Sale Allotments as a means of covering Enclosure Costs: the case of Hampshire

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One of the most hotly debated aspects of the Parliamentary enclosure movement, both by contemporaries and by subsequent historians, has been the extent to which it involved significant changes in ownership and, in particular, whether large landowners took the opportunity to expand their holdings at the expense of the smaller. Much of the weight of opinion has tended to support the view that they did, though there have been dissenting voices, for example G.E. Mingay.[1]

A key point in this debate has been the impact of the costs of the process on the poorer landowners. The costs of an enclosure had to be covered by the recipients of the land being enclosed, and the commonest way of doing this was to levy a rate on each individual, proportional to the amount of land to be received. The time allowed for payment was usually very short: at Hursley, for example, a rate made on 29th June 1812 had to be paid by 1st September and a second, on the 23rd November, by 21st December.[2] It has been argued that, faced with a demand for their contribution in cash at such very short notice, many smaller owners would have to sell up in order to meet it, thus losing all or part of their land. There is certainly evidence that some individuals could not pay within the required time limit: Turner

1 For example E.P. Thompson's famous description of the process as 'a plain enough case of class robbery' in *The Making of the Working Class* (New York, 1966), p. 218, and, more recently, Alvaro Sevilla-Buitrago, 'Territory and the Governmentalisation of Social Reproduction: Parliamentary Enclosure and Spatial Rationalities in the Transition from Feudalism to Capitalism', *Journal of Historical Geography* 38 (2012), 212. For another view, see G.E. Mingay, *Enclosure and the Small Farmer in the Age of the Industrial Revolution* (London, 1968).

2 Hampshire Record Office, Winchester [hereafter HRO], 58M71/E/B11

refers to examples, though it is not clear whether these were all small landowners.[3] This financial burden has formed the cornerstone of the arguments of historians such as the Hammonds, Cohen and Weitzman, and Neeson, who have maintained that many small landowners were driven out by enclosure, often being forced to sell their allotments to meet the costs.[4]

What has been almost entirely ignored in this argument is that there was an alternative method of raising the costs, namely by selling a proportion of the land at open auction and using this money to offset the charges against the individual allottees. The use of this method arose from the view of some contemporary commentators that the imposition of a rate to cover costs did indeed hit many poorer proprietors particularly hard and permission for commissioners to sell land for the specific purpose of covering the costs was written into some acts from early in the Parliamentary enclosure process.[5] It was well enough known and accepted for the General Inclosure Act of 1801 simply to begin one of its clauses 'Where the expenses of obtaining and carrying any Act into execution shall be paid by sale of part of the lands'.[6] This method relieved all those involved of a major financial burden and was seen as being especially beneficial to the poorer owners. They were under no pressure to undertake a forced sale, or to lose their land due to defaulting on their payments. It should be noted that acts did not *impose* this means of raising the costs, they merely *permitted* it, and commissioners always had the option of mixing rates and sales, a necessity since they could not be certain that an auction prior to the

3 M.E. Turner, 'Cost, Finance and Parliamentary Enclosure', *Economic History Review*, 2nd Series, 24 (1981), 236–48. It may be suspected that the 'family circumstances' which William Swanton at Grateley, gave as his reason for selling before the enclosure, though aware that this would produce a much smaller return, may have been financial (HRO, 3M54/1 (3)).

4 J.L. and B. Hammond, *The Village Labourer* (London (1911; reprinted, 1948); 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* (Princeton, 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* (Greenwich, Connecticut, Jai., 1988), p.110.

5 The earliest example found is at Aslackby, Lincolnshire, in 1765 (Lincolnshire Record Office, KEST AW4). Similar sales were occasionally used in enclosures by private agreement, as at Baughurst in 1856 (HRO, 10M57/89 and 10M57/P16) but this was much less common.

6 General Act 41 Geo III cap. 109, clause XXXII.

final allocation would meet all the costs.[7] Furthermore, some acts, such as that for Portsea, specifically allowed individual landowners to decide whether to opt out of the sales, taking their full allocation and paying a rate instead.[8]

Obviously where sales were used each owner received a smaller allocation than they would otherwise have done had they paid their costs by means of a rate, so use of this system provided an ideal opportunity for wealthy landowners to indulge in a 'land grab' if they were so inclined. They could ensure through their parliamentary dominance that the sale lots were too large to be within the reach of the poor and also, of course, to use their financial resources to outbid their poorer rivals at the auction. Whether they did or not has been little explored in the literature. A recent article examines the impact of the use of such sale allotments at national level, using a sample of awards throughout England, and illustrates quite clearly the considerable geographical variations which occurred.[9] It therefore seems appropriate to attempt a complete cover of the effects on a single county. Although a limited number of studies have examined their impact, these have concentrated on the upland parts of counties in the north and west where such sales were most likely to be used; the only published study of a whole county is one in *Local Historian*, almost forty years ago.[10]

Hampshire offers a particularly interesting example for this analysis, since in other respects, such as the temporal pattern of Parliamentary enclosure and the balance between open field and pasture in the movement, it very closely resembles the national average for England as a whole, yet from the evidence of the national sample survey it appears to fall into the 'low' category, as far as the use of sale allotments is concerned.[11]

7 Some acts restricted the total to be sold, even if it did not cover all costs, e.g. Billingborough, Lincolnshire. Act of 8 Geo III, cap. 15.

8 HRO, Q23/1/2, pp. 470–514.

9 John Chapman, 'Winners and Losers: Who gained from Land Auctions at Parliamentary Enclosures in England', *Agricultural History Review* 62 (2014), 278–93.

10 For example, B.J. Buchanan, 'The Financing of Parliamentary Wasteland Enclosure: Some Evidence from North Somerset', *Agricultural History Review* 30 (1982), 112–26; Ian Whyte 'The Costs of Parliamentary Enclosure in an Upland Setting: South and East Cumbria *c.*1760–1860', *Northern History* 43 (2006), 97–115; J. Chapman, 'Land Purchasers at Enclosure : Evidence from West Sussex', *Local Historian* 12 (1977), 337–41.

11 John Chapman 'The Extent and Nature of Parliamentary Enclosure', *Agricultural History Review* 35 (1987), 25–35

The following analysis is based on the data abstracted from all the extant Parliamentary enclosure awards for the historic county of Hampshire.[12] It must be stressed that only sales at open auction are considered here. Private sales have been omitted, including purely private sales by the commissioners. These latter comprised 'encroachment sales' (land judged to be legally part of the commons, but sometimes sold to the encroacher concerned) and some private sales, usually to the lord of the manor, of land of particular interest to the person concerned. Although the money received obviously contributed to the costs, this was not their purpose, nor was there any question of others being able to bid for the land, a key issue in this discussion.

This definition leaves one or two dubious cases. Hartley Wintney has been excluded, since it appears that the land concerned was simply sold to Lord Calthorpe, the sole owner, rather than at auction.[13] On the other hand, Twyford has been included.[14] In this case the amount sold could clearly never have covered more than a small proportion of the costs, but it nevertheless fulfils the criteria of being for the purpose of contributing to them and of being sold at open auction.

Aldershot presents particular problems, since the whole enclosure was driven by the wish of the Board of Ordnance to establish permanent title to the army training area. It would appear that technically they had no common rights over the land concerned, since they received no ordinary allotment in lieu, unlike the 24 common right owners.[15] What the Board apparently did was to buy almost the whole of the land being enclosed, including the 10 acres allotted initially for the 'labouring poor'.[16] However, according to Cross the War Office bought the manorial rights in 1854, in which case the Board would have been entitled to a significant allotment in compensation for those rights.[17] The precise circumstances are unclear, but it seems possible that the purchase referred to in the award was in fact that of the manorial rights, in which case it falls outside the scope of this paper. The purchase of

12 158 out of 161. Excluded are Charlton in Andover, Odiham and East Wellow, for which there are no awards and no figures in the act, as these were merely confirmatory of earlier agreements.

13 HRO, Q23/2/64.

14 HRO, Q23/2/130/1.

15 HRO, Enc11 (4) and Q23/2/1. See also HRO, 93M71/1, Donald A.E. Cross, 'The Story of the Town of Aldershot, Hants', unpublished typescript, 1948.

16 99.52 per cent of the 2396.54 acres.

17 Cross, 'The Story of the Town of Aldershot, Hants', p. 15.

the allotment for the poor would also be excluded, since it would fall within the definition of a private sale. The Aldershot enclosure has therefore not been included.

In total 45, or 28 per cent, of the Hampshire enclosures included sales which meet the criteria outlined above. Ideally one would wish to examine and compare the status or occupation and residence of all those who received land, either by right or by purchase, but unfortunately the records available do not permit this. Many awards do not provide these details for those who were awarded land by right. On the other hand, the majority of those in which sale allotments were used, 31 out of 45, provide details of status of the buyers and an identical number their residence, though unfortunately not necessarily from the same enclosures. It is therefore possible to attempt an analysis at three different levels. Firstly, it is possible to determine for all 45 of the awards how much of the land sold went to those who already had a stake in the area concerned as allottees by right. Secondly, it is possible for the 31 where status/occupation is given to determine which of these groups gained in relative terms, and which lost. Clearly, unless all bought proportionately to the amount they were allotted there would be a change in the balance. Thirdly, a similar analysis of the 31 which give residential details allows one to examine whether the buyers were local residents or from elsewhere.

Overall, just under 5 per cent of the land enclosed in Hampshire was sold by means of open auctions.[18] The amount ranged from 0.2 acres at Twyford to 1585.5 acres at Christchurch. In percentage terms, this meant that anything from 0.86 per cent at Cove to just over 96 per cent of the land at the Crofton in Titchfield enclosure was sold.[19] At Wootton St Lawrence the whole of the allottable land was sold, the money raised covering the costs of a series of exchanges of old enclosed land which were confirmed by the commissioners.[20] Taking only those awards using sale allotments, 743 individuals bought land amounting to 22.82 per cent of the allottable land;[21] of these individuals 505, or just over 70 per cent, had no ordinary allotments. In other words, a

18 6480 acres out of 130,761. This total is for land which was actually enclosed, and excludes old enclosures swept up in the enclosure process.

19 HRO, Q23/2/130/1 (Twyford), Q23/2/9 (Bentley), Q23/2/128 (Titchfield).

20 HRO, Q23/2/140. Cases of the costs of an enclosure exceeding the total value of the land being enclosed were not unknown.

21 For the purpose of this paper, 'allottable land' or 'land allotted' includes all land, other than old enclosures or land elsewhere involved only in exchanges; 'ordinary allotments' or 'residue' is the allottable land minus the sale allotments.

very substantial majority of the buyers were 'outsiders' to the enclosure concerned. All told the buyers received only 29.43 per cent of the residue, indicating a substantial shift in the ownership patterns.

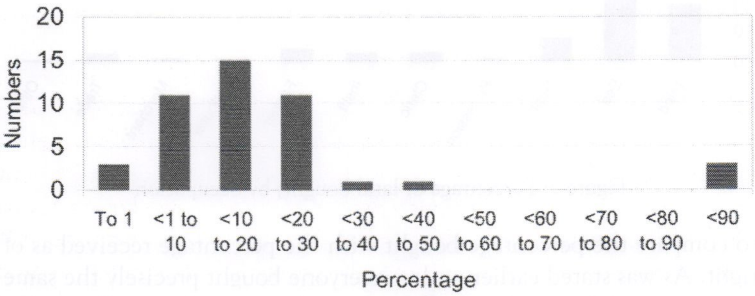

Figure 1: Percentage of land sold per enclosure

In analysing the 'status' of the buyers it has been necessary to rely on the descriptions given in the awards. In most cases this presents no problems: descriptions, such as 'esquire' or 'gent', or 'farmer' or 'labourer', can be used as separate categories. In some cases it was deemed appropriate to combine individuals into larger groups. Thus those described as 'lawyer' or 'doctor' have been grouped under the umbrella heading of 'professional', and those such as charities or the Commissioners of Woods and Forests have been similarly combined as 'institutional' owners.

In view of the controversies over the behaviour of large landowners, an obvious starting point for more detailed analysis is with the titled individuals, or those described as esquire or gent. At first glance the figures would appear to bear out the idea of a land-grab by the larger landowners. As Figure 1 shows, the great majority of the land sold was bought by those in the aristocratic, esquire and gentleman categories. Overall, these three groups together bought 78.40 per cent of the total acreage put up for sale.

None of the other groups bought as much as five percent of the land. The highest total, as might be expected, was for farmers, with 4.82 per cent, closely followed by clerics, traders and institutional owners (e.g. charities, the Commissioners of Woods and Forests), each with between 3 and 4 percent. Of the remaining categories, only the labourers, with 1.63 per cent are worthy of specific mention (see Figure 2).

However, it must be stressed that had sale allotments not been used, each owner would have received a larger initial share, and to gain a true picture of the winners and losers by the process it is necessary

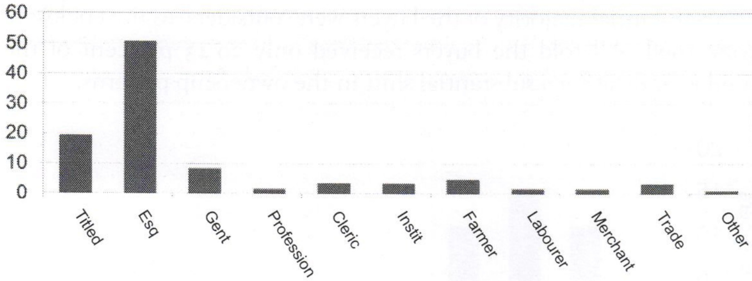

Figure 2: Percentage of land bought, by occupation

to compare the percentage bought with the percentage received as of right. As was stated earlier, unless everyone bought precisely the same percentage of the sale lots as they received of the ordinary allotments, they would end up with a larger or smaller share of the total than they would otherwise have done. Comparing these figures presents a rather different picture (see Figure 3).

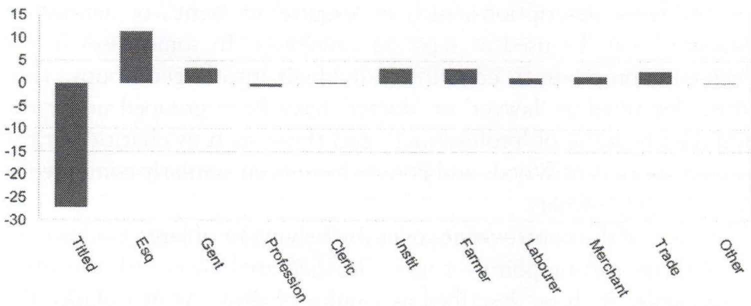

Figure 3: Comparison of percentage bought with that allotted

What appears to be immediately obvious is that in relative terms one of the three groups which dominated the sales in absolute terms, the aristocracy, in fact lost substantially in comparison with what they would have received under the rating system. They would have had to have bought well over 25 per cent more in order to maintain their relative position as landowners. Conversely, the esquires and gentry, broadly speaking the squirearchy and middling rank of landowners gained, by over 10 per cent in the former case. The professional and clerical categories remained effectively in balance. All the other categories, which may be broadly grouped as the smaller landowners, show gains. While none of these increases was very substantial, at the very least it indicates that the system of sale allotments was by no means to the benefit of the greater landowners. Farmers, for example, were awarded just over 1 per cent of the land, but bought almost 2.23 per cent of the land offered for sale, gaining 164 acres, while labourers, with an allotment amounting to 0.03 per cent, bought almost 0.75 per cent, increasing their holdings by just over 55 acres. Traders and merchants, allotted one half per cent of the total, bought over 2.3 per cent.

Examination of the residence of the buyers shows that they were overwhelmingly from the immediate locality. 38.97 per cent was bought by individuals shown as living in the parish concerned, and a further 49.84 per cent by those in neighbouring parishes or within three miles of the nearest point.[22] Interestingly, there was very little interest from the rest of Hampshire, with substantially more being bought by those from adjacent counties, and even London (see Figure 4).

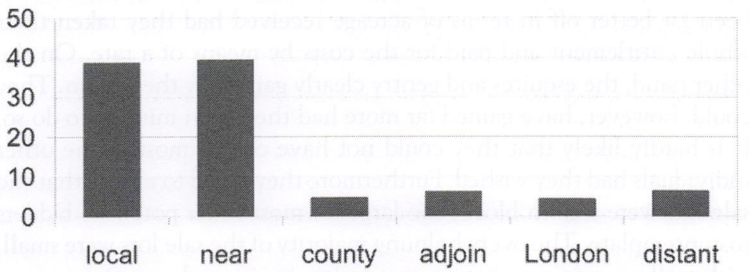

Figure 4: Percentage of land bought, by residence

Once more, however, this may lead to some false impressions. Comparisons of the area of land purchased with that initial allotted gives a different picture, though the scale of the differences is not so great as with status. Though those living within the immediate neighbourhood were by far the greatest buyers, proportionately they were the greatest losers, while it was those from more distant localities who gained the most as Figure 5 illustrates. It may well be that some of those apparently buying at a distance had in fact connections in the parish or its immediate surroundings although they did not own rights in the land actually being enclosed.

22 Where parishes lay very close to the county boundary, buyers living just over the border have been included as 'near' if appropriate, rather than 'adjoining county'.

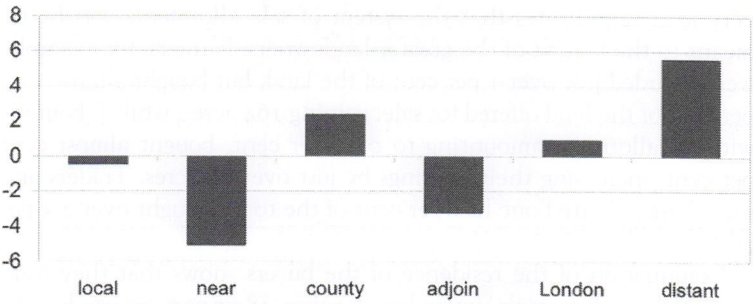

Figure 5: Comparison of land bought with that allotted

What is clear from the figures is that the simplistic idea that large landowners used the device of sale allotments to increase their potential holdings at the expense of the smaller does not hold good. Aristocratic landowners were very substantial losers, and would have been far better off in terms of acreage received had they taken their whole entitlement and paid for the costs by means of a rate. On the other hand, the esquires and gentry clearly gained by the system. They could, however, have gained far more had they been minded to do so. It is hardly likely that they could not have outbid most of the other individuals had they wished. Furthermore they failed to ensure that the sale lots were sold in blocks too large for most other potential bidders to contemplate. The overwhelming majority of the sale lots were small, with well over 50 per cent an acre or less in size and over 80 per cent no more than five acres, an obvious invitation to the less wealthy to attempt to acquire them (see Figure 6).[23]

What is of particular interest is the extent to which farmers, labourers and small traders were able to use sale allotments to acquire more land, or often, land for the first time. Farmers had an obvious incentive, and, as has been suggested in an earlier article local traders in some cases may have needed the land to continue their normal practices once the commons were no longer available.[24] Equally, land may well have been seen as a safe deposit for any spare cash and its rental value as a potential pension if the trader was no longer able to work.

Labourers perhaps deserve special comment. As might be expected, few of these latter had any allotments by right, only eight out of the 56

23 The only attempts to restrict the size of plots offered for sale placed a *maximum* size on them, e.g. Eartham, West Sussex, Act of 53 GeoIII cap.27.

24 Chapman, 'Land Purchasers at Enclosure: Evidence from West Sussex'.

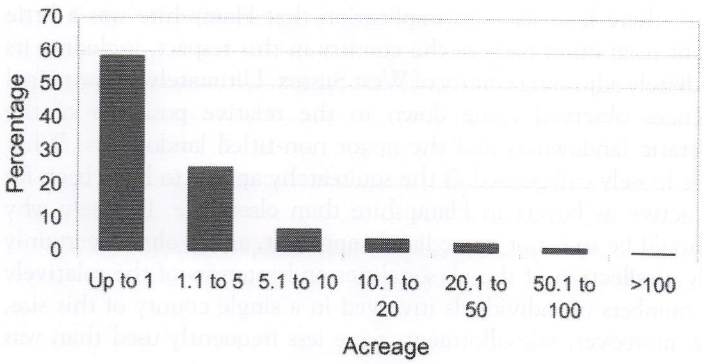

Figure 6: Size of individual sale allotments

identifiable. Virtually all, where it is possible to ascertain residence, were in fact locals. All were reported to live in the parish concerned, except for two living in a neighbouring parish and a single individual from elsewhere in Hampshire. In other words, the use of sale allotments was a highly significant means by which labourers acquired a landed stake in their local community. The amount concerned, only marginally under one acre per person, would have been sufficient to provide them with a garden plot large enough to offer a significant buffer against the chronic unemployment which tended to afflict labour.

The question arises as to how far the results from Hampshire may be typical of other areas of the country, and differences immediately emerge when they are compared with the national sample survey and with that of West Sussex to which references have already been made.[25] In both these other cases the two 'higher-status' groups of landowners show relative losses, whereas only the titled ones show such a result in Hampshire. Nationally, professional individuals seem to have been quite active buyers, making significant gains over their entitlements, in contrast to the Hampshire results. On the other hand, female landowners were significant losers nationally, whereas in Hampshire they were little involved in the enclosure process at all, in spite of the fact that there were prominent female landowners in the county in the relevant period.[26]

25 Chapman, 'Winners and Losers: Who gained from Land Auctions at Parliamentary Enclosures'; Chapman, 'Land Purchasers at Enclosure: Evidence from West Sussex'.

26 See, for example, S.L. Seeliger, 'Female Landholders in Hampshire, *c.*1650 to 1900', unpublished PhD thesis, University of Portsmouth (1998).

Thus, there is at least an implication that Hampshire was a little different from other parts of the country in this respect, including its immediately adjoining county of West Sussex. Ultimately the principal differences observed come down to the relative positions of the aristocratic landowners and the major non-titled landowners. What may be loosely categorised as the squirearchy appear to have been far more active as buyers in Hampshire than elsewhere. Precisely why this should be so is not immediately apparent, and is almost certainly merely a reflection of the personalities and interests of the relatively small numbers of individuals involved in a single county of this size, where, moreover, sale allotments were less frequently used than was the norm.

What is clear from all three cases is that there is little evidence of the larger landowners seeking to maximise the size of their holdings at all costs, whereas labourers and smaller landowners seized the opportunity presented by the use of sale allotments to acquire land, or to increase their existing holdings. Though the total amounts were small, the effect of having a small garden plot or a slightly larger area than before may have had a disproportionately beneficial effect for the individuals concerned. Clearly they felt it so, and the results support those contemporaries who argued that sales of land were fairer to the poorer individuals than the alternative of forcing them to pay a rate.