be witnessed.

This could mean a stay at a London inn of several days for those involved – quite exciting for some strange to London one imagines. Then, having procured the Act, off they would go home to great excitement, relief, satisfaction for some, fear for others. The move to Enclosure was now inexorable and a process would be put in effect that would change the village for ever.

Now Commissioners had to be appointed and their first meeting would deal with the issuing of notices of claims to land and common rights. A perambulation of the bounds would be arranged. Notices would be given that any claims had to be received by the Commissioners within a certain time and at a certain place. Everyone was able to examine everyone else's claim and counter claim but the Commissioners were the final arbiters.

The area was then surveyed and the allocation of land could begin. First the requirements of the lords of the manors were dealt with, then there was a sale of land to raise the funds necessary for enclosure. Allocations were then sold either privately or by public auction.

The Commissioners had an enormous task. Commons Rights varied considerably. Some land had none. Land values varied and some farms were rented higher than others. They also had to consider what quality of land was a fair allotment in lieu of tithes, land had to be put aside for roads and quarries and for the building and repair of roads. In some areas land was put aside as cow pastures for the poor and for the growing of vegetables. Once again, notices had to appear in newspapers and be displayed at the church, giving details of meetings for people to protest regarding the stopping off of roads, the construction of new ones and all the other complications of enclosure.

The completion of the Enclosure had to be proclaimed in church at the Sunday evening service. Now it was over – all signed, sealed and either deposited in 'one of His Majesty's Courts of Record at Westminster' or with the Clerk of the Peace for the County.

Problems – Threat to Common Rights. The labourer had the use of the common by custom and not right and the Commissioners gave compensation to the legal owners of the common rights but not to those whose rights were dependent only on the tenancy of a house. These rights, depending on area, could include fishing, grazing livestock, collecting fallen wood, rushes, heather, bracken, food such as fungi and crab apples and gleanings. It can be seen how hardship would follow the loss of those rights. When that loss combined with poor harvests, loss of wages and (in the 1830s) the laying off of workers with the introduction of new machinery, then the revolt became organised.

A rhyme of the time is an example of the bitterness –

They hang the man and flog the woman
That steals the goose from off the common
But let the greater villain loose
That steals the common from the goose

Another problem was the pressure which could be brought to bear by the more influential land owners and their lobbying of the smaller ones, some of whom were able to see the difficulties which would be experienced by those further down the scale. In fact the much smaller landowners and farmers were another group at risk. Once the Commissioners had allocated land a 10% deposit had to be paid, with the balance within a stated time limit. The land also had to be fenced within a certain period. A small farmer could find the cost of fencing was not justified for the amount of land he had been able to afford. If he defaulted then his land would be re-offered either at public auction or private sale at 10% less its original value. The land would then be amalgamated with a larger property. The small farmer would have lost everything.

The idea of the ‘majority’ needed before proceeding with enclosure left something to be desired. Initially this majority was based on the extent of land ownership. Even when the unfairness of this was accepted the alternative was a mixture of head counting and acreage owned.

Against this the advances in agriculture led to the need for larger acreages (mirroring modern practices farms had been amalgamating prior to enclosure) and large farms were better able to withstand bad years and low prices. Also this led to more efficient uses of land, higher crop yields and better livestock farming.

The costs of enclosure could run into thousands of pounds even at the beginning of the 19th century. They would include the fees of the passages of the Bill through Parliament, surveyors and solicitors’ fees, Commissioners’ expenses. Then there was the cost of the new roads. The preliminary sale of some of the land would defray some of this but the rest had to be borne by those who bought the land.

Surrey – Surrey has the second largest area of common land in the south – only Hampshire is larger. This is due to the geology. The county, however, had a relatively small number of Parliamentary Enclosures. This could be due to several things. The proximity of London could be one – a somewhat double-edged influence that resulted in very early enclosure to provide food for an expanding city on the one hand then on the other the securing of land against enclosure to provide the city with recreational facilities. Additionally much common land, like Bagshot sand, is useless for arable farming.

Lingfield Common – This covers a very irregular area, either side of Crowhurst Lane from Saxbys Lane to the staggered crossroads; then a short distance either side of Waterside, either side of the Crowhurst Road to just beyond the sewage farm; then either side of Common Road to Ray Corner, and back towards the village (an area called Highlands on the left was excluded from the Common. According to the

Hayward *History of Lingfield* it is suggested that 'Highlands' is a corruption of the house name 'Haylands'). It continues on the right to just before Porter's Hall, then there is a further narrow section along Newchapel Road, on the left from about the Mart to opposite the Garth and on the opposite side up to and including the Garth but excluding the area at the beginning of the Newchapel Road.

A meeting to discuss the enclosure was arranged to take place at the Evelyn Arms, Godstone, in 1809, and the Act having been procured, Commissioners were appointed. These were Abraham Driver of the Kent Road in the County of Surrey and Thomas Wyatt of Wargrave in the County of Berkshire. Both were Land Surveyors. The area was surveyed and drawn up by William Figg of Lewes in the same year.

Interestingly the Commissioners also appointed an umpire, John Trumper of Harefield in the County of Middlesex, Gentleman, to resolve disagreements which the Commissioners anticipated might arise between them and from the preamble of the Awards which accompany the Enclosure Map it does seem as if there was some undercurrent, some underlying problem, which needs further investigation. Maybe it was caused by nothing more than so many manorial lords being involved, each making sure everything was in their own favour. The manors included Puttenden, Ford, Billhurst, Blockfield, Sheffield Lingfield, St Brownes, Oxted and Limpsfield. No wonder the Commissioners thought they had a headache.

Provisions were made for the poor – 10 acres of land around the workhouse was allocated to the Churchwardens and Overseers of the Poor; land was also allotted to the Poor of the Parish of Mitcham, to those of Heaver (that spelling) and to the Duchess of Marlborough's Charity.

The new roads were Common Road itself, the making up of Doctors Lane from Plaistow Street to Ray Corner, from Saxbys Lane to the crossroads and on towards Crowhurst as far as the bridge near the sewage works, and a short distance along Waterside towards Haxted. Roads are shown as 30 feet wide and then there are Private Roads, Drift Ways and Bridleways shown as 20 feet wide. Two footpaths are mentioned (4 feet wide), one from Coldharbour having come across Jenner's Field. The other runs to the east of Highlands to come out at Common Road, although the present footpath runs a little more to the east from where it used to emerge at Ray Corner.

Provisions were made for tunnels and bridges which were under the care of the landowners and the grass and herbage which subsequently grew alongside the public highway. Private carriageways and bridle paths were the responsibility of the owner/occupier of adjoining lands from the fences of their properties to the centre of the road.

Two gravel pits were allocated, one at what is now Carewell and the other at Beacon Heath, each for the proprietors and occupiers of land to use the stone or gravel for the repair of public roads and for the 'owners and their servants to have free access' to these pits.

The first public sale was on the 18th October 1809 and the second on 29th July 1812, both at the Evelyn Arms. The rest of the private sales and public auctions followed in 1815. On 9th July 1816 the Award was 'Read, signed and sealed, published and declared by Abraham Driver and Thomas Wyatt at a Special Meeting held in the house of William Stenning known by the sign of the Evelyn Arms, Godstone'. A notice appeared in the County Chronicle, in which all other notices had been printed, a notice pinned to the church door and the necessary notice given at the church service. The Award was stamped in the presence of M H Barrow, solicitor, East Grinstead and George Cole, surveyor, Godstone. It was inrolled on 15th April 1817, the Clerk of the Peace being a Mr Savron.

When exploring Lingfield Common now one of the most surprising things is to discover that with very few exceptions the boundaries that had to be put in place at the time of the Enclosure remain unchanged. The greatest disturbance is along Common Road at the Ray Corner end, along Newchapel Road and Saxbys Lane, but elsewhere the open fields are mostly the same and later properties fit snugly into the acreage originally allotted.

The Enclosure Map may be seen at Lingfield library but at present it is necessary to go to the Surrey History Centre at Woking to see the Awards that accompany it.¹ These give names to those allocated the land, lists their occupation, and how much they paid, and so breathes life into the map. Measurements are in acres, rods and poles. Payments in pounds and shillings.

For instance, a block of land of 6-1-17 bounded to the south east by Saxbys Lane and to the east by Crowhurst Road was sold to Peter Wood for £197.4s. He was a Linen Draper. To the north of his land, again bounded on the east by Crowhurst Road, William Ware bought one small block of land and then another of 5 acres, paying £200 for the latter. Above his land, John Jewell, farmer, paid £175 having bid at one of the auctions on behalf of John Dives the Younger of Lingfield.

To show how widespread was the interest in the selling off of common land, that on the right of Crowhurst Road, beyond the crossroads, was bought by a W Hudson, gentleman, of Blatchington, Sussex. He paid £160 15s. for it. Coming west along Common Road there are two more plots of 5 acres each sold to William Ware, each for £150. The house which was Rockdale and is now Billhurst sits with its garden exactly in William Ware's 5 acres, with the hedgerows complete. On the right, alongside the track leading to Sugham's Farm, Levison Gower of Titsey, Lord of the Manor of Oxted, bought 4-3-18 on behalf of his son, an infant. Further along, also on the right and almost opposite Occasionally Yours, 2 acres were allotted to Benjamin Matthews of Bletchingley, a butcher, for £60.

James Edgar, a Surgeon, paid £162.10s. for 5-1-34, the plot being north of Porter's Hall, and butting onto the Godstone Road, then Doctors Lane. The largest allotment was to the Reverend William Brookland who bought 24-0-14 for what appears to be

¹ 2010 the Awards are now accessible at Lingfield library

PARLIAMENTARY ENCLOSURE

£980.10s, for a plot running from James Edgard's land up to Ray Corner. William Stanford, Yeoman, bought the plot on the opposite side of the road, bounded on the left by the Godstone Road and north by Common Road, for £250 'subject to a footpath'.

The above is only a small sample of how much information can be retrieved.

© Mavis Priestley
May 2004

Sources:

The Agricultural Revolution 1750-1880 - J D Chambers and G E Mingey

Enclosure Records for the Historian – Steven Hollowell

History of Lingfield - Hayward

Lingfield Heritage – Peter Gray

Enclosure Map and Awards – Surrey History Centre