

Winners and losers: who gained from land auctions at parliamentary enclosures in England?*

by John Chapman

Abstract

The use of land sales to cover the costs of an enclosure has received relatively little attention, and published studies have concentrated on specific areas of the country. This article examines the patterns of use throughout England. It looks at who bought the lots concerned and compares the amounts bought by different groups with what they would have received had they had their full entitlement and covered the costs through a rate charge. The results indicate that the larger landowners tended to gain less than they would otherwise have done, while outsiders, smaller landowners and even labourers took the opportunity to acquire or increase their holdings.

The parliamentary enclosure movement in England has often been characterized as a 'land grab' by large, wealthy landowners at the expense of the smaller and poorer. E. P. Thompson specifically described it as such, and authors from the Hammonds in 1911 through Cohen and Weitzman to Neeson in 1989 have endorsed the view that small landowners were driven out by the process, although there have been a few dissenting voices, for example Gordon Mingay in 1968.¹ A recent article explicitly states, as a motive for parliamentary enclosure, that 'the old landed gentry wished to increase its properties to obtain greater prestige and power on a local, regional or national level and new elites of urban merchants and manufacturers sought to raise their standing by buying rural properties'.² However, the evidence presented in support

* My thanks are due to the referees and the editor for their helpful comments on the initial draft of this article. Some preliminary thoughts and conclusions on this topic were presented at the annual conference of the Society some years ago; the current article represents the findings from subsequent research, and a complete recalculation of the original data.

¹ E. P. Thompson, *The making of the English working class* (1963), p. 218; J. L. and B. Hammond, *The village labourer* (1911); J. S. Cohen and M. L. Weitzman, 'Enclosures and depopulation: a Marxian analysis', in W. N. Parker and E. L. Jones (eds), *European peasants and their markets* (1975), pp. 161–76; J. M. Neeson, 'Parliamentary enclosure and the disappearance of the English peasantry revisited', in G. W. Grantham and C. Leonard (eds), *Agrarian organization in the century*

of industrialization (1988), p. 110; G. E. Mingay, *Enclosure and the small farmer in the age of the industrial revolution* (1968).

² Alvaro Sevilla-Buitrago, 'Territory and the governmentalisation of social reproduction: parliamentary enclosure and spatial rationalities in the transition from feudalism to capitalism', *J. Historical Geography* 38 (2012), p. 212.

of contentions such as these has tended to be limited and partial, drawing on the behaviour of a few individual landowners, on small areas, or on limited time periods. It is the purpose of this article to examine the evidence offered by one specific indicator, the buyers of 'sale allotments', to see whether landowners really took advantage of enclosure to extend their estates.

I

Sale allotments, so defined, were adopted in many enclosures as an alternative way of covering the costs of the enclosure instead of the more usual method of imposing a rate on all the recipients of the land being redistributed. The new method arose from the belief of a number of contemporaries that the use of a rate imposed a particular burden on the poorer landowners. Under the rating system, the recipients of allotments were required to raise cash sums within a very short period of time and, so the argument ran, poorer owners were often unable to do so, and were thus forced to sell part or all of their new allotments in order to meet this demand.³ This argument has been much quoted by later writers, and Turner, for example, gives specific cases of landowners unable to find the necessary money to meet the rate.⁴ Selling some of the land to be enclosed at open auction relieved them of this burden but offered the potential for a significant change in ownership. Unless all existing owners bought in exact proportion to their ordinary allotments (in practice an impossibility, as the number and size of the lots on offer would not have allowed it), the balance would inevitably alter. If anyone, including outsiders with no previous stake in the area, wished to acquire more land, this was their opportunity to do so.

It is surprising, therefore, that sale allotments have received so little attention in the literature, though this may be due to the continued tendency to equate 'normal' parliamentary enclosure with open-field enclosure. Field land was sold, but normally in small quantities, and the over-concentration on the midland belt hides the impact of such sales to the extent that Turner, for example, could dismiss the idea that they were widely used as 'an erroneous view but one which has been repeated often'.⁵ On the other hand, the few studies which have looked specifically at the effects of these sales, notably those by Buchanan and Whyte, have almost all focused on upland areas in the west and north of the country, with the exception of one by the present author in 1977 covering the whole of West Sussex.⁶ What is lacking is any overall picture of the whole of England, especially the regional variations, and it is this gap that the present article attempts to fill.

Sale allotments were not just a simple alternative to a rate: they offered a degree of flexibility in the means of recovering the costs of the process. As Buchanan has shown, many acts

³ For example, the contemporary Lord Winchelsea noted that the rate system left cottagers with 'a disproportionate share of the very high enclosure costs' (quoted in Thompson, *Making of the English working class*, p. 217).

⁴ M. E. Turner, 'Cost, finance and parliamentary enclosure', *EcHR* 24 (1981), pp. 236–48.

⁵ M. E. Turner, 'Some social and economic considerations of parliamentary enclosure in Buckinghamshire, 1738–1865' (unpubl. Ph.D. thesis, University of

Sheffield, 1973), p. 326.

⁶ B. J. Buchanan, 'The financing of parliamentary wasteland enclosure: some evidence from north Somerset', *AgHR* 30 (1982), pp. 112–26; Ian Whyte, 'The costs of parliamentary enclosure in an upland setting: south and east Cumbria, c.1760–1860', *Northern Hist.*, 43 (2006), pp. 97–115; J. Chapman, 'Land purchasers at enclosure: evidence from West Sussex', *Local Hist.* 12 (1977), pp. 337–41.

permitted commissioners to sell land, rather than *compelling* them to do so, and they were normally under no obligation to meet the whole of the costs in this way.⁷ The award for Portsea, Hampshire, gives the commissioner the power to sell land sufficient to 'discharge all the costs, charges and expenses', but then notes that 'Persons desirous of paying in money [were] to be exempt from the operations of the powers of sale', and gives powers to raise a rate if the sales prove insufficient. Similarly, the award for Stanton Lacy, Shropshire, reports that the owners were to be consulted as to whether they would prefer a smaller allotment free of charges or their full allocation, but with a responsibility to pay their share of the costs.⁸ The Act for Billingborough, Lincolnshire, specifically limited the total amount which could be sold, regardless of whether it covered all the costs.⁹

The decision as to how much land to sell was normally left in the hands of the commissioners. Inevitably it involved a certain amount of guesswork since it could not always be foreseen how competitive any bidding at auction might be. Few records of how they arrived at their conclusions still exist, but the calculations of Richard Richardson, one of the most experienced commissioners, have survived for Holnest and Long Burton commons in Dorset. In a note of 16 November 1798 he calculated that the real area involved was 650 acres, rather than the 800 estimated in the enclosure bill, and he estimated the costs of the process at £1025. Land, he felt, would sell at £15 per acre, and it would therefore be necessary to sell 75 acres, leaving 515 acres to distribute amongst the claimants.¹⁰ In the event his calculations were not tested, as the parties concerned were able to reach agreement and the land was enclosed without the need for parliamentary sanction.¹¹ Other commissioners occasionally grossly under- or over-estimated the amount needed. At Freshwater, Isle of Wight, sales raised far more than was necessary, the surplus being distributed proportionately amongst the proprietors, while at Lambeth, Surrey, where again there was a surplus, the excess was used for road repairs.¹² Amberley, Sussex, on the other hand, raised too little and it was then necessary to raise a rate to cover the deficit.¹³ A number of commissioners seem to have erred on the side of caution, possibly fearing criticism that owners had been deprived of their rightful share, and also aware that they could have a further round of sales if need be, with the option of a rate as a fall-back position.¹⁴

The use of sale allotments emerged gradually over time: the later the date of the enclosure, the more likely they were to be used, though whether this was a feature of chronology or geography is open to question, since in any given region common waste tended to be enclosed later than open fields. Sales were occasionally adopted in enclosures by agreement, for example, at Baughurst, Hampshire, but their principal use was in parliamentary enclosures, and it is with these that this article is concerned.¹⁵ The earliest examples of their use detected during this study are from Aslackby, Lincolnshire, in 1765 and Castle Sowerby in Cumberland in 1767,

⁷ Buchanan, 'Financing of parliamentary wasteland enclosure', p. 113.

⁸ Awards for Stanton Lacy, Shropshire RO, QS1/2/48, and for Portsea, Hampshire RO, Q23/1/2, pp. 470–514.

⁹ Statute 8 Geo. III, cap. 15.

¹⁰ Dorset RO, D148/17/64.

¹¹ Dorset RO, D/SHC:2768A and B.

¹² Isle of Wight RO, Q23/2/53 and Surrey History

Centre, QS6/4/8.

¹³ West Sussex RO, QDD/6/W13.

¹⁴ Two rounds of sales were held at Windlesham (Surrey History Centre, QS6/4/18), and at Abergwili, Carmarthenshire, four were held over a five-year period, Carmarthenshire RO, AE 13.

¹⁵ Hampshire RO, 10M57/89.

and the latest at Bishop's Waltham, Hampshire in 1870, almost at the end of the parliamentary enclosure movement.¹⁶

As has been mentioned, open-field land was only rarely sold in this way, though where there was no common involved in the enclosure (a relatively rare occurrence) some commissioners did sell open field or common meadow, for example at the Derby Road Fields enclosure in Nottingham and in the Portsea case mentioned above.¹⁷ Elsewhere field land was sometimes sold, even though common was available. Small amounts were sold in Berkshire and sales of common field land occurred at, for example, Charlton Marshall, Dorset, and Staverton, Gloucestershire, but the total quantities were small in these cases.¹⁸ In a few individual cases the amounts might be significant. At Thame and at Beckley, both in Oxfordshire, some 140 acres of field land was sold in each case, in the former to the almost total exclusion of any common.¹⁹ Within the statistical sample mentioned below, field land made up just over four per cent of the total area sold, and some 12 per cent of the enclosures sold at least some, even though several had additional common and waste which they could have used. At Alvescot, Oxfordshire, for example, only field land was auctioned, though ample common was available, and at Bitton, Gloucestershire in 1865, sales were mainly of common meadow though, again, there was common which could have been used for this purpose.²⁰ Thus though sales of field did occur, and might be locally important, at national level these 'sale allotments' may be regarded for practical purposes as restricted to the enclosure of common pasture and common waste. This does not, of course, mean that enclosures that included open field did not use sales, only that they tended to sell parts of the common in preference to parts of the field.

II

In order to create as accurate a picture as possible of the regional variations in the process, the detailed statistical analysis has been undertaken on a 10 per cent sample of the approximately 5340 individual parliamentary enclosures in England, drawn randomly from each county, but details of how the process operated have been drawn from across the whole enclosure movement. The sampling and testing methods are contained in articles published some years ago in the *Review*.²¹

The nature of the surviving documentation inevitably places certain limitations on the nature and extent of the analysis. Until the General Enclosure Act of 1845 imposed a degree of uniformity across the country, local solicitors tended to follow local custom as to how the record of the process should be presented. There was never any requirement to retain the

¹⁶ Lincolnshire RO, KEST AW4; Cumbria RO, Q/RE/1/41; Hampshire RO, Q23/2/14. There were a handful of enclosures at the end of the nineteenth century and one or two stragglers in the early twentieth.

¹⁷ Nottinghamshire RO, PR3806.

¹⁸ Dorset RO, PC/CHM/SD1; Gloucestershire RO, Q/RI 136.

¹⁹ Oxfordshire RO, QSD A vols 56 and 7. In the former, one lot overlapped onto common meadow, and

in the latter onto a common.

²⁰ TNA, CP 43/856, rot. 64; Gloucestershire RO, Q/RI 23.

²¹ J. Chapman, 'The extent and nature of parliamentary enclosure', *AgHR* 35 (1987), pp. 25-35; id., 'Confidence limits and enclosure estimates: some comments', *AgHR*, 39 (1991), pp. 48-51; id., 'The Bootstrap and Dr Walton's Red Herrings', *AgHR*, 39 (1991), pp. 167-8. The sample does not include Wales.

minutes of the commissioners' meetings, or any details of the claims to land or rights made for the commissioners' adjudication, and only a tiny minority of the sample have minutes containing additional information about the sales. Even the financial records were not regarded as essential once the whole process was formally completed. A few such records have survived, but usually amongst the papers of a particular commissioner, solicitor, land agent or landowner.²² The only documentation which it was necessary to preserve was the award, which recorded which owners had been allotted which plots, together with details of matters such as alterations to roads, rights of way and responsibility for fences.²³ The exact format of the award, and what additional details were included, if any, remained at the whim of the local officials.

The awards had, of course, to name anyone buying lots and describe his purchase, since the award was the legal record of the owner's title to the land concerned, and the overwhelming majority do so in meticulous detail, but there are a handful of exceptions. In one or two of the awards some of the sales to a single individual are grouped together, so it is not entirely clear whether the individual lands specified were offered as a single lot or were individual lots recorded as one in the award.²⁴ At Castle Sowerby, Cumberland, one sale lot was 'lost' in the owner's allotment by right, the award merely noting that a sale allotment of unspecified size was contained within it, and the award for Newbald, Derbyshire, stated that it was only listing separately lands sold for more than £10.²⁵ It is therefore impossible to be sure of the precise size of every individual lot, though the missing details have a negligible impact at national level.

A small minority of awards are so worded that it is not entirely clear whether sales fall within the scope of 'sale allotments' as defined earlier. The Lambeth award is particularly confusing in this respect since it describes three groups of different types of sales. The first is recorded as having been conducted at open auction while a second group, consisting of encroachments which 'did abut upon and cause impediment and obstruction to' neighbouring properties was sold to the owners of the obstructed frontages. The first clearly falls within the scope of this article, while the second does not. The third is more problematical. It is recorded as 'by private treaty', which at first sight would appear to exclude it, but a detailed reading of the document indicates that the lands concerned were 'were offered to sale by private contract and were severally sold ... for the best prices that could be gotten', implying some form of open bidding.²⁶ This last group has therefore been included. The Melbourne and Storthwaite, East Riding, enclosure also presents issues of judgement since there were certainly genuine sale allotments, as defined here, but there were also a number of others where land was sold, apparently openly, and the money used to cover the expenses of the Archbishop of York: the land concerned was deducted from the amount due to the Archbishopric.²⁷ These have been

²² Both commissioners and solicitors tended to operate within limited regions, often largely one county. See J. Chapman, 'Enclosure commissioners as landscape planners', *Landscape Hist.*, 15 (1994), pp. 51–5.

²³ A map was technically compulsory after 1801, though this requirement was sometimes ignored.

²⁴ For example Withington, Gloucestershire. Gloucestershire RO, Q/RI 162. Windlesham, Surrey, on

the other hand specifies individual plots, but notes that these had actually been grouped into a smaller number of lots. Surrey History Centre, QS6/4/18.

²⁵ Cumbria RO, Carlisle, Q/RE/1/41; Derbyshire RO, A86.

²⁶ Surrey History Centre, QS6/4/8.

²⁷ East Yorkshire RO, RDB BB/311/40.

omitted, since they were effectively private sales by the Archbishop of part of his allotment to cover his personal costs.

Overall these problems have only a negligible impact on the national picture. More significant for the purposes of this article is the fact that some awards include both status/occupation²⁸ and residence of the buyers, but many include only one or the other, and a handful neither. Infuriatingly, and for no apparent reason, details of a single individual are sometimes omitted. For example, at Glastonbury, Somerset, full details of all 18 buyers are given, apart from one Benjamin Court, who is recorded as 'of Glastonbury', but who is given no status or occupation.²⁹ There is therefore an 'unspecified' category, though it may be assumed that a missing status was not an aristocratic one, since titles such as 'Sir' or 'Duke' were always given.³⁰ As a consequence, it is not always possible to examine whether those with a particular occupation were local or not. Furthermore, except in a limited number of cases it is not possible to compare the profiles of the buyers with those of all allottees, since many do not specify these details for those gaining allotments by right. Comparisons have therefore been restricted to examining what particular categories of buyers should have received had they been given their full allocation, but paid a rate, and what they actually received as a consequence of their foregoing a part but being free to supplement their holdings by purchases. This gives the best-available indication of the relative changes in landownership consequent upon the use of sales, and throws considerable light on the impact of the process.

III

The sample on which the study is based consisted of 535 English awards, of which 137, or just over a quarter, used sale allotments as a means of covering some or all of their costs. Full details of every individual allotment in the sample awards, approximately 56,300 in England, were abstracted, and 3048 of these were recorded as 'sale allotments'. The following analysis is based on this group of allotments. All cases where land was apparently offered at open auction have been included, even where the amounts were clearly too small to cover more than a small proportion of the costs. At Ravensthorpe, Northamptonshire, for example, the commissioners recorded that after making all the allocations they discovered that they had a small piece left over and, rather than delay the process by reallocating everything, they had sold the piece concerned and put the money towards their costs.³¹ Such cases have all been included since they offered the potential for new owners to emerge, though in practice they make little difference to the total picture, apart from very marginally inflating the percentage of very small sales. Cases where land was offered for auction but was subsequently sold by private treaty, after it did not attract bidders in the first place, have also been included. For example, at Cheam,

²⁸ For convenience, 'occupation' will be used to cover status titles as well.

²⁹ Somerset RO, Q/RDe/64.

³⁰ The difficulties of defining 'aristocratic' have been explored by many authors including F. M. L. Thompson, *English landed society in the nineteenth century* (1963), pp. 25–44, and J. V. Beckett, *The aristocracy of*

England, 1660–1914 (1986), p. 23. For a recent discussion, Amy Warner, 'Finding the aristocracy, 1780–1880: A case study of rural Sussex', *Southern Hist.* 35 (2013), pp. 98–126. For simplicity in this analysis it has been taken as 'titled'.

³¹ Northamptonshire RO, vol. K, p. 145 et seq.

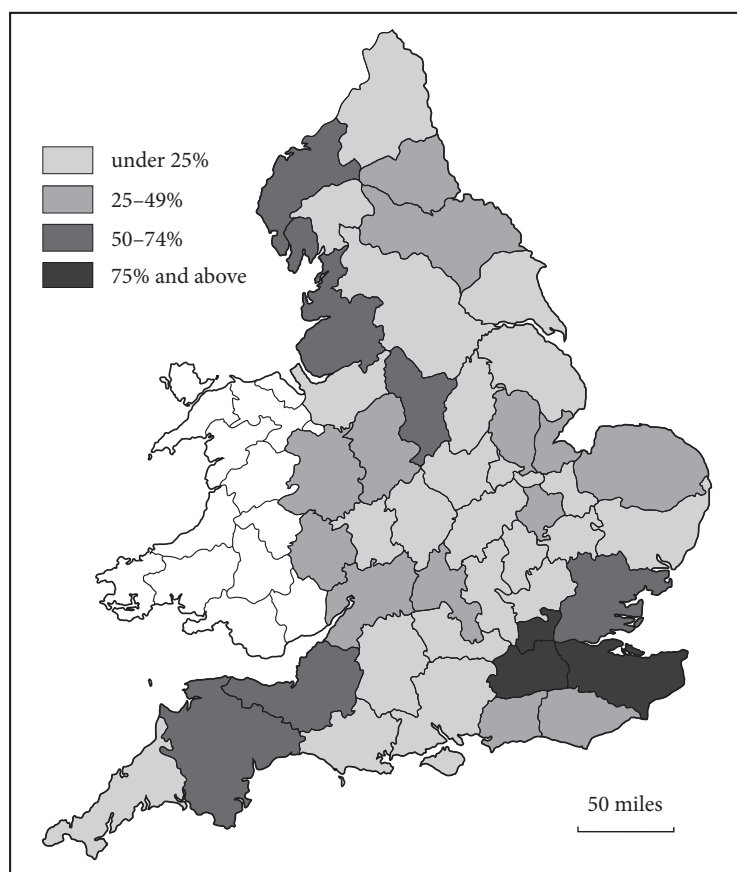


FIGURE 1. Percentage of awards including sale lots, in English counties (Welsh counties not studied)

Surrey, the four acres offered were eventually sold privately for £400 to one James Penfold, but it is clear that that they were initially offered on the open market and that the intention was to raise as much as possible towards the costs.³²

Overall only just over 4 per cent of all the land enclosed in England was sold in this way, but this accounted for over 8 per cent of the commons,³³ and 13 per cent of all the land enclosed in those enclosures where sale allotments were used. However, there were very substantial regional variations, reflecting in part the variations in the types of land enclosed in different parts of the country. In simplistic terms, the further from a core stretching from east Yorkshire to Hampshire, the later enclosure by act tended to be, and the further from that same core the greater the proportion of the land that was enclosed was common rather than field.³⁴ Thus the impact of sales was most felt in areas away from the midland belt which has received so much attention in the literature, though as Figure 1 shows, the pattern was rather more complex in detail. The use of county boundaries inevitably hides some of the subtleties; for example, in the North and West Ridings of Yorkshire, which had great physical contrasts within them.³⁵

³² Surrey RO, Acc 488.

³³ As opposed to other types of land, mainly common field and common meadow.

³⁴ Chapman, 'Extent and nature'.

³⁵ The map includes Wales, which has not been analysed here.

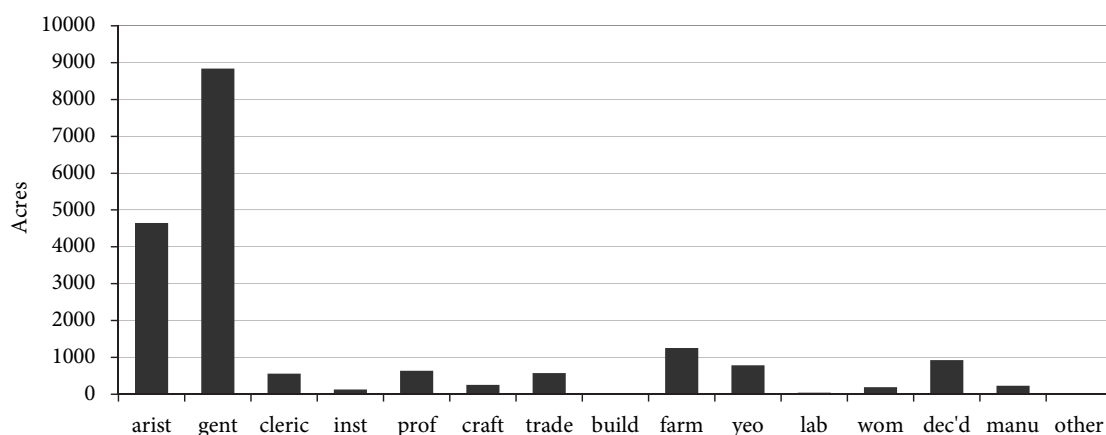


FIGURE 2. Buyers of sale lots by acreage bought

As has already been stated, 3048 lots were put up for sale at open auction, and these were bought by 1663 individuals,³⁶ giving an average of 1.8 per person. In reality this figure is misleading, as the vast majority of buyers bought only a single lot, and the average is raised by a much smaller group who bought substantial numbers, though this did not necessarily mean they bought large areas of land. Eighty-eight of the 137 enclosures where sales took place have sufficient details of occupation and status to allow for a meaningful analysis, in other words where the 'not stated' element is nil, or very small, and 57 (not necessarily the same ones) have adequate details of residence. The definition of 'adequate' is not easily applied consistently over the whole sample, since the 'not stated' category may be very small in quantity, but make up a significant percentage of that particular enclosure or, conversely, may represent a much larger acreage but a smaller percentage. There is the added complication that the number of individuals in the category may be large, even though they bought very little of the total. There is therefore inevitably a certain subjective element in determining which to include. In the event, the 'not stated' group made up only 3.9 per cent of the acreage in awards examined for occupation, and just over 3.9 per cent of the ones for residence. This article concentrates on the analysis of the occupations of the buyers, and the degree to which they already held a stake in the area being enclosed.

A casual glance at the amounts bought by each occupation group, shown in Figure 2, appears to confirm the 'land grab' idea, since it is quite clear that by far the most significant buyers, by acreage, were the richer landowners. As can be seen, titled individuals and gentry bought over 70 per cent of all the land offered at auction, and the figures clearly indicate that a significant part of the 'deceased' buyers, i.e. where trustees under a will bought on behalf of unspecified legatees, fall into this category.³⁷ However, they would clearly have emerged in a similarly dominant position had sale allotments not been used. As the owners of by far the

³⁶ Institutional owners, for example an Oxford college, and joint or multiple owners, are counted as one 'individual', where appropriate, in the text.

³⁷ The size of the allotments by right often rules out

poorer owners, for example at Broughton in Furness (Cumbria RO, Barrow, BSPC/1/3/1) and Chard (Somerset RO, Q/RDE/103).

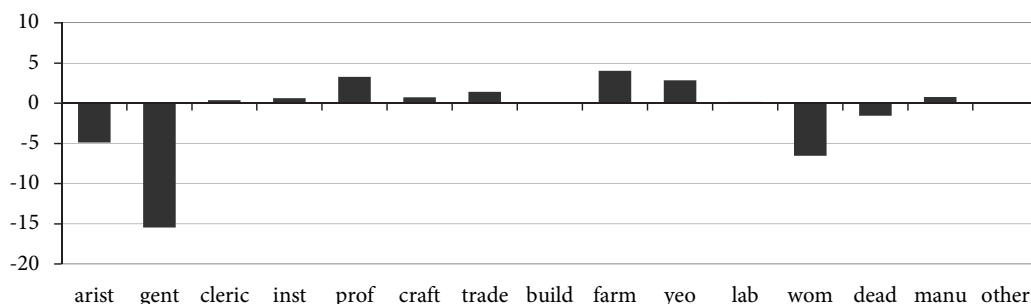


FIGURE 3. Comparison of percentage bought with the original allotment

greatest proportion of the land and rights before enclosure, they would have been entitled to receive the same proportion afterwards. By adopting the sales system they were accepting less land but with the possibility of actually increasing the amount if they were willing to use their resources to dominate the auctions. The issue is whether they did indeed use the system of sale allotments to increase their dominance, and this may be determined by comparing the percentage that they were entitled to by right with the percentage which they bought. This comparison is shown in Figure 3, from which it is clear that they did not.

The graph is in large measure self-explanatory. Both gentry and titled individuals received far less than they would otherwise have done, with female owners and the representatives of deceased owners the only other losers. All other groups were 'winners', to a greater or lesser degree.

IV

An obvious feature for further investigation is those buyers who were not entitled to a share in the common as of right. These made up well over a half of all the buyers, 58 per cent, indicating the scale of influx of new owners in the communities concerned. They were not, however, necessarily outsiders living elsewhere in the country; a significant number consisted of local inhabitants who simply happened to have no stake in the particular pieces of land being enclosed. Not all local inhabitants had rights on the common: rights were attached to particular 'ancient tenements', and not necessarily all houses in a village, and though others had obtained rights, ostensibly through grants from the lord of the manor, even some farmers and landowners might not be entitled to them.

Among the group of 88 awards for which detailed analysis of occupation is possible, the figures are marginally different, since only 55.7 per cent of all the buyers had no entitlement to ordinary allotments, but, as might be anticipated, this figure varied greatly between different occupational groups.³⁸ The detailed breakdown is shown in Table 1, which excludes the 'unspecified' group.

It will be noticed that the lowest percentage buying without existing rights (excluding the

³⁸ A small number received 'encroachment allotments', and hence were unofficially, though not legally, partners in the common.

TABLE 1. Numbers of Buyers with and without allotments by right

	<i>with</i>	<i>without</i>	<i>total</i>	<i>% without</i>
Titled	20	8	28	28.6
Gent	136	126	262	48.1
Cleric	10	9	19	47.4
Institutional	3	4	7	57.1
Professional	5	21	26	80.8
Craft	30	77	107	72.0
Trade	33	48	81	59.3
Builder	3	3	6	50.0
Farmer	26	19	45	42.2
Yeoman	38	58	96	60.4
Labourer	6	29	35	82.9
Woman	20	15	35	42.9
Deceased	16	12	28	42.9
Manufacturer	3	3	6	50.0
Others	3	0	3	0.0

Source: calculated from enclosure award sample.

tiny 'others' category) were the titled individuals, less than a third of whom did so. At the opposite extreme, in the case of three categories, professional individuals, labourers and craftsmen, over 70 per cent of those buying had no previous entitlement. That labourers fell into this category is hardly surprising. Sales of this sort offered an opportunity, providing they could find the money, to acquire a garden plot or a plot for a cottage, which might make a significant difference to their lives. A degree of independence and a buffer against high food prices would have been a powerful incentive. The actual amounts bought were small, and made up only 0.2 per cent of the total, but this was an average of 1¼ acres per buyer, a sizeable allotment for the average labourer. What is surprising, perhaps, is that almost 17 per cent of them were able to establish a claim to a share in the common in their own right. However, labourers as a group received only 0.03 per cent of the ordinary allotted acreage, just over a tenth of the percentage which they bought. Small though the bought acreage was, labourers were nevertheless net gainers from the process.

V

If each of the categories is examined in more detail a number of differences emerge. The labourers were successful as buyers in 13 of the 88 enclosures which were strongly clustered in the southern parts of England.³⁹ Precisely why this regional concentration occurred must

³⁹ Awards outside the present sample indicate that some did buy in the North of England.

remain a matter of speculation, though it may reflect in some degree differences in social and economic conditions in different parts of the country. In many areas of northern England, the North York Moors or the Lake District, for example, farms tended to be small and heavily reliant on family, rather than paid, labour. Furthermore, numbers of farm labourers were in decline as the growing industries and urban centres drew many away in search of better-paid and more secure jobs. Added to this, labourers in some parts of the North often lived in on the farm until a much later date than was the norm in southern England. The numbers available to buy, and the pressure to do so, may therefore have been less.

The other two groups of major 'outsider' buyers are of interest since they tend to fit with the results of one of the few published studies of enclosure land sales, the pilot study of the whole of West Sussex, particularly if the craftsmen and tradesmen are taken together.⁴⁰ It was suggested in that article that local craftsmen and tradesmen were seeking a safe 'bank' for their savings, and possibly seeing the rents from such land as a pension in their old age. The Board of Agriculture report for Middlesex reports that at the Enfield enclosure the original purchasers were 'mostly gentlemen who were retiring from trade'.⁴¹ Some may also, like the labourers, have seen it as a chance to free themselves from the need to rent property. It may have been a necessity for others, such as, for example, blacksmiths or timber merchants, who had been accustomed to using the common to keep horses waiting to be shod or to store timber, but who would not necessarily have been legally entitled to a share at enclosure. Martin specifically records craftsmen and tradesmen as losers in the enclosure process, though he appears to be primarily concerned with those who were farmer-craftsmen and whose subsequent allotment was too small to continue farming, rather than those who had no entitlement at all.⁴² Certainly, these two groups were very active in the auctions, buying at 27 and 28 of the enclosures respectively, but acquiring only very small plots of land for the most part. Together craftsmen and tradesmen made up just under 25 per cent of the buyers, though accounting for only 4.3 per cent of the land. On the other hand, they received as of right only 2.1 per cent, so again in relative terms they were gainers by the process, more especially the craftsmen group.

The professional classes made up 3.3 per cent of the buyers, and bought an almost identical proportion of the land. They bought at 14 enclosures, but had rights at only two, both in Sussex. Their original allocation amounted to 0.04 per cent, so they were clearly buying on a much greater scale than their rights would have entitled them to. None were buyers of large acreages, except for Oliver Farrer, a lawyer with an estate at Clapham (West Riding), who bought 444 acres at Dent, which may have been an attempt to develop a grouse moor. An initial assumption was that professional men might have shown a preference for land close to significant urban centres, but no such trend is detectable. The one which does emerge is a strong concentration in the south of the country. Only at Meltham and Dent, both in the West Riding did they buy land north of the Thames Basin.⁴³ While this may simply reflect the traditional economic

⁴⁰ Chapman, 'Land purchasers at enclosure'.

⁴¹ John Middleton, *A general view of the agriculture of Middlesex* (1813), p. 135.

⁴² J. M. Martin, 'Village traders and the emergence of a proletariat in south Warwickshire, 1750-1851',

AgHR 32 (1984), pp. 179-88.

⁴³ TNA, MAF 1/247 and /1060; West Riding RO, Wakefield, West Riding Registry of Deeds, RDW B45, p. 1.

dominance of the south of England, it might have been expected that the rising wealth of the industrial north and Midlands would have produced some influence. Significantly, Meltham lay close to the rapidly growing industrial heartland of the West Riding, and four of the six 'manufacturers' (a separate minor group) recorded in the sample were also located there.

As might be expected, farmers and yeomen, taken together, formed the second biggest group by number, accounting for just under 18 per cent of buyers, though, as was noted earlier, only just over 10 per cent by acreage.⁴⁴ These two groups held no qualifying land in 56 of the 88 analysable enclosures, but they were involved as buyers in 45 in total. Individually, the latter were the third biggest group on their own, after gentry and craftsmen, but accounted for less than 4.25 per cent by acreage, as opposed to just over 6.5 per cent for the farmers. In other words, as again might be expected, they were very active participants in the auctions but for the most part were purchasing relatively modest amounts of land. However, their initial entitlements were only 1.3 per cent and 2.5 per cent respectively, so their relative gains were considerable, more especially the farmers who bought, proportionately, well over 2½ times what they were allocated. There appears to be no obvious distributional bias in their pattern, with purchases in all parts of the country.

As has been indicated, it would be possible with a reasonable degree of certainty to examine the patterns of buying by titled individuals, the 'aristocracy', for the whole of the sample of 137, but as this could not be done for other groups it would not advance the primary purpose of this article and has been omitted here. It should be noted that 'aristocracy', used as a shorthand here, does not necessarily equate to all the wealthiest owners, for some landed estates were heavily encumbered with debts.⁴⁵ Equally, not all titled individuals were necessarily the owners of landed estates, since wealthy merchants and, by the nineteenth century at least, successful manufacturers, were increasingly ennobled. However, as a broad generalization, this category may serve as an indication of the role played by the larger landed estates.

Confining oneself purely to the 88 enclosures where full occupation details are available, 28 titled individuals bought 4646.38 acres, amounting to just under 25 per cent of the land sold. They bought at only 23 of the 88, and in only four where they had no formal entitlement. Significantly, three of these latter involved the purchase of large areas of moorland in northern England, and may well have been associated with the rising aristocratic interest in grouse shooting, since these were areas of prime grouse-moor territory.⁴⁶ These same individuals were allotted just under 30 per cent of the ordinary allotments as of right. In other words, in relative terms, they lost significantly. When we consider the fact that no less than 33 aristocratic owners failed to take advantage of the opportunities presented at the enclosures in which they had a stake as of right, it is clear that the concept of such owners as voracious seizers of as much land as possible cannot be sustained. There were undoubtedly one or two individuals

⁴⁴ The terms 'farmer' and 'yeoman' have been used as in the original documents. In practice, use of the latter term disappeared from much of England during the period under consideration, though continuing in, for example, Cumberland.

⁴⁵ See, for example, L. James, 'Changes in estates in southern England, 1700–1850', (unpublished PhD

thesis, University of Portsmouth, 2011).

⁴⁶ Several were subsequently used for this purpose, and it is clear that the objective was not usually agricultural. The Romalldkirk (Yorks.) award specifies that the land sold was that 'least capable of improvement'. Durham RO, D/X510/1.

who did seek to maximize their holdings: the Marquis of Bath, for example, snapped up all the land at Longbridge Deverill, Wiltshire, but this adjoined the heartland of the family estates.⁴⁷ Similarly, the Earl of Egremont bought all five sale lots on the common at Amberley, Sussex, close to his major estates round Petworth, but ignored those at Egremont, Cumberland, where the land was actually sold in 17 small lots.⁴⁸

By far the biggest proportion of the land was bought by gentry, some 46.3 per cent of the total. They were involved as buyers in no less than 73 of the 88 enclosures and made up over 33 per cent of those who bought. As has been mentioned, relatively few gentry bought land outside the areas where they had a normal entitlement, only 29 per cent of the 262 individuals concerned. They were clearly the most important group and appeared throughout the country, at all time periods, and in all types of farming area and urban fringes as well. However, as with the aristocratic group, their *relative* position was less impressive, for they were allotted 61.8 per cent of the ordinary acreage as of right. In other words, in spite of the very large acreage which they bought, they actually ended up as a group with a smaller proportion of the land than they would have done had all the land been allocated and a rate applied instead.

A brief comment is necessary on some of the minor groups involved. Clergymen, for example, as members of the Church of England, were heavily involved in the agricultural system, at least indirectly as the recipients of tithes⁴⁹ and as tenants-for-life of the glebe. Furthermore, many were drawn from the younger sons of gentry or even aristocratic families, and owned land and had wealth of their own. Sales of this sort offered an opportunity to build an estate, and a small number seized it, buying as much as 216 acres at Beckley (Oxfordshire) and 120 at Bradfield (West Riding of Yorkshire).⁵⁰ In total they made up 2.4 per cent of the buyers and acquired 2.9 per cent of the land. Interestingly, over 47 per cent of clergy buyers had no prior legal interest in the commons concerned, but it may have been that some, at least, were attempting to establish themselves as landowners in parishes linked to their religious duties.

The role of women buyers is worthy of comment, since there is an implicit assumption in some older literature that women landowners were insignificant prior to the Married Women's Property Acts of 1870 and 1882. In fact there was nothing to prevent spinsters or widows from owning land prior to this, and there is increasing evidence not only that they made up a significant element in the landownership pattern, but that many of them took a very active role in managing their estates. Certainly one would not have expected them to appear as buyers of land if they were merely passive owners simply living off the proceeds. Indeed, a number of authors have in recent years shown that women were active in promoting or supporting enclosures.⁵¹ Nevertheless, analysis shows that women had the lowest proportion of 'outsider' buyers, with less than a quarter (24.1 per cent) buying where they had no pre-existing right to an allotment, so they show a much greater tendency to expand their existing estates than

⁴⁷ Wiltshire RO, Enc 43.

⁴⁸ West Sussex RO, QDD/6/W13; Cumbria Archives Centre, Carlisle, Q/RE/1/30.

⁴⁹ The vicar's tithes remained in their hands, though some of the other tithes were in lay or institutional hands.

⁵⁰ Oxfordshire RO, QSD A vol. 7; Sheffield Archives,

ACM S 73.

⁵¹ See, for example, S. L. Seeliger, 'Female landholders in Hampshire, c.1650 to 1900' (unpublished PhD thesis, University of Portsmouth, 1998); Briony A. K. McDonagh, 'Women, enclosure and estate improvement in eighteenth-century Northamptonshire', *Rural Hist.*, 20 (2009), pp.143–62.

other groups. They made up just under 4.5 per cent of the buyers and were involved in 20 of the enclosures analysed, though they actually purchased only just under 1 per cent of the land on offer. There is nothing to suggest that any particular pattern in purchases by women, either regional or, for example, associated with fashionable urban areas to which wealthy widows might perhaps have retired.

Builders were also looked at as a separate category, as it was initially assumed that they might be expected to show a clustering where enclosures took place on the edges of urban areas. In fact they proved to be insignificant in both total numbers involved and in the acreage bought, and only the purchases at Barking and Leicester might be taken to fit the anticipated pattern.⁵²

Institutional owners are worthy of a brief comment because of their unexpectedly negligible involvement. Those who were involved were bodies such as the Moretonhampstead and South Devon Railway Company at Bovey Tracey, and the Staffordshire and Worcestershire Canal Company at Wolverhampton, who bought small areas for purely local purposes, such as sidings or quays, or the brewers Ind Coope and Company at Dagenham.⁵³ Almost entirely missing from the list are the great institutional landowners, the colleges of Oxford and Cambridge.⁵⁴ In general these were not involved in those enclosures where sale allotments were used, and it may be suggested that this was a deliberate policy on their part to veto attempts to allow this means of raising the costs. They were notoriously defensive of their own interests and may have felt that bidding for land at auction would leave them at a disadvantage. Certainly, their absence is striking, when compared with their prominence in that part of the sample where sales were not used.

Finally it may be noted that the crown was involved in a number of the enclosures concerned, but only once as a buyer. The crown was lord of the manor in four of those analysed in detail but although some of its agents elsewhere took a very active part in promoting enclosures, there is no evidence that they made any serious attempt to acquire sale allotments. The crown clearly had the resources to outbid other owners should it have wished to do so, but evidence from elsewhere suggests that its agents saw the advantages of enclosure primarily in the potential gains from improving the management of existing lands rather than attempting to expand its acreage. Thomas Bainbridge, the crown agent involved at the Methwold (Norfolk), enclosure, made detailed calculations of the costs and benefits which would accrue, concluding that the crown's best financial advantage would be to *sell* land, thereby covering all its incidental costs. The improved rents from the new allotments would more than compensate for the reduced area, and the crown would not have to raise significant sums of money immediately.⁵⁵ Such an argument would seem to lie also behind the failure of the aristocracy to buy as much as might have been expected. They, like the crown, were highly selective in their purchases, seeking to expand their core estates by targeting particular pieces of land, rather than merely increasing their total landholdings.

⁵² TNA, MAF 1/233 and /962; Leicestershire RO, QS47/1/51.

⁵³ TNA, MAF 1/205 and /965; Staffordshire RO, Q/RDc 100; TNA MAF 1/976.

⁵⁴ St John's, Cambridge, was a buyer at Windlesham. Surrey History Centre QS6/4/18.

⁵⁵ TNA, DL 41/1172. Methwold is not one of the enclosures analysed in detail.

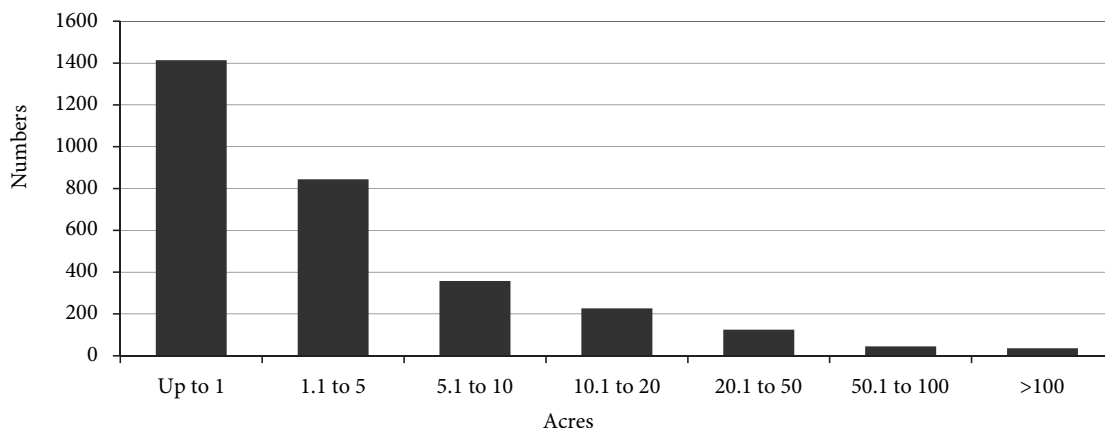


FIGURE 4. Size of sale allotments

VI

In summary, then, it is clear that the use of sale allotments to raise the costs of enclosing the commons did not lead to a universal land grab by the aristocracy and gentry. Though these two groups were by far the biggest buyers in acreage terms, relatively speaking they ended with a good deal less than they might have received if the alternative strategy of imposing a rate on each recipient had been adopted. Conversely smaller landowners, craftsmen and tradesmen, even labourers, gained relatively from this system. A very significant number of individuals in these groups was able to acquire plots of land which otherwise they would not have had, either increasing their existing small entitlements or becoming landowners for the first time. In part this was due to the policy of offering the land concerned in very small lots, within reach of the poorer individuals and with little attraction to the rich (see Figure 4). This policy was occasionally specifically written into the enabling Act, but it was adopted in many other cases. There were cases where large acreages were auctioned in one or two large lots, 1300 and 300 acres at Black Lyne, Cumberland, for example, but it was much more usual to mix large and small lots.⁵⁶ At Penistone, Yorkshire, lots ranged in size from 4 perches to 40 acres, and, of the 53 lots, no less than 36 were under an acre in size, compared with only four over 20 acres.⁵⁷ Overall, over 46 per cent of the sale allotments were of one acre or less, and a further 27 per cent of between one and five acres.

This analysis poses questions for the widely accepted traditional views of the social effects of the parliamentary enclosure process. It is clear that, where sale allotments were used, the more wealthy sectors of society – far from greatly increasing their holdings – actually lost significantly in relative terms. In contrast, ordinary yeomen and farmers, craftsmen and tradesmen, even labourers, were able to increase their holdings, at least to a modest extent, and in many cases actually established themselves with smallholdings or garden plots where

⁵⁶ Cumbria Archives Centre, Carlisle, Q/RE/1/22.

⁵⁷ West Riding RO, Wakefield, West Riding Registry of Deeds, RDW B38, p. 141.

previously they had had none. While it might be argued that sale allotments were used in only a minority of cases, they are at least a clear indication that wealthy landowners were not, as a group, primarily concerned to gain the maximum possible acreage from enclosure. Had they wished, not only could they have outbid most other individuals but, through their dominance of Parliament, they could have ensured that enclosure acts imposed a *minimum* size of sale allotment, thereby eliminating competition from poorer bidders, or, indeed, have prevented the use of sale allotments at all, which would have ensured their full entitlement as of right.

It should be noted that some of the other basic assumptions behind the traditional model do not hold good. Obviously, selling a proportion of the land available meant that each right owner got a smaller original allotment than would otherwise have been the case, but this did not mean that they ended up with their overall holdings reduced in size, a basic assumption of the arguments of Cohen and Weitzman and Neeson.⁵⁸ The land concerned was almost exclusively 'common waste', and enclosure involved adding land formerly used for extensive grazing to the more intensively cultivated farmland. The use of sale allotments did not therefore diminish holding sizes, it merely reduced the amount of increase. Furthermore, as has been shown, allottees could be allowed to choose whether they accepted their whole allocation or a reduced one free of charges. This is not to suggest that there were no losers as a result of enclosure or that the traditional view is wrong in all circumstances: it merely serves to emphasize that the situation was far more complex than is frequently assumed, and that to neglect the impact of sale allotments is to ignore a factor which introduces a significant regional and temporal variation to a study of the social impact of parliamentary enclosure.

⁵⁸ Cohen and Weitzman, 'Enclosures and depopulation'; J. M. Neeson, *Commoners: common right, enclosure and social change in England, 1700–1820* (1993), for example, p. 257.