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## The Movements for the Inclosure and Preservation of Open Lands

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*The MOVEMENTS for the INCLOSURE and PRESERVATION of  
OPEN LANDS. By SIR ROBERT HUNTER.*

[Read before the Royal Statistical Society, 25th May, 1897.  
The President, A. E. BATEMAN, Esq., C.M.G., in the Chair.]

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*I.—Common Fields and Commons.*

I NEED not tell an audience such as I am addressing this afternoon that in the early days of our history the land of England lay open and unfenced, the network of hedges which is now typical of the English landscape being in the main a very modern creation. Long after England was a settled country—in Saxon, Norman, Plantagenet, Tudor times—the country was for the most part tilled on the common-field system, and, with the exception of a few paddocks and homesteads, was uninclosed, or inclosed only during a portion of the year, and with mere temporary barriers. When the crops were carried, all fences were removed, and the land was thrown open to the cattle of the community. It is perhaps unnecessary to quote authority for this general statement. Mr. Seebohm's ingenious and graphic dissertation on the "English Village Community" starts from the fact of the cultivation in common of the fields of the vill. Previous writers had emphasised the same fact, while deducing from it very different conclusions as to the status of the community. And the latest writer on the vexed subject of the early settlement of the country, Mr. Maitland, in his careful and patient examination of Domesday Book, equally recognises as beyond question, that the greater part of England was during the Middle Ages divided into vills or towns, each standing in the midst "of its fields, its territory, a considerable part of which "will probably have consisted of spacious common fields."<sup>1</sup>

<sup>1</sup> Maitland, "Domesday Book and Beyond," 15.

Mr. Maitland, however, points out that it must not be immediately concluded, that the whole of England was at the time of the Norman Conquest settled and cultivated after one and the same fashion. He draws attention to localities which, to use his language, are lands of hamlets rather than of villages, where the houses of a parish lie in several small clusters, often with names of their own, distinct from that of the parish, where there are no traces of very large fields, and where, on the face of the map, there is no reason why a particular group of cottages should be reckoned as belonging to one parish rather than to its neighbour. Mr. Maitland finds the latter type of parish more frequent as one travels westwards, and completely in possession in Wales and Cornwall; and he suggests, that it indicates a Celtic rather than a Germanic settlement. But the land of hamlets was probably as free from permanent inclosure at the time of the Conquest as the land of villages; for the west appears to have been more thinly populated than the east, its land was worth less, and there were fewer teams to till it. And the tillage appears to have had no regard, as the common-field system had, to the regular rotation of crops, but to have consisted in the conversion of the land from grass to arable and from arable to grass time after time,—wheat, barley, and oats being sown as long as the land would bear any, and then grass for eight or ten years, until the land was recovered and capable again of bearing corn.<sup>2</sup> Such a system, which brought all the lands of the community under tillage as they were required, and then restored them to waste when exhausted, would certainly not involve permanent hedges or exclusive proprietorship.

To return however to the English village and its common fields, I will quote by way of description not one of the authors to whom I have referred, and who (it might be suggested) have theories in view as to the status of the village community which might colour their pictures, but a purely agricultural writer of the early part of the century. William Marshall, in his “Elementary and Practical Treatise on Landed Property,”<sup>3</sup> writes thus:—

“A very few centuries ago nearly the whole of the lands of England lay in an open, and more or less in a commonable state. Each parish or township was considered as one common farm, though the tenantry were numerous.

“Round the village in which the tenants resided lay a few small inclosures, or grass yards, for rearing calves, and as baiting and nursery grounds for other farm stock. This was the common farmstead, or homestall, which was generally placed as near the

<sup>2</sup> Maitland, p. 25, quoting Marshall’s “Review of Reports of Agriculture,” p. 73.

<sup>3</sup> Marshall’s “Elementary and Practical Treatise on Landed Property.” London, 1804.

“centre of the more culturable lands of the parish or township as water and shelter would permit.

“Round the homestall lay a suit of arable fields, including the deepest and soundest of the lower grounds, situated out of water’s way, for raising corn and pulse, as well as to produce fodder and litter for cattle and horses in the winter season.

“And, in the lowest situation, as in the water-formed base of a rivered valley or in swampy dips, shooting up among the arable lands, lay an extent of meadow grounds or ‘*ings*,’ to afford a supply of hay for cows and working stock in the winter and spring months.

“On the outskirts of the arable lands, where the soil is adapted to the pasturage of cattle, or on the springy slope of hills, less adapted to cultivation, or on the fenny bases of valleys, which were too wet, or gravelly water-formed lands, which were too dry, to produce an annual supply of hay with sufficient certainty, one or more stinted pastures, or hams, were laid out for milking cows, working cattle, or other stock which required superior pasturage in summer.

“While the bleakest, worst-soiled and most distant lands of the township were left in their native wild state for timber and fuel, and for a common pasture, or suit of pastures, for the more ordinary stock of the township, whether horses, rearing cattle, sheep, or swine, without any other stint or restriction than what the arable and meadow lands indirectly gave; every joint-tenant, or occupier of the township, having the nominal privilege of keeping as much live stock on these common pastures in summer as the appropriated lands he occupied would maintain in winter.

“The appropriated lands of each township were laid out with equal good sense and propriety. That each occupier might have his proportionate share of lands of different qualities, and lying in different situations, the arable lands more particularly were divided into numerous parcels, of sizes, doubtless, according to the size of the given township and the number and ranks of the occupiers.

“And, that the whole might be subjected to the same plan of management, and be conducted as one common farm, the arable lands were moreover divided into compartments or ‘*fields*,’ of nearly equal size, and generally three in number, to receive in constant rotation the triennial succession of fallow, wheat (or rye) and spring crops (as barley, oats, beans and peas).”

Add to this description the undoubted fact, that from the time when the crops were carried till the next sowing, each arable field was thrown open to be depastured in common by the cattle of the community, and that the fallow field was open to the run of the cattle throughout the year, and you will see, that

the greater part of the parish was in a sense open land. It was not appropriated by the individual and fenced against all the world, but was the subject of many proprietary interests, and open more or less to the whole neighbourhood. Such was the case with the arable fields and meadows, while stinted pastures were always occupied in common, and the outlying wastes were in the same condition as the commons of our own day.

It would be foreign to my purpose to travel into any minute description of the common-field system, but one or two instances may be mentioned to indicate its character. Mr. Blamire, a Tithe Commissioner, giving evidence before the Select Committee of 1844<sup>4</sup> (upon whose report the Inclosure Act of 1845 was passed), gives us instances of three parishes where the common-field system still obtained. In the parish of Barmby-on-the-Marsh, Yorkshire, the open land, consisting of 1,015 a., was divided into 1,152 separate parcels, each, on the average, containing 3r. 23p., while the meadow land consisted of 352 parcels, containing 677a., or a little less than 2a. a piece on the average. These would be the small inclosures or grass yards of Marshall. In Chinnor, Oxfordshire, the open land consisted of 2,340 parcels, containing on the average 3r. 18p. each, and an aggregate of 2,016a., and there were 61 old inclosures comprising 672a. And in Cholsey in Berkshire the open land comprised 2,315 parcels, of an average of an acre, and an aggregate extent of 2,327a., while 160 old inclosures extended to 504a. Again, coming to much more recent days, the Inclosure Commissioners in 1877 gave a detailed description of the common fields of three parishes in Rutlandshire, and in 1880 a similar report in relation to a Berkshire and a Yorkshire parish. The figures stand thus:—

County.	Parish.	Population.	Common Fields.			Other Common Lands.
			Number of Strips.	Number of Owners.	Acreage.	
Rutland ....	Barrowden ....	636	2,790	40	Not stated, but probably about 2,500	{ In Barrowden a cow pasture, and in Barrowden and S. Luffenham together 391 acres of common or waste 143 acres of common pasture and meadow
„ ....	S. Luffenham	359	1,238	22	784	
„ ....	N. Luffenham	{ Not stated }	1,631	{ Not stated }	1,493	
Berks .....	Steventon .....	829	1,000	20	1,162	{ The Cow Common, 54 acres The Green, 27 acres
York, N.R.	Riccall.....	795	1,127	43	691	

<sup>4</sup> Commons Reports, 1844, No. 583, p. 17.

In every case the common fields were thrown open for purposes of pasturage after the crops were carried, and during the whole of the fallow year, but the class entitled to pasture was not always the same. In the Rutland parishes the owners and occupiers of all lands in the parish had the right of pasturage; in the other cases only the owners and occupiers of the common field strips. The cow pasture and (probably) the other common pastures and meadows in the Rutlandshire parishes were also held in severalty during the early summer months for the purpose of getting a crop of hay. The Cow Common and Green at Steventon were stinted pastures, the soil of which was in the Lord of the Manor, but which were depastured exclusively by twenty-four persons, owners of 117 stints of equal value; each enabling the owner to depasture cows during a specified period of each year, and afterwards sheep. Thus it will be seen how largely, even within the last twenty years, these parishes were farmed in common, and according to fixed rules, in the manner indicated by William Marshall in the passage I have read to you.<sup>5</sup>

## II.—*Forests.*

Mr. Maitland suggests another cause, besides a Celtic origin, for the occasional presence throughout the country of "lands of hamlets." He suggests that they may not improbably be found "wherever there have been within the historic period large tracts of forest land."<sup>6</sup> This introduces a topic which, I think, has never yet received full attention, and which I am afraid I cannot now deal with as it deserves, viz., "What area of England was in Norman times under the sway of the Forest Laws?"

A forest in the legal sense is not, I need hardly tell you, necessarily, or merely, a large wood. It is defined by Manwood<sup>7</sup> as "a certain territory of woody grounds and fruitful pastures, privileged for wild beasts and fowls of forest, chase, and warren, to rest and abide there, in the safe protection of the king, for his delight and pleasure." It is not, he says, inclosed, but is "meered and bounded with unremovable marks, meers, and boundaries," such as hills, rivers, highways, and sometimes

<sup>5</sup> It will be noticed that the strips or parcels of the common fields approximate to either an acre or half an acre. The term acre, originally founded on the idea of a day's ploughing, seems to be intimately connected with the common field system, and to have denoted a strip the length of which was measured by the distance which a team of oxen would naturally plough without stopping, and the breadth by four ploughing beds or "selions;" but it would be impossible always to lay it out of the same size, and hence variations, which lead to an average a little under or over the acre. See Maitland, pp. 368—384.

<sup>6</sup> Maitland, p. 16.

<sup>7</sup> "Treatise of the Forest Laws." Edit. 1717, "pl. Forests," p. 143.

remarkable trees. Within its circuit there may be many inclosed grounds, villages and even towns. Thus within Waltham Forest were the old market towns of Waltham and Epping, besides many villages. The essential peculiarity of the district does not consist in being woodland,<sup>8</sup> or even a wild open district (though no doubt both these characteristics may generally be expected), but in being subject to the forest laws. And the main object of these laws was to keep the place *in statu quo*. Thus, speaking generally, pasture land could not be turned into arable; inclosed woods could not be felled except under conditions which would ensure their restoration; buildings could not be erected; and open uninclosed grounds could not be inclosed. The roam of the deer was preserved throughout the whole district, inclosed and uninclosed land, cultivated and waste land, alike. No landowner or farmer could erect a fence high enough to keep out a doe with her fawn, and to kill or chase out the deer even from amongst standing corn was a high misdemeanour.

Within a forest there were large rights of common—always common of pasture for cattle, and rights of pannage for pigs, and generally rights of cutting wood. The right of common is often said to have been conferred upon the inhabitants (*i.e.*, in law upon the owners and occupiers of land) within the district as a compensation for the damage done by the deer, and for the restrictions upon the beneficial occupation of the inclosed lands. It is quite as probable, however, that forestal rights of common are a survival of extensive rights previously existing in the district. The forest system prevented the growth of the manorial power, and thus preserved the more ancient character of rights which in other places were gradually made to fit in with the theories of feudal and manorial law. However this may be, forestal rights of common exist quite independently of any manorial connection, and are of a very important character. They have served to preserve Epping Forest, the New Forest, and probably the Forest of Dean and many fragments of other Royal Forests which would have otherwise been converted to tillage or game preserves when the Crown ceased to care for its old rights of chase.

The soil of the forest waste was not necessarily vested in the Crown, but might be held by subjects. In some cases we find the Crown the sole owner, as in the New Forest<sup>9</sup> and the Forest of Dean; in other cases there is a joint ownership of the Crown and

<sup>8</sup> There are forests which are almost destitute of trees, and which it is difficult to believe ever contained much wood, *e.g.*, Dartmoor and Exmoor, in the county of Devon.

<sup>9</sup> Even in the New Forest the soil of certain small portions of the open waste is claimed by private persons.

private persons, as in the Hainault Division of Waltham Forest, and formerly in Windsor Forest; or, again, as in Epping Forest, the Crown may not hold a single rood of waste land. The forest rights of the Crown, when exercised over the lands of subjects, are technically known as rights of forest, and are sometimes defined as rights of vert and venison, that is rights of preserving the deer (venison) and the woods and herbage (vert) of the forest for the use and protection of the deer.

The peculiar laws applicable to a forest were administered by courts existing specially for the purpose. These courts were of three grades: (1) the Court of Attachments, Woodmote, or Forty-day Court; (2) the Court of Swainmote; and (3) the Court of the Chief Justice in Eyre, or Justice Seat. At the Justice Seat all offenders were sentenced, and a general inquiry into the condition of the forest was made. For this purpose a jury of freeholders, from eighteen to twenty-four in number, was sworn, and a charge of great length and minuteness of detail was delivered to them by the Chief Justice in Eyre. The claims of all persons enjoying any special rights or exemptions in the forest (other than the right of common of<sup>10</sup> pasture) were also brought in, considered, and, if found valid, enrolled. In short, every step was taken to obtain a full and correct account of the state of the forest and the various rights existing therein.

Many more details of the forest system might be added, but enough has been said to show that an afforested district was in a very special condition, and though not wholly open and uninclosed, contained large tracts of wild heath and woodland.

That in Norman and even earlier times the districts under forest law were numerous as well as large in area seems to be established beyond question; but when we endeavour to obtain anything like exact particulars the difficulties are very great. It is not easy even to find a list, and we cannot be sure that the term forest is always used by writers in its legal as opposed to its popular sense. The following is the catalogue given by Gilpin in his "Forest Scenery;"<sup>11</sup> and Gilpin, living in the New Forest long before the Deer Removal Act, knew very well what a forest was. Commencing with the north, the list runs thus:—

<sup>10</sup> It was not necessary to claim the right of common of pasture at the Justice Seat. ("Manwood," edit. 1717, p. 99: "Sir William Jones, Rep.," 291.)

<sup>11</sup> Edit. 1794, p. 318 *et seq.*



Counties.	Forests.	Counties.	Forests.
Northumber-land	Rothbury Lowes	Worcester-shire	Wire Feckingham
Cumberland	Nicol Knaredale Westwood Inglewood Copeland	Northants ....	Rockingham Salcey or Sacey Yardly Whittlebury
Westmore-land	Milburn Whinfield Martindale Thornthwait Stainmore Mellerstang	Hunts .....	Wabridge or Waybridge
Durham .....	Langden or Teesdale	Gloucester-shire	Dean Milkwood King's Wood
Lancashire ....	Lancaster or Wiresdale Bowland Simon's Wood	Oxfordshire	Whichwood
Yorkshire ....	Lime Applegarth Swaledale Wensleydale Pickering Knarborough Harewood Galtries Hardwick (round Hali-fax)	Bucks .....	Bernwood Clitern
Cheshire ... ..	Delamere Macclesfield Wireall or Wirrall (occupying the whole peninsula between the Mersey and the Dee)	Essex .....	Waltham
Notts .....	Sherwood	Wilts .....	Peevisham Blakemore Bradon Savernake
Shropshire ....	Huckstow King's Wood Bridgenorth Clune	Berks .....	Windsor
Staffs .....	Needwood	Kent .....	Tunbridge
Leicestershire	Charnwood Leicester (near Bosworth)	Sussex.....	St. Leonards Word Ashdown Waterdown Dallington Arundel Charlton
Rutlandshire	Lyfield	Devonshire ....	Dartmoor Exmoor
Hertfordshire	Bringwood Deerfield Hawood Acornbury	Somersetshire	Neroch (near Taunton) Selwood (S. of Frome)
		Dorsetshire....	Gillingham Blackmore, or White Hart Purbeck (Isle of)
		Hants .....	Chute (near Silchester) Harewood Alice Holt Waltham (Bishop's) Bere New

This list includes 82<sup>12</sup> forests, and one, that of Wolmer in Hants, is certainly omitted, unless it appears under another name. It is

<sup>12</sup> The writer has some acquaintance from other sources with 22 of the forests in this list.

possible however that in some instances one or more of the places named may be included in one larger forest district. For instance, Gilpin gives Epping and Hainault as separate forests, but they were always unquestionably parts of the Forest of Essex or Waltham. Some of the districts may be Chases, as Gilpin gives Cannock, Malvern, and Enfield as forests, whereas they have all been known as chases from an early date. He also mentions Hatfield in Yorkshire, Kenilworth in Warwickshire, and Cranbourne in Dorset as chases, making six in all. A chase was a district in which the venison and vert were preserved by means of rangers and other officers, and some of the minor forest courts may even have been held, but within which the Justice in Eyre held no session. It would be a work of very great labour to arrive with anything like accuracy at an estimate of the total area covered by these forests and chases, but a few facts may be mentioned as indicating their great extent. The Forest of Pickering extended from that place almost to Scarborough;<sup>13</sup> Knaresborough, Harewood, and Galtries together extended nearly to the walls of York.<sup>14</sup> In Delamere Forest the Crown allotments, on an inclosure, comprised 3,900 acres.<sup>15</sup> In the famous Forest of Sherwood certain tracts of waste alone contained over 3,000 acres.<sup>16</sup> Needwood Forest is said by Gilpin<sup>17</sup> to be about 25 miles in circumference, and Cannock Chase in the same county is certainly a very wide district. Charnwood Forest contained a walled park (Beaumanoir) 20 miles in circumference.<sup>18</sup> In Whittlewood or Whittlebury Forest the open lands and commonable woods extended to 5,400 acres, and there were five "towns" (probably parishes) within the bounds of the forest.<sup>19</sup> In Salcey Forest six townships or parishes were interested.<sup>20</sup> The Forest of Dean is described as 20 miles in length by 10 in breadth.<sup>21</sup> Whichwood contained about 3,500 acres of open land;<sup>22</sup> Alice Holt over 2,400;<sup>23</sup> Wolmer something like the same.<sup>24</sup> Windsor Forest extended over the whole of eleven parishes and parts of four parishes, all in Berks, and its open lands comprised 24,000 acres.<sup>25</sup> Windsor Great Park is of course a remnant of this forest. The Forest of Waltham contained over 7,000 acres of open woodland in the Epping division, and about 3,000 in the Hainault, and the legal bounds of

<sup>13</sup> "Gilpin," p. 320.<sup>14</sup> "Gilpin," p. 322.<sup>15</sup> Inclosure Act, 19 Vict., cap. 13.<sup>16</sup> 58 Geo. III, cap. 23.<sup>17</sup> "Gilpin," p. 325.<sup>18</sup> "Gilpin," p. 327.<sup>19</sup> Inclosure Acts, 5 Geo. IV, cap. xcix; 16 and 17 Vict., cap. xcii.<sup>20</sup> Inclosure Act, 6 Geo. IV, cap. cxxxii.<sup>21</sup> "Gilpin," p. 330.<sup>22</sup> "16 and 17 Vict., cap. xxxvi.<sup>23</sup> "52 Geo. III, cap. lxxii.<sup>24</sup> Inclosure Acts, 52 Geo. III, cap. lxxii; 18 and 19 Vict., cap. xlv.<sup>25</sup> Inclosure Act, 53 Geo. IV, cap. lviii.

the forest stretched from the great Romford road to Nazing, and from the River Lea to Havering. The extent and character of Dartmoor and Exmoor are fairly well known. Finally, the New Forest contains about 90,000 acres, of which over 60,000 are open waste. These facts are sufficient to raise the inference, that the total area under forest law in early Norman times must have been very large.

### III.—*Statutes of Merton and Westminster the Second.*

The first step in the movement for the inclosure of common lands was the passing of the Statute of Merton, in the twentieth year of Henry III. This statute, which is commendably short, ran as follows:—

“Also because many great men of England (which have  
“enfeoffed knights and their feeholders of small tenements in  
“their great manors) have complained that they cannot make  
“their profit of the residue of their manors as of wastes, woods,  
“and pastures, whereas the same feoffees have sufficient pasture  
“as much as belongeth to their tenements, it is provided and  
“granted that whenever such feoffees do bring an Assize of Novel  
“Disseisin for their common of pasture, and it is knowledged  
“before the Justices that they have as much pasture as sufficieth  
“to their tenements, and that they have free egress and regress  
“from their tenements into the pasture, then let them be contented  
“therewith; and they of whom it was so complained shall go  
“quit of as much as they have made their profit of their lands,  
“wastes, woods and pastures.”

Turned into modern English, this statute provides that a lord of a manor may inclose part of his manorial commons, if he can prove that he has left sufficient pasture for the freehold tenants of his manor.

It was followed some years afterwards, in 1255, by the Statute of Westminster the Second, which extended the principle of approvement to commoners who were not tenants of the manor in which the waste lay, but “neighbours” claiming pasture as appurtenant to their tenements. The two statutes together enabled lords of manors to inclose against pasturage rights exercised in respect of lands either in their own manors or in the neighbourhood, but not against rights of cutting wood or taking turf or any description of sub-soil, or against a specially granted right of turning on a specific number of beasts. The second statute also contained a specific protection for small improvements, such as the erection of a windmill, a sheep-cote, or a dairy, or the enlarging of the surroundings of a mansion.

It is of course extremely difficult to say at this date what effect the Statutes of Merton and Westminster the Second had.

That they were distinctly anti-popular in their tendency, a piece of landlords' legislation, is probable from the fact that they were passed in days when the great barons of the kingdom were at the height of their power, and (as regards the Statute of Merton at least) before the people of England generally were represented. It is also significant that this sanction of inclosures was one of the very first pieces of legislation which the barons secured, and that almost coterminously with legislation such as the *Charta Forestæ* and *Ordinatio Forestæ*, which limited and defined the Royal Rights of Forest. It is obvious from the language of the statutes, that they did not apply to the common fields of which we have spoken, but to commons in the ordinary run, and mainly to large commons, "wastes, woods, and pastures." It is probable that in many of the great tracts of waste then existing, a slice was cut off for a private park or preserve. Some commons, from their shape and from the character of the adjoining land, give indications of being thus truncated. Fitzherbert, writing about 1523, says, "and also the lords have inclosed a great part of their waste grounds and straitened their tenants of their common therein;"<sup>26</sup> and with such general evidence we must be satisfied. Court Rolls going so far back are very scanty, and I do not remember to have come across any entries in such rolls (and I examined a good many at one time) referring to inclosures under the statutes. Probably the statutes indicate an advance in the feudal and manorial theories, a loosening of the hold which the several village communities had of the outlying wastes in their neighbourhood, and a tightening of the grasp of the territorial magnates. That the statutes became obsolete in the course of the next two centuries, and could not be relied upon to justify an inclosure, seems to be proved by the fact that in the reign of Edward VI, in the full tide of what has been often called the agrarian revolution, it was thought necessary to re-enact them.

That during these two centuries land was being gradually inclosed is no doubt probable. The decay of the feudal system changed the position of the great landlords towards the land and the tillers of the land. Land came to be looked upon less as giving territorial power and a large following to the wars, and more as yielding revenues which could be turned to account in the way of an increase of power, of influence at Court, or of the means of luxurious living, as the great landlord preferred. Probably, therefore, as is indicated by Fitzherbert,<sup>27</sup> the lord of many a village

<sup>26</sup> *Surveying*, edit. 1767, p. 20.

<sup>27</sup> "For the most part of the lordes have widened their demesne lands and meadows (*i.e.*, as the context shows, in the common fields), and keep them in severalty, so that the tenants have no common with them therein."—"*Surveying*," p. 19. Edit. 1767.

began to withdraw himself from the common farming arrangements of the place, to depend on hired rather than customary labour, and to form a more or less compact demesne farm, lying within its own fences. Then, about a hundred years after the passing of the Statute of Westminster, in 1348, came the Black Death, that scourge which is said to have swept away half the population of the country. As the whole population of England is estimated to have been less than that of London at the present day, the result of so terrible a plague must have been to leave many places scarcely peopled at all. The large landowner would be sure to profit by such an event in regard to his possession of land; though the gain was, for immediate purposes, more than counteracted by the loss of labour. When whole families amongst the peasant proprietors of the common fields were swept away, the lord of the vill with the aid of the lawyer, would appropriate the land thus left derelict. The number of persons interested in the common fields, and of commoners on the lord's wastes, would be thus diminished, and inclosures by arrangement—not to speak of inclosures by the strong hand—would be much facilitated.<sup>28</sup> We know that a time of great oppression followed, when the law endeavoured to compel men to work at what was certainly not a "living wage," and attempts were made to thrust back the small landowner, villain, or freeholder, into a state of semi-serfdom. The dissatisfaction culminated in the Peasants' Revolt of 1381, which, though put down with great severity, seems to have marked the lowest tide of agricultural distress. The first half of the fifteenth century is said to have been the halcyon time of the small cultivator. Labour had the control of the market, and gradually improved its position, so that on the occasion of the next peasants' revolt, that of the year 1450, the demands of the insurgents were political, not social. We may be sure that during this period there was no violent change in the conditions of the land. It was not till the Wars of the Roses were ended, that the second definite step in the history of inclosure was taken.

#### IV.—*Tudor Agrarian Revolution.*

The agrarian revolution of the sixteenth century has been too often described to warrant any detailed inquiry into its causes or economic results. Substantially it was a conversion of arable land into pasture, for the sake of sheep breeding. English wool commanded a high price both for home and foreign manufacture;

<sup>28</sup> There are records of deeds of arrangement, by which common rights were surrendered by individuals in consideration of grants of land to be held in severalty. See Kennett's "Parochial Records," ii, p. 324, quoted in Prothero's "Progress of Farming," p. 27.

it was easy of transport, and inexpensive of production. At the same time the commercial spirit was permeating the country, feudalism being dead, and towns growing in influence as compared with the old nobility every day. Thus every landowner desired to keep large flocks, and for this purpose he strove to convert the common fields of his village into pasture, and to appropriate as much of his waste as he could. That the means employed were often lawless and unjust is abundantly clear from writers of such opposite modes of thought as Sir Thomas Moore and Bishop Latimer. On the other hand, men writing from the purely agricultural point of view applauded inclosure. Thus Tusser, in his "Five Hundred Points of Good Husbandry," devotes many verses to a comparison between a "champion," *i.e.*, champaign, open field, country, and a "several," *i.e.*, inclosed district. His muse thus bursts forth:—

"The country inclosed I praise,  
Tho' t'other delighteth not me,  
For nothing the wealth it doth raise  
To such as inferior be.  
How both of them partly I know,  
Here somewhat I mind for to show."<sup>29</sup>

In the course of his comparisons he alludes to Leicestershire as good soil, but producing little, on account of the open farming, while Suffolk and Essex he praises as inclosed counties. Cambridge and Norfolk are alluded to as still open.

Fitzherbert, again, advises every man to change fields with his neighbour, so that he may lay his lands together, keep more cattle, improve the soil by their "composting," and rest his corn land when it becomes impoverished.<sup>30</sup>

Both these writers, it will be seen, dwell upon the general increase in the productiveness of the ground, and not upon the advantages of inclosure for sheep breeding. In the old settled lands of the eastern counties the desire to improve tillage may have had some weight; but one suspects that, as in many modern inclosures, the real object, that of personal aggrandisement through conversion to grass, was often concealed under a flourish of talk about the increase in the productiveness of the country. Sir Thomas Moore's condemnation of the methods employed to get rid of the humble tiller of the soil is well known, and even Tusser, in the midst of his panegyric of inclosures, indicates that it would be better if the process were more regular.

<sup>29</sup> Mavor's edit., 1812, p. 203.

<sup>30</sup> "Surveyinge;" reprinted under title, "Certain Ancient Trusts concerning the Management of Landed Property," 1767 pp. 96—100.

“ The poor at inclosures do grutch,  
Because of abuses that fall,  
Lest some man should have but too much,  
And some again nothing at all.  
If order might therein be found,  
What were to the several ground ?”<sup>31</sup>

Bishop Latimer recurs to the subject again and again in his delightful racy English.<sup>32</sup> In his sermon preached before Edward VI, on the 8th March, 1549, he complains bitterly of the state of the country. All kinds of meat are dear, not because a stock does not exist, but because it is in few hands, and held back for a high price. And the country is depopulated.

“ Furthermore, if the King’s honour, as some men say, standeth  
“ in the great multitude of people, then these graziers, inclosers,  
“ and rent rearers are hinderers of the King’s honour. For where  
“ there have been a great many householders and inhabitants,  
“ there is now but a shepherd and his dog : so they hinder the  
“ King’s honour most of all.”<sup>33</sup>

How hardly the small tenant farmer was hit, he shows by the case of his own father’s holding :—

“ My father was a yeoman, and had no lands of his own, only  
“ he had a farm of 3*l.* or 4*l.* by year at the uttermost, and  
“ hereupon he tilled so much as kept half a dozen men. He had  
“ walk [right of common] for 100 sheep ; and my mother  
“ milked 30 kine. He was able and did find the King a harness,  
“ with himself and his horse, while he came to the place where he  
“ should receive the King’s wages. I can remember that I buckled  
“ his harness when he went unto Blackheath field. He kept me  
“ to school, or else I had not been able to have preached before the  
“ King’s Majesty now. He married my sisters with five pound or  
“ twenty nobles apiece ; so that he brought them up in godliness  
“ and fear of God. He kept hospitality for his poor neighbours,  
“ and some alms he gave to the poor. All this he did of the said  
“ farm ; where he that now hath it, payeth 16*l.* by year or more,  
“ and is not able to do anything for his Prince, for himself, nor  
“ for his children, or give a cup of drink to the poor.”<sup>34</sup>

“ We have good statutes,” the Bishop proceeds, “ made for the  
“ commonwealth, as touching commons and inclosures ; many

<sup>31</sup> P. 211.

<sup>32</sup> His sermon “ Of the Plough ” is not that which contains the most forcible passages. The “ Plough ” alluded to was the spiritual plough of righteous preaching. There is, however, the following sentence :—

“ But there be two kinds of inclosing, to let or hinder both these kinds of  
“ ploughing ; the one is an *inclosing* to let or *hinder the bodily ploughing*, and  
“ the other to let or hinder the holiday ploughing—the Church ploughing.”

<sup>33</sup> Parker Society edit. 1844, p. 100.

<sup>34</sup> *Ibid.*, p. 101.

“ meetings and sessions ; but in the end of the matter there  
 “ cometh nothing forth.”<sup>35</sup>

In the summer which followed this sermon agrarian revolts took place both in Norfolk and Devon, and Latimer and other outspoken preachers were reproached with having caused it. Latimer was not the man to be turned from his course by such complaints, and in his last sermon before the Court, preached in Lent, 1550, he returns to the subject. His discourse is on covetousness, which he alleges was the cause of the recent rebellion ; and he speaks of the way in which the Royal Commission on inclosures had been defeated by the gross injustice displayed even by some of the commissioners.

“ I remember mine own self a certain giant, a great man, who  
 “ sat in commission about such matters ; and when the townsmen  
 “ should bring in what had been inclosed, he foamed and chafed,  
 “ and so near looked and threatened the poor men that they  
 “ durst not ask their right !”<sup>36</sup>

He alludes to the re-enactment in the year of the statutes of Merton and Westminster the Second, and makes the shrewd comment that “ if at that time (*i.e.*, in the days of Henry III  
 “ and Edward I) it were put in their will and power (*i.e.*, the  
 “ will and power of the landlords) that they might inclose,  
 “ leaving to the tenant that was sufficient for him ; if they had  
 “ it then in their power that they might this do, they would  
 “ leave no more than sufficient. If they left to the tenants and  
 “ poor commoners in those days but sufficient ; then if they had  
 “ any more taken from them since that time, then had they now  
 “ not sufficient.”<sup>37</sup> And then follows a forcible argument against inclosing, as striking at the very root of the peasant’s livelihood.

“ The poorest ploughman is in Christ equal with the greatest  
 “ prince that is. Let them therefore have sufficient to maintain  
 “ them, and to find them their necessaries. A plough-land must  
 “ have sheep ; yea, they must have sheep to dung their land for  
 “ bearing of corn ; for if they have no sheep to help to fat the  
 “ ground, they shall have but bare corn and thin. They must have  
 “ swine for their food, to make their veneries or bacon of : their  
 “ bacon is their venison, for they shall now have hangum tum  
 “ if they get any other venison ; so that bacon is their necessary  
 “ meat to feed on, which they may not lack. They must have  
 “ other cattle, as horses to draw the plough, and for carriage of  
 “ things to the market ; and kine for their milk and cheese, which  
 “ they must live upon and pay their rents. These cattle must  
 “ have pasture ; which pasture, if they lack, the rest must needs

<sup>35</sup> Parker Society, edit. 1844, p. 101.

<sup>36</sup> *Ibid.*, p. 248.

<sup>37</sup> *Ibid.*



“fail them; and pasture they cannot have, if the land be taken in  
 “and inclosed from them. Therefore, for God’s love, restore  
 “their sufficient unto them, and search no more, what is the cause  
 “of rebellion.”<sup>38</sup>

Both from these forcible utterances of Latimer’s, and from the fact of the confirmation of the Statutes of Merton and Westminster the Second, it may be inferred that there were inclosures of common as well as of common fields at this time. But the crying complaint was the conversion of common fields into private grazing ground. The instructions to the commissioners<sup>39</sup> appointed to inquire of offences against the recent statutes (5 Hen. VIII, cap. 19; 7 Hen. VIII, cap. 1; 25 Hen. VIII, cap. 13; 27 Hen. VIII, cap. 22) directed to the prevention of inclosures show this very clearly. They are to inquire “what towns, villages, and hamlets  
 “have been decayed and laid down by enclosures into pastures  
 “since the fourth year of the reign of King Henry VII?”

“What lands were there in tillage at the time of the said  
 “inclosure, and what then in pasture?”

“How many ploughs by reason of the said inclosures be  
 “laid down?”

“How many meases, cottages, and dwelling houses have fallen  
 “in decay, and the inhabitants of the same departed from their  
 “habitation there, by reason of the same inclosure, and how  
 “much land belonged unto the said tenants?”

“How many new parks be now made within the said time?”

“What arable land at the time of the making of the said parks  
 “was imparked within the same?”

“How many ploughs, houses, and inhabitations have decayed by  
 “imparking of the said ground?”

Similar inquiries follow as to the enlargement of parks; then

“If any person hath or doth keep above the number of 2,000  
 “sheep besides lambs of one year’s age, and whether he hath kept  
 “the same upon his own lands, or upon his farm lands, or upon  
 “both, or otherwise by covyn or fraud.

“How many sheep ye think have been necessary for the only  
 “expenses of such persons’ household for one year.

“If any person hath letten any lands to farm or by copy of  
 “court roll, reserving the sheep pasture of the same to himself,  
 “and if any person hath taken from his tenants their commons,  
 “whereby they be not able to breed and keep their cattle, and  
 “maintain their husbandry as they were in time past.

There were also inquiries whether persons occupied more

<sup>38</sup> Parker Society, edit. 1844, p. 249.

<sup>39</sup> Strype’s “*Memorials*,” temp. Edward VI, ii, 2, p. 359.

than two houses in the same village, and whether persons who had become possessed of dissolved monasteries, kept house after the fashion of the monks, and tilled, by themselves or their farmers, the same extent of land.

The picture is completed by the observations of Mr. John Hales, one of the Commissioners, in his charge to the jury—a charge preserved for us by Strype. He tells them<sup>40</sup> that by “inclosure” is not meant “when a man doth inclose and hedge in his own proper ground where no man hath commons. For such inclosure is very beneficial to the commonwealth; it is a cause of great increase of wood [? food]; but it is meant thereby, when any man hath taken away and inclosed any other men’s commons, or hath pulled down houses of husbandry, and converted the lands from tillage to pasture.” He then alludes to various devices to which resort has been had to defeat the statutes. “Some have not pulled down their houses but maintain them; howbeit no person dwelleth therein, or if there be, it is but a shepherd or a milkmaid, and convert the lands from tillage to pasture; and some about one hundred acres of ground or more or less, make a furrow, and sow there; and the rest they till not, but pasture with their sheep. And some take the lands from their houses, and occupy them in husbandry, but let the house out to beggars and old poor people. Some to colour the multitude of their sheep, father them on their children, kinsfolk and servants.”

In point of fact the one object was to obtain large grazing grounds, and if men stood in the way, so much the worse for the men. Wool paid better than corn, and there was no longer any object in having populous villages or a large manorial tenantry. At a time when the possessions of religious bodies had been confiscated, and the Crown and courtiers enriched by the strong hand, there was not likely to be much scruple as to the means of attaining wealth; even the violent changes which had been made in faith, in worship, and in the constitution of the Church, tended to unsettle men’s minds and to make them careless of old habits and customs. On the other hand legislation, instead of merely preventing oppression and injustice, was seeking to run counter to the economic tendencies of the day, and to make men use their own property in a way which they deemed to be inconsistent with their interests. Thus the endeavours of king and parliament (somewhat half-hearted, one must think, having regard to the re-enactment of the Statute of Merton) failed of effect, and very large inroads were no doubt made on the common-field system,

<sup>40</sup> Strype’s “Memorials,” temp. Edward VI, ii, 2, pp. 361 and 362.

and commons were in many places reduced in size. Still, if we can trust statements made much later by agricultural reformers, the efforts of the sheep-farmers were only partially successful, since even at the end of the last century the common-field system prevailed throughout a large area of the country, and with it, of course, the necessary adjuncts of commons and (generally) stinted pastures.<sup>41</sup>

V.—*Modern Inclosures. First Period, 1709-1800.*

In the one hundred and fifty years that passed between the agrarian revolution of the Tudors and the commencement of the modern system of inclosure, the changes in the agriculture of the country were probably slight. That some inclosures took place from time to time is not unlikely. It is pleasant to an advocate of open spaces to know that the greatest poet of the modern world was opposed to an attempt to enclose the common fields of Welcombe, near Stratford-on-Avon, and that no less a lawyer than Sir Edward Coke decided the controversy, in accordance with Shakespeare's wishes, by the dictum that "no inclosure shall be made within the parish of Stratford, for that it is against the laws of the Realm."<sup>42</sup>

Charles I, as we know, hastened his own downfall by an attempt to extend the bounds of the Royal forests over vast districts which had been in fact, if not always in law, dis-afforested. And to him we are indebted for the formation of Richmond Park, at the expense partly of the commons of Petersham and Ham, but partly also, no doubt, of the private woods and meadows of the district. Richmond Park was formed for the king's pleasure; but the attempt to enlarge the ancient forests was a mere device to raise money. The consequence of extending the forest of Essex to the great road from Chelmsford to Bishop's Stortford would have been to lay the gentlemen of Essex under enormous penalties for assarts, purprestures, and other offences against the forest law; and had such enlargements been suffered in this and other places, very large receipts must have flowed into the Exchequer. It is not to be supposed,

<sup>41</sup> Since this paper was written I have seen the very careful and scholarly publication (under the title of "The Domesday of Inclosures, 1517-18") by Mr. I. S. Leadam, for the Historical Society (Longmans, 1897), of the returns to Chancery by the Commissioners of Inclosures for the (ten) counties. I regret that it is impossible satisfactorily to analyse the information thus for the first time made accessible. Mr. Leadam concludes that a certain proportion of the inclosures were for arable not grass. The total area, though large, seems to support the conclusion of the text, that the bulk of the country remained a common field.

<sup>42</sup> Protheroe, 28, quoting Dr. Ingleby's publication of the "Private Diary of "Thos. Green," Town Clerk of Stratford, in the first years of the seventeenth century.

that any sensible quantity of land would have been actually thrown open, and certainly the king's action had nothing akin to the open space movement of the present century. The forest question was set at rest by the Statute of 16 Car. I, which enacted that the boundaries should be the same as in the twentieth year of James I. Under the Commonwealth the Crown Manors and Forests were surveyed and valued in a business-like way, and it is probable, that, had the *régime* lasted, some considerable open tracts would have been put under tillage, though at the same time there is no reason to suppose, that the interests of the commoners would have been disregarded by the most intelligent and equitable administration which England had yet seen. In the time of Charles II some attempt was again made to turn Crown wastes into money. The Crown interests over great tracts of country such as Malvern Chase were made over to "Undertakers" (like the Dutch engineer Cornelius Vermuyden), who were subsequently assisted in forcing upon the commoners a partition by Chancery Decrees and even by Acts of Parliament. The Court of Chancery indeed seems to have been sometimes invoked throughout the seventeenth century to perform the same functions as those of Commissioners under an Inclosure Act, though by what right the Court overruled dissentients, or bound persons under legal disability, is not apparent. Sir John Sinclair in his Address to the Board of Agriculture in 1795 alludes to inclosures by the aid of the Court, but states that from the difficulties and expenses attending such proceedings they had then been long disused. Although some few considerable inclosures may have been thus made,<sup>43</sup> the effect upon the country at large would probably not be great.

The next general movement towards inclosures came in with the last century; it was marked by an appeal for aid to the legislature. The first private Act for the inclosure of a common was passed in the year 1709, and related to the parish of Ropley, in Hants; and from this time onwards we come into the field of definite, if not very complete and exhaustive, statistics. Only one other Act was passed during the reign of Queen Anne, and but sixteen in that of George I.<sup>44</sup> The yearly number did not greatly increase until nearly the close of the succeeding reign. In the

<sup>43</sup> The writer remembers to have seen a decree of the Court for the inclosure of the Forest of Brill in Bucks. And in the reign of William III a partition of the Forest of Ashdown in Sussex between the Crown on the one hand and the Commoners on the other was carried out by the same means. See *Delawarr v. Miles*, 17 Ch. Div. 535.

<sup>44</sup> "The Second Report from the Committee on the Means of Promoting the 'Cultivation and Improvement of Waste, Unenclosed, and Unproductive Lands,' presided over by Sir John Sinclair. Printed 27th April, 1787. All the figures in relation to inclosures up to 1800 are taken from this Report.

year 1754 it first reached two figures, and during the rest of the century never fell lower. The lowest number of Acts passed in any one year during this period was eleven (in 1755), and the highest ninety-nine (in 1777).

The result in decades, from 1725 to 1795, stands thus :—

Years.	Bills.	Yearly Average.
1725-35.....	38	4
'35-45.....	39	4
'45-55.....	61	6
'55-65.....	312	31
'65-75.....	471	47
'75-85.....	469	47
'85-95.....	371	37

Thus we see that the high water mark of this inclosure movement was reached during the twenty years from 1765 to 1785. It is said that the movement really indicated a reaction from the agrarian policy of the Tudor period, a reversion from sheep-farming to tillage. The population of England was increasing owing to the progress of manufactures, and a market outside his own parish was thus offered to the farmer, while at the same time the wars in which the country was constantly engaged made a considerable home production of corn desirable. The common-field system was no doubt unproductive compared with a system of inclosed farming. If the arable fields were ploughed and worked in common, as was of course the original intention, serious obstacles were placed in the way of individual improvements. If, on the other hand, each man tilled his own patches, the waste of time arising from their dispersion in all parts of the field was obviously an equal drawback. If private effort was to be encouraged, and private capital attracted to the land, large inclosures of the common fields became absolutely necessary, and the general state of education and the isolation of one rural district from another made anything like improved co-operative farming impossible—indeed we do not seem to be much nearer to it in the present day. The common-field system was therefore primarily aimed at by the inclosure movement of the eighteenth century, and it is probable that the great bulk of the land inclosed was common field land. Unfortunately Sir John Sinclair's committee of 1797, which has given us the figures relating to the inclosures of the century, found it impossible to distinguish between the commons and the common fields comprised in the Acts which had been passed. Probably an Inclosure Act most often related to a whole parish, and comprised at once common fields and waste; it is hardly likely that many Acts of this period

related to waste alone.<sup>45</sup> A general examination of the figures supports this view. Thus, to deal first with totals, there were passed during this period 1,776 Acts in all, dealing with an estimated aggregate acreage of 2,837,873 acres. The acreage is only an estimate, because 466 Acts out of the 1,776 did not state the acreage of the lands inclosed. The committee therefore arrived at their total by taking an average in each county from the Acts stating acreage, and applying this figure to the Acts which contain no such statement. It is obvious that in a county where the Acts were few this method may be greatly out, and it may be a question whether the application of an average on the whole number of Acts would not be as safe a guide. The results of the two methods are shown in the following table:—

*Inclosures between 1709 and 1797.*

	Number of Acts stating Extent of Inclosure.	Area Inclosed.	Number of Acts not stating Extent.	Probable Area.		Total Number of Acts.	Total Area.	
				(1.) On Average of Separate Counties.	(2.) On General Average.		(1.) On Average of Separate Counties.	(2.) On General Average.
England ....	1,297	1,997,372	464	806,501	714,560	1,761	2,803,873	2,711,932
Wales .....	13	28,596	2	4,607	4,398	15	33,203	32,994
	1,310	2,025,968	466	811,108	718,958	1,776	2,837,076	2,744,926

If then we take a general average, we find that the area inclosed by each Act in England was 1,540 acres, and in Wales nearly 2,200 acres. But the Welsh inclosures were so few, only 15 in all, that they may almost be disregarded. An average of 1,540 acres is, as we shall see presently, very far in excess of that which is shown by the more recent series of Acts. If this average were produced by exceptionally large inclosures in a few counties, it would in itself offer no indication of the general character of the land inclosed. But this is not so. In the first place there is no inclosure whatever in Devon or Cornwall, so that the great wastes of Dartmoor and Exmoor and the wild districts of the far west do not enter into the calculation. The counties of the extreme north no doubt do something to bring up the average.

	Acres apiece.		
In Northumberland there are 30 inclosures averaging	30		3,700
„ Durham	26	„	2,485
„ Cumberland	18	„	3,512
„ Westmoreland	13	„	1,079

<sup>45</sup> The fact that the Reports to the Committee of 1795, showed the existence of enormous districts of moor, and swamp, and forest, gives countenance to the view, that comparatively little was done during this period to encourage the inclosure of great wastes, as distinguished from common field parishes.

But the inclosures of Lincoln and Norfolk, neither of them mountainous counties, average 2,400 and 2,000 respectively, and by their considerable numbers, 172 in Lincoln and 53 in Norfolk, play a more important part in producing the final figures. In the large county of Yorkshire again 315 inclosures give an average of 1,278 acres, much too small an average if the wide stretching moors (of which, in 1873, according to an estimate of the Inclosure Commission, 365,000 acres, subject to manorial rights, remained) had been to any large extent embraced in the inclosures; moreover, we learn from one of the reports to Sir J. Sinclair's Commission that the common fields in the North Riding were disappearing every year under the effect of Inclosure Acts, while the moors loudly cried for improvement. Coming to Midland counties, where the common-field system is known to have been general, and where, owing to the character of the land, wastes are not likely to have been large—

In Beds <sup>46</sup>	31 inclosures give an average of		Acre.
„ Hunts <sup>47</sup>	27	„	1,760
„ Leicestershire	135	„	1,678
„ Warwickshire	69	„	1,370
„ Northants	127	„	1,290
„ Oxfordshire	67	„	1,630
„ Rutlandshire	18	„	nearly 1,500
While on the Northern edge			
Notts with	79	„	1,800
And Staffs <sup>48</sup> with	38	„	about 1,000

These prevailing high figures and their near approach in different counties of the same general character afford strong evidence that not wastes but common fields were the main subject of the inclosures.

One or two other county averages are interesting and significant. We have seen that in the early part of the sixteenth century Suffolk and Essex had already largely discarded the champaign or common-field system, and rejoiced the heart of Mr. Tusser by their inclosures. Moreover these counties, together with Norfolk, Lincolnshire, and Leicestershire, are mentioned by the agricultural writers of the last century, Arthur Young and Marshall, as in advance of others in tillage and stock breeding. In Suffolk and

<sup>46</sup> In Beds it is said that even in 1794 about 24 out of 84 thousand acres of arable land were in open fields.

<sup>47</sup> Cambs. is omitted because only seven inclosures took place, but these averaged 1,250 acres. Mr. Maitland states (pp. 13, 16) that of all counties Cambs. is the one whose ancient geography is the most easily traced; the common-field system was still prevalent there when the first Ordnance Survey was made.

<sup>48</sup> The northern part of Staffs. contains much wild land to the present day.

Essex leases for terms of years were not unknown.<sup>49</sup> Apparently on this account the eighteenth century inclosure movement scarcely touched these counties; there were no common fields for it to work upon. In Suffolk only eight inclosures took place, each averaging a little over 1,000 acres, while Essex saw only three, containing an average of slightly more than 500 each.<sup>50</sup> Again, the tale told by the home counties is curious. Hertford and Middlesex, akin to the Midlands, show respectively nine inclosures of 1,337 acres, and five of 1575. But south of the Thames there is a very different state of things. Surrey with its wide tracts of heath and down, and its abundance of commons of all sizes, supplies only three small inclosures averaging 200 acres each, and Sussex only four, of less than 500; while not a single inclosure occurred in Kent. Now Kent, Sussex, and parts of Surrey were largely occupied in pre-Norman days by the Andred's Wald, the weald of modern times. Into this district the system of village settlement and the super-imposed manorial system never effectually penetrated. The enormous forest of Roman and Saxon times was gradually cleared in patches, and settlements formed; but not after the fashion of the Midlands. It would be found, I am confident, to be a district of hamlets and not of villages. Large tracts of waste there were, fragments of the old "Wald," Ashdown and St. Leonard's Forests, but even ordinary commons do not occur to a very large extent. Consequently these counties were unaffected by an inclosure movement, which, as I think I have now shown, had for its main object the abolition of common fields.

#### VI.—*Modern Inclosures. Second Period, 1800-42.*

Serious, however, as was the blow thus inflicted upon the common-field system, the agricultural reformers of the last century were not satisfied. In consequence of the urgent demand for increased food supplies, and the representations made by Arthur Young and others on the backward state of the country and its potential wealth, in 1793 a Board of Agriculture was founded, with Sir John Sinclair for its president and Young as its secretary. Reports from what in the present day we should call assistant-commissioners were obtained as to the condition of the different counties, and startling statements were received as to the large area in some parts still cultivated in common, and the enormous tracts of waste and swamp in others. On the motion of Sinclair a Select Committee of the House of Commons was appointed to consider "the means of promoting the cultivation and improve-

<sup>49</sup> Prothero, 55, 58.

<sup>50</sup> Essex, in 1794, is said to have contained 15,000 acres of waste, of which Epping and Hainault Forests would account for two-thirds.



"ment of the waste, unenclosed, and unproductive lands of the "kingdom." The Committee, which made three reports, in 1795, 1797, and 1800,<sup>51</sup> after stating the progress already made by means of private inclosure Bills, applied itself to the question how the expenses of legalising inclosures might be diminished. The result was the first General Inclosure Act, that of 1801. This Act is what would be called at the present day an Inclosure Clauses Act. It contained a number of provisions applicable to inclosures which could be incorporated by reference in a private Bill, just as the Lands Clauses Act contains provisions as to the acquisition of lands for industrial undertakings, which are incorporated in every private Act by which it is proposed to take lands for such purposes. By this means it was proposed largely to diminish the length and consequently the expense of private Inclosure Bills. The principle of carrying out each inclosure by special commissioners was, however, still maintained.

The stimulus thus given to inclosure produced a marked effect. The number of Acts which had sunk to 371 in the ten years ending in 1795, rose to 905, or 90 per annum, in the first ten years of the century.<sup>52</sup> In 1801 alone no less than 119 Acts were passed, many of them dealing with enormous tracts of country. Thus, we find three inclosures of Lincolnshire Fens, comprising together 53,500 acres. Needwood Forest, containing nearly 10,000 acres, is dealt with by another Act; Enfield Chase, with 3,500, by another. Two Yorkshire inclosures (Kettlewell and Coniston, West Riding, and Weaverthorp and Helperthorp, East Riding) account for over 16,000 acres. These inclosures probably related to great wastes. But there were large common-field inclosures at the same time; a single case in Hertfordshire covering 7,000 acres, and two in Cambridgeshire 7,500. The average area inclosed by each Act in this year was 2,544 acres, and, taking a proportion, where the amount is not stated, the total area inclosed was 300,413 acres. Looking down the names from year to year we find further evidence of the application of inclosure to great tracts of waste. In 1803, Alston Moor in Cumberland, containing 20,000 acres, and Penrith in the same county, containing 28,000 acres, were the subject of inclosure Acts. Canford Heath, Dorset, 9,000 acres, in 1805, Hathersage, Derby, 10,000, and Charwood Forest, 18,000 acres, in 1808, Holme, in the West Riding of Yorkshire, 18,300, in 1828; are further specimens of gigantic inclosures.

<sup>51</sup> These reports were reprinted for the Commons Preservation Society in 1866.

<sup>52</sup> There are no statistics for the five years from 1795—1800. Possibly, as improvements in procedure were under discussion, there may have been some lull in the storm of applications to the legislature.

While, however, inclosure was still busy with great areas it no longer despised small things. We find, in the list, Acts dealing with a common field of 40 acres at Cambridge (1801), with Newton Common, of 140 acres, in Manchester (1802), with a small common of 32 acres in the parish of Runcorn (now the site of the present Ship Canal), (1803), with such microscopic open spaces as 14 acres at Wells, in Norfolk, and at Bawdsey in Suffolk (1811), and 15 acres in a Welsh parish. Even metropolitan commons were invaded—Merton Common in Surrey, the commons of Lambeth, 200 acres (1804),<sup>53</sup> and Chiswick Common, of 40 acres (1814), were reduced to severalty ownership. Inclosure was evidently running riot, and reducing to severalty ownership not merely common fields, fen, and moor, but the open lands of towns and even village greens, which could by no possibility add appreciably to the food supplies of the country, and which have long since been devoted to building. This is a not unnatural result from a movement, which, undoubtedly promoted on public grounds, nevertheless readily lent itself to private and purely selfish aggrandisement. It is due no doubt to the miscellaneous character of the lands inclosed—as compared with that of the eighteenth century inclosures—that notwithstanding the great waste tracts brought under the system in the early years of this century, the average size of the inclosures (given by the Acts in which the acreage was stated) was only 657 acres, whereas in the previous period it was 1,500. To obtain the average for each county would be a work of some time. But I have been able, by an analysis of the returns made in 1843, to ascertain the number of inclosures made in each county, and thus to compare the local progress of inclosure during the two periods.<sup>54</sup> In the four counties of the extreme north the movement was, as might be anticipated, greatly accelerated. Whereas during the eighteenth century only 87 inclosures took place, between 1800 and 1842 there were no less than 128. In the three great counties of York, Lancaster, and Lincoln, on the other hand, there was a distinct falling off, the aggregate dropping from 515 to 355. In Lancaster there have never been very many inclosures, the common-field system possibly not having taken very firm root on the west of the Pennines. Yorkshire and Lincolnshire were among the first counties to embrace inclosure; consequently though the numbers are still high between 1800 and 1842, they show some falling off, in Yorkshire from 315 to 232, in Lincolnshire from 172 to 90. When we come to East Anglia a very different tale is told. In Norfolk the number of inclosures rose

<sup>53</sup> 200 acres of "common wood" in Lambeth, not mentioned in the return, were included in the same Act.

<sup>54</sup> See Table I.

from 53 to 200, indicating that with the advent of Mr. Coke of Holkham and the assumption by the county of the first place in scientific farming, a vigorous effort was made to get rid of common fields, and doubtless also of some open waste. In Suffolk and Essex, which were inclosed counties in the time of Tusser, Parliament was obviously at work on the abolition of commons. The inclosures rose from 8 to 64, and from 3 to 34, and one is struck in looking through the list to see in how many cases they relate to very small areas. The aggregate number of inclosures for East Anglia rose from 64 to 298. In the Midland counties we have very varying figures. Cambridgeshire, which was scarcely touched by the inclosures of the last century, set herself, after 1800, to abolish her common fields; no less than 88 Acts related to this county. Leicestershire on the other hand, formerly full of common fields, had apparently abolished most of them before the close of the century, for her Inclosure Acts fell from 135 to 14. In Huntingdonshire the process went on evenly, but in all the other Midlands there was a falling off, and the aggregate of inclosures in the eight counties<sup>55</sup> fell from 481 to 313. So in the two outliers, Nottinghamshire and Staffordshire, 117 Acts were replaced by 76. In the home counties, on the other hand, inclosure was busy for the first time; 38 inclosures took place in Surrey; and 32 in Sussex; but Kent, having little to inclose, only gave rise to 15 Acts. The aggregate of the five counties rose from 21 to 126. In the retired counties of Wiltshire and Dorsetshire the number of inclosures was nearly doubled. Devonshire and Cornwall were absolutely untouched, it will be remembered, by the inclosures of the eighteenth century. They have never taken very kindly to the process, probably having few common fields, but between 1800 and 1843 there were 26 inclosures in Devonshire and 2 in Cornwall. The mountains and wastes of Wales were however extensively affected. The 15 inclosures of last century rose to 82 in the first half of the present.

Turning now to the grand totals, we have 1,997 (for convenience we may perhaps refer to it as 2,000) Acts between the years 1801 and 1842 both inclusive, as compared with 1,776 between 1709 and 1797. Seeing that the second period was less than half the length of the first, it is clear that the exhortations of agricultural reformers and the cheapening of Parliamentary procedure more than doubled the pace of inclosure. Nevertheless the area inclosed, so far as can be ascertained, was much smaller, and that, notwithstanding the large tracts occasionally dealt with by single Acts. In the first period it exceeded 2,700,000 acres, while

<sup>55</sup> Bedfordshire, Cambridgeshire, Huntingdonshire, Leicestershire, Warwickshire, Northamptonshire, Oxfordshire, and Rutlandshire.

adopting the same mode of estimate, in the second period it only reached 1,307,964 acres. The reason, I venture to think, is obvious. The greatest inroad on the common-field system had been made in the first period, and only a remnant, though still a large remnant remained for the present century to deal with. To this remnant were added fens and moors of vast extent, and unfortunately, on the other hand, a large acreage of what we ordinarily understand as commons, land mostly of poor quality, and really more valuable in an open than in an inclosed state.

Notwithstanding the enlarged area in kind which fell under the harrow of inclosure, the movement soon spent its force. While the average number of Acts between 1801 and 1810 was, as we have seen, 90 per annum, the corresponding number for the next decade fell to 74; from 1820 to 1830 only 192 Acts were passed; and between 1830 and 1840 only 125.

#### VII.—*Modern Inclosures. Third Period, 1845-69.*

In 1862 therefore it was thought necessary to apply some further stimulus to the flagging horse of inclosure. Lord Worsley moved for a return of the Acts passed since 1800,<sup>56</sup> and of the area of the common or waste lands in England and Wales still remaining, so far as the same could be ascertained from the documents connected with the apportionment and commutation of tithes. The later return, judging from subsequent Acts, seems to have greatly overstated the remaining area of waste. The aggregate area of the parishes in which the tithes had been commuted was—

	Acres.
In England .....	6,718,523
„ Wales .....	1,897,592
	<hr/>
	8,616,115
	<hr/>

and the common or waste land in these parishes was found to be—

	Acres.
In England .....	1,358,419
„ Wales .....	501,815
	<hr/>
	1,860,234
	<hr/>

A rule-of-three sum was then worked out, on the basis that the total acreage of the country was 37,000,000 of acres. The answer to this sum was 8,000,000, and to this were added another 2,000,000 as representing common fields, giving a total of 10,000,000 acres

<sup>56</sup> It is from this Return of 1843, No. 325, that the statistics given above are taken.

still held more or less in common. It is rather remarkable that Sir John Sinclair in 1795 gave the following estimate:—

	Acres.
Wastes and commons .....	7,800,000
Common fields .....	1,200,000
	<hr/>
	9,000,000
	<hr/>

If both estimates were correct, the commons and common fields had behaved in a manner even more remarkable than the famous widow's cruise, for though 1,300,000 had been inclosed since Sir John Sinclair spoke and wrote, the area remaining to be inclosed had actually increased by another million acres. There can be no doubt, that both of these early estimates were founded on insufficient data. The area over which the tithes were commuted in 1843 was too small to give a correct proportion for the rest of the country; and moreover the tithe agreements and awards which were used for the figures in the commuted parishes drew no distinction between land subject to common rights and land held in severalty but not cultivated. Thus, mountains and moors, not really common land, and not improbably large areas which had actually been the subject of inclosure Acts—but had been allowed to lie open—were entered in the Return.

But, at the time, the Return and the sum worked out from it were received as gospel, and a Select Committee was appointed to inquire “into the expediency of facilitating the inclosure and “improvement of commons and lands held in common, and into “the best means of providing for the same.”<sup>57</sup> Lord Worsley, who had already introduced a Bill on the subject, acted as Chairman, and Tithe Commissioners led off the argument for some new means of promoting inclosure. The main drift of the inquiry was towards the further cheapening of the procedure by which inclosures were effected, and the result was a Report to the effect “that it “appears to be both desirable and expedient, under the provisions “of a General Inclosure Act, to entrust the superintendence of all “applications for inclosure of land, and the carrying of the “same into operation, to some central body, to which all local “functionaries should be responsible; but that the sanction of “Parliament, in regard to all inclosures sanctioned by a central “body of commissioners, should be requisite before their decision “should have effect.” The last sentence seems to have been the result of an uneasy suspicion, forming itself even at this comparatively early date, that inclosure was not an unmixed blessing. Several advocates of inclosure strongly condemned

<sup>57</sup> Commons Reports, 1844, No. 583.

the inclosure of village greens; and there are many indications in the evidence, that it was beginning to be noticed, that while inclosure might be beneficial to the community, in increasing food supplies, and to individuals, in raising rents and farming profits, it was driving the small cultivator out of existence, and placing the cottager and labourer under distinctly less happy conditions of life. The Commission were therefore agreed that it was not safe to withdraw inclosure proceedings entirely from the purview of Parliament. One member of the Commission, Lord Granville Somerset, would even have gone further, and postponed action altogether; but the tide was still flowing strongly towards inclosure, and he found no support.

The Committee reported in August, 1844, and in the following session the Inclosure Act, 1845, was passed. As is well known, it established the Inclosure Commission—in practice the same body as the Tithe Commission—and entrusted to this tribunal, working by the aid of assistant commissioners and valuers,—

- (1) All the preliminary inquiries into the expediency of an inclosure, and the views of those legally interested.
- (2) The actual division of the land, after Parliament had sanctioned the inclosure upon the recommendation of the committee.

The Act contained several provisions which mark the commencement of the counter-movement for open spaces. No village green or town green was to be inclosed under the Act; and no lands within certain distances of large towns were to be inclosed without the express sanction of Parliament. Further, in the case of commons or wastes, the committee were authorised to require allotments to be set out—

- (a) For recreation; and
- (b) For field gardens for the labouring poor.

In the older inclosure Acts it was by no means uncommon to set aside large areas to supply fuel for the poor; but the provisions to which we have referred were the first recognition in a general Act of the value of a common to the neighbourhood, and the propriety of giving some kind of equivalent for its loss.

The Act of 1845 in one respect did not quite carry out the express wishes of the select committee; it only required express parliamentary sanction to an inclosure of a common; common fields might be inclosed by the committee without reference to Parliament. This distinction was however abolished in 1852, and since that year every inclosure has been brought to the notice of the legislature.

It is unfortunate that the “Return of Inclosures under the Act

" of 1845 " which was made in 1870 is not arranged by years, so that it is difficult to tell to what extent the work was immediately stimulated, and to what extent it was falling off before it was brought to a standstill in 1869. But in the twenty-four years during which the Inclosure Commission held absolute sway, the total number of inclosures authorised was 946, and the area inclosed about 618,000 acres.<sup>58</sup> These figures give an average of 653 acres to each inclosure. Thus we see that both as regards the average number of applications to Parliament each year, and the average acreage concerned in each application, there is no very marked difference between this and the preceding period. From 1801-42 there were on the average 47 inclosures sanctioned annually; from 1845-69, 39. The average area per inclosure was 657 acres during the first period, and 653 during the second. When we look down the list of lands inclosed returned in 1870,<sup>59</sup> we find that inclosure was being gradually diverted from common fields to commons, the area of waste inclosed being more than double that of common field land. The average of common field inclosures varies very much, the smallness of some of the figures indicating that stinted pastures or common meadows rather than arable fields were the subject of the Act. On the other hand, there are many large areas of moor and high-lying waste brought under the system, and there seem to be fewer cases of very small commons.

When we compare the proceedings by groups of counties, we find the rate of progress more than maintained in the extreme north, though owing to the shorter period the actual number of applications was fewer. In Lancashire, Yorkshire, and Lincolnshire there is however a great falling off, and also in East Anglia, and in the Midlands, while in the home counties, in Devon and Cornwall, and in Wales, there is a very great increase. All these results point to the approximate disappearance of the old arable common fields, and also of the best quality of commons and wastes. The richer corn counties were practically inclosed before the passing of the Act of 1845. What the Commissioners have mainly been engaged upon is the extension of inclosures to the wilder districts of the country, and to the poorer soils such as are found on the Surrey heaths. It is well known that in many cases of poor heath land the inclosures have altered the legal status, but not the agricultural condition. Cannock Chase has been much spoilt in appearance by inclosure; the bulk of it lies as waste as in

<sup>58</sup> " Report of Board of Agriculture " for 1896-97 [C-8377]. A few inclosures sanctioned by parliament between 1869 and 1876 are included in these figures.

<sup>59</sup> Return to House of Commons of all inclosures since the Inclosure Act of 1845, 1870 (326).

Norman days. And close to our own doors, the great commons on and around Hindhead grew furze and heather as luxuriantly as ever, until they were called upon to grow houses. If it were possible to make inquiry into the comparative results of the inclosures before and since 1845, it would probably be found that the benefit to the country in increasing food supplies has been very slight during the later period, and that the condition of the country as a whole would have been happier had the process of inclosure stopped with the inquiry of 1843.

One word should be said upon the fate of the long list of forests which I read to you. Without further inquiry than I have been able to make, I cannot deal with the list seriatim, but some particulars may be given. Needwood and Charnwood were inclosed by ordinary Inclosure Acts early in the century. Rockingham, Sherwood, Delamere, Windsor, Salcey, Whittlebury, Whichwood, Alice Holt, and Wolmer were all the subject of special Acts of the same period. Savernake is fenced round, but otherwise preserves many of its features. Hainault (one of the two members of Waltham Forest) was disafforested by an Act of 1851. The forest of Bernewood, or Brill, in Bucks, was inclosed under an old decree of the Court of Chancery; and it is very probable that other forests were similarly dealt with. Ashdown, in Sussex, was partitioned between the Crown grantee and the commoners in the time of William III, but the commoners' share is happily still open, and, being the subject of a Regulation Scheme of the Board of Agriculture, is now practically dedicated to the public. The Forest of Dean still exists, but has been wholly planted over; it is a nursery of timber in the strict sense of the term but is at the same time an open space. Exmoor has been disafforested and (nominally) inclosed. Dartmoor remains. Epping has been formally, and the New Forest, in effect, dedicated to the public. It should be added that the Act of Charles I for the certainty of forests, disafforested all places in which a Justice Seat had not been held for sixty years before the 20th year of James I. This enactment probably had the effect of depriving some of the districts mentioned by Gilpin of their distinctive character.

To return to the general effect of inclosures upon the country; the Inclosure Commissioners on the 27th November, 1873, made a Return to the House of Commons of the waste lands and common-field lands in each parish in which the tithes had been commuted, and the estimated total acreage of such lands in the remaining parishes of each county.<sup>60</sup> This return showed how fallacious the estimate of 1843 had been. The total area ascertained after this fashion was :—

<sup>60</sup> "Inclosures," 1874, No. 85.



	Commons.		Common Fields.
	Apparently Suitable for Cultivation.	Apparently Mountain or otherwise Unsuitable.	
England .....	732,518	967,531	250,868
Wales .....	151,471	516,945	13,439
	883,989	1,484,476	264,307
Grand total.....	2,632,772		

It will be remembered that the previous estimate of 1843 was 10,000,000, and that only 618,000 had since been inclosed!

But even the return of 1873 is not altogether trustworthy. The method employed was to take each county separately, to extract the particulars of the commons and common fields for each parish where the tithes had been commuted, then to ascertain the area of the remaining parishes, and then to add a proportionate area of common and common fields. It is obvious that in a county where the great majority of the parishes had been commuted the estimate so framed would be much nearer the fact than in a county where commutation had not gone far. In particular, in a county of the latter sort, to apply a rule-of-three sum to so fast diminishing an item as common fields, was obviously a very hazardous proceeding. To take only one or two counties: in Beds the area in which the tithes had been commuted was little more than half the area of the county, while in Berks it represented four-fifths. Obviously the estimate for Berks was of much more authority than that for Beds.

Again, in Cornwall and Devon nearly the whole counties had been commuted, while in Northants only 148 out of 485 thousand acres had undergone the process. These inequalities divest the return of any great authority, and it seems probable that its estimates were still much too high.

By good fortune, in July, 1875, another return, compiled from perfectly different sources, was presented to Parliament—the Land-owners' Return, which is usually referred to as the modern Domesday Book. This return was compiled from the Valuation Lists made out for the purposes of rating in every parish. *Primâ facie* such lists would not show waste lands which yielded no profit, and were therefore not rated; but the clerk of the guardians, in furnishing his return, was requested to add such information as he possessed on the subject. In some instances parish maps or surveys were forthcoming, and in others a mere estimate was furnished. The result was somewhat startling as compared with the Inclosure

Commissioners' return. Whereas the latter showed an aggregate of common land of 2,368,465 acres, the Domesday return gave only 1,524,648 acres.

Neither return can be looked upon as of conclusive authority. It is probable that in lowland counties the Domesday return is far nearer the truth than that compiled from the tithe maps; while possibly in mountainous and moorland districts the real acreage may lie between the two figures given. The Domesday return does not, of course, deal with common fields, which being rateable fall in with other holdings.

Speaking broadly, then, we may say of the inclosure movement of the last and present centuries, that it has reduced to severalty ownership—

	Acres.
From 1709 to 1797 .....	2,744,926
„ 1801 „ 1842 .....	1,307,964
„ '45 „ '69 .....	618,000
Add for forests inclosed under special Acts (say)....	100,000
Total of land inclosed .....	<u>4,770,890</u>

The area of open land left cannot be stated with any certainty. Common fields exist only exceptionally. Over large areas in the Midlands there is scarcely an acre of common land, but in highland, exposed countries there are still wide tracts of open moor, mostly, though not wholly, subject to common rights. And fortunately in the neighbourhood of the metropolis, mainly on the south, there are many commons, greens, and heaths spared to constitute a play ground for the greatest aggregation of human beings the world has ever seen.

#### VIII.—*Counter-Movement. Suburban Commons.*

I have left but little time to describe the counter-movement of the last thirty years for the preservation of open spaces. But this is the less to be regretted, as Mr. Shaw Lefevre has not long since told the story with much graphic detail in his book on “English Commons and Forests.” The general causes which led to the movement are not far to seek. The rapid growth of the population of large towns, and especially of London, forced upon the attention of the nation the necessity of preserving lands in their vicinity for purposes of health and recreation. At the same time free trade, in bringing under contribution for the requirements of the country corn-bearing lands in all parts of the world, removed the main reason which had always been urged for the cultivation of waste lands.

The first check to the process of inclosure occurred in 1864,

when the Inclosure Commissioners thoughtlessly ventured to lay hands on Epsom Common. Although the Downs themselves were not threatened, there was something in the name which attracted attention. At the same time, Lord Spencer introduced a Bill for the inclosure of Wimbledon Common, 700 acres of which he proposed to convert into a park at the expense of the remaining 300 acres, which were to be appropriated for building. Other commons on the very threshold of London, such as Wandsworth, Barnes, and Tooting, were being sliced and carved by railway companies and the governors of charitable institutions.

In 1865, a Select Committee of the House of Commons, of which Mr. Locke, the late Member for Southwark, was chairman, and Mr. Shaw-Lefevre was a most active member, after taking much evidence of the extent to which metropolitan commons were used for the purposes of recreation, reported that it was of the highest importance "to preserve all the London commons as open spaces for "the purposes of health and enjoyment;" they moreover recommended, that this result should be obtained, not by the conversion of commons into parks by the process of purchase and extinction of rights, but by the maintenance of the commons through the agency of rights exercised over them in their existing open condition, subject only to such regulations as were necessary to prevent nuisances and preserve order.

To give effect to the views thus defined, the Commons Preservation Society was formed in the winter of 1865-66, with Mr. Shaw-Lefevre as chairman, a post he has filled, when not prevented by Ministerial duties, from that time to the present.

Simultaneously with the formation of the Society a series of attacks upon the London commons were made by lords of manors. Sir Thomas Wilson began to build a house on the site of Hampstead Heath. Lord Brownlow erected 3 miles of fencing on Berkhamsted Common. An inclosure of 1,000 acres was made by a single lord of a manor in Epping Forest, while on other commons, such as Plumstead and Tooting, claims were advanced which threatened to deprive the public of all enjoyment of these open spaces.

To meet these attacks, a series of local committees were formed under the guidance of the Commons Preservation Society, and legal proceedings in the names of commoners were commenced. The result was entirely satisfactory. Decree after decree was made in favour of the commoners, and while London Commons were thus preserved from destruction, opinion was formed throughout the country, and a check given to views on the subject of manorial rights, the triumph of which would have been fatal to the national enjoyment of open land.

IX.—*Mr. Fawcett and Rural Inclosures.*

In the meantime, the Inclosure Commissioners had been, by the Metropolitan Commons Act, 1866, forbidden to continue their work of inclosure within the Metropolitan Police District, power being conferred upon them to place such commons under local management as open spaces in lieu of inclosing them. For the next three years, however, they continued to recommend to Parliament the inclosure of rural commons.

Singularly enough, the provisions made in 1845 for the reservation of portions of inclosed commons for purposes of recreation, and to supply the poor with field-gardens, appear to have fallen out of favour with the Commissioners, and in 1869 they proposed to Parliament the inclosure of 13,000 acres, with the reservation of only one acre for recreation, and none at all for field-gardens. This scheme attracted the attention of the late Mr. Fawcett, who was led to the conclusion that in the altered condition of the country, inclosures even in rural districts were doing more harm than good, and that, under such conditions as the Inclosure Commissioners were prescribing, they constituted a serious evil. With characteristic intrepidity he opposed the Annual Inclosure Bill which was promoted by the Government on the Report of the Commissioners, and the passage of which through Parliament had become a matter of course. With great difficulty he succeeded in stopping the measure and procuring a Select Committee on the subject. Before this Committee evidence of great weight was given by a gentleman who had served on a recent Commission relating to the employment of women and children in agriculture, to the effect that the condition of the agricultural labourer had undoubtedly deteriorated under the operation of inclosures. The cottager who had previously enjoyed a run upon the common for his cow and his pigs, and had used gorse and bushes for firing and petty repairs, and bracken for litter, was deprived of all these benefits, and either obtained no compensation whatever, or received some small sum of money which was very shortly spent. For practical purposes his condition was rendered so much the worse by the value of the small privileges which he had enjoyed and now lost. This and similar evidence from localities in which inclosures had been made, or where they were threatened, led the Committee to report that no further inclosures should be made until the Inclosures Act had been materially amended, and the procedure of the commissioners modified.

This recommendation led to the temporary cessation of inclosures, and for the next seven years, although the Commissioners recommended various schemes, no further inclosure

was sanctioned. In 1876, the Conservative Government of the day introduced the Commons Act, in which the principle was distinctly enunciated that inclosures should not be allowed in future unless distinctly shown to be not merely for the benefit of private persons, but for the benefit of the neighbourhood and the public; and that mode of dealing with commons which had been adopted in 1866 in the case of London, viz., their regulation as open spaces, was, with some modification, extended to the country generally. The Bill was much discussed in the House, and many amendments for the further protection of the public against inclosures were introduced. The Government further undertook, that after the passing of the Act all proposals for inclosure should be submitted to a Committee of the House of Commons.

The result has been very remarkable. The first recommendations of the Inclosure Commissioners were rigorously examined by the Committee of the House, and it was made evident that the policy of the Act was to be a reality. The Commissioners in no long time cordially adopted the views of the House, and they have for many years systematically refused to recommend inclosures in any but very exceptional cases. Practically their proposals have lately been confined to common fields and to large tracts of waste in mountain districts, and, even in the latter case, they have required the insertion of a provision that the access of the public shall not be interfered with, unless the lands are actually brought into tillage or put under cultivation. The net result of their proceedings under the Act of 1876 is thus summed up in their last Report:—

	Number.	Acres.
Inclosures .....	23	25,704
Commons placed under regulation ..... }	24	31,081

No Inclosure Award has been made since the year 1893.

#### X.—*The Rescue of Epping Forest.*

In referring to the Commons Act and its results I have however departed from the historical sequence of events. One of the most conspicuous incidents in the movement for the preservation of open spaces is the rescue of Epping Forest. I have alluded to the great inclosure in the Manor of Loughton, which was effected about the time when the Select Committee was formulating to the House new principles for dealing with uninclosed commons and forests. This aggression was the last act in a series which resulted in the inclosure of no less than 4,000 out of 7,000 acres of open

woodland and wastes. It was not allowed to pass unchallenged. Legal proceedings were commenced in the name of a working-man to assert a time-honoured custom with the inhabitants to lop the trees of the forest during the winter months. This suit and other legal skirmishes in the law courts went on for the next four years; but in 1871 the battle began in earnest with the appearance of the Corporation of London as the champion of the public. The corporation, through the Commissioners of Sewers, were happily the owners of a cemetery at Little Ilford, within the bounds of the forest. The land forming the cemetery had formerly been a minor manor, the manor of Aldersbrook. As the owners of this property they claimed on behalf of themselves and the other owners and occupiers of land within the forest boundaries a right of common over all the wastes of the forest. There were fourteen defendants to the suit, which lasted more than three years. During the same time a Commission, appointed by Parliament under a special Act, sat to inquire of the several rights obtaining in the forest, and of the validity of the inclosures. Both tribunals, the Commission, and the late Master of the Rolls, Sir George Jessel, before whom the suit was tried, pronounced unhesitatingly in favour of the right of common claimed, and against the validity of the inclosures. Many of them had been transferred to third parties for substantial sums; further proceedings were necessary to adjust rights and to temper the severity of the blow which had fallen on those who were under the impression they had made a good speculation in land. A special arbitrator (Sir Arthur, now Lord, Hobhouse) was appointed, who made his final award on the 24th of July, 1882; and on the 6th May, 1882,<sup>61</sup> the Queen in person declared Epping Forest open to the people. The following figures, taken from the arbitration proceedings, may be of interest in connection with the most trenchant assertion of the public interests in open land which has probably ever been witnessed.

	a.	r.	p.
Area of Epping Forest, including all land inclosed } within twenty years before 21st August, 1871..... }	5,928	2	33
Of this about half had been inclosed during the period mentioned.			
Houses, gardens, and curtilages quieted in title } under Epping Forest Act, 1878..... }	532	-	-
	5,396	2	33
Balance received by Corporation of London on } certain exchanges of forest for other land .....	134	-	-
	5,530	2	33

<sup>61</sup> This day is unfortunately memorable from the terrible murder of Lord Frederick Cavendish and Mr. Burke at Dublin.

Expenditure of Corporation—		£
Litigation and other expenses preliminary to passing } of Epping Forest Act, 1878 .....		33,489
Purchase money and incidental expenses .....		189,012
Extinguishment of fuel rights .....		21,822
„ „ minor rights .....		1,100
Shorthand notes and printing before Arbitrator .....		2,951
		<hr/> 248,374 <hr/>

# XI.—*Parks and Gardens in Towns.*

We have seen that the open space movement which originated in a desire to protect suburban commons was extended by Mr. Fawcett to rural commons. Some years later the scope of the movement was enlarged on another side. Miss Octavia Hill in the year 1875 made a vigorous effort to save from the builder certain fields in the neighbourhood of the Swiss Cottage in the Finchley Road. Her work amongst the poor had convinced her of the supreme importance to their health and comfort of open spaces near their doors, and she found that the fields which she endeavoured to rescue were accessible to women and children, who found Hampstead Heath too remote for habitual use. In this particular case Miss Hill's efforts were unsuccessful, the land-owner and builder refusing to give time for the collection of the necessary purchase money. But the incident brought Miss Hill into the ranks of the Commons Preservation Society, which has ever since found in her one of its most active and resolute members. At Miss Hill's instance, also, a second society (the Kyrle Society) was formed with the express object of brightening in every practicable way the homes of the poor; and the protection and improvement of such small open spaces as disused churchyards and square gardens was made the special care of a committee of this body. From this committee in time developed Lord Meath's Metropolitan Public Gardens Association.

The work of this wing of the open space movement has been very noteworthy. Not only have a multitude of small gardens, already of a quasi public character, been saved from neglect and probable appropriation, but several large areas undoubtedly free for building, have been purchased at considerable sums and dedicated to the public. This result has been facilitated by the happy accident, that, in 1883, Mr. Bryce succeeded in passing through parliament an Act for the utilization of the City of London Parochial Charities. The revenues of these charities, amounting to something like 120,000*l.* a year, if my memory serves, had been previously squandered in giving help where no help was wanted, and maintaining churches to which no one went. The

Charities were handed over for re-organisation to the Charity Commissioners, and one of the objects to which the revenue was to be applied was the provision of open spaces. The Charity Commissioners devoted the bulk of the funds to the formation of polytechnics; but they assisted by substantial contributions in the purchase of several open spaces.

I give in a table the additions to the parks and gardens of London acquired in this way, with the mode in which the funds were raised.<sup>62</sup> It is sufficient to mention here, by way of example, the great extension of Hampstead Heath (at a total expense of 300,000*l.*) through the purchase of Parliament Hill and the adjacent meadow land belonging to Lord Mansfield and Sir Spencer Wilson, the preservation of Clissold Park, Stoke Newington, Vauxhall Park, South Lambeth, Ravenscourt Park, Fulham, Brockwell Park, South Norwood, the Poors' Land, Bethnal Green, the Gravel Pit Wood and Waterlow Park, Highgate, and the Hilly Fields, Lewisham.

In the meantime the original work of the Commons Preservation Society, the preservation of metropolitan commons, has been by no means neglected. It has always been felt, that it was not enough in the case of these commons to protect them from arbitrary inclosure, but that it was also necessary to place them under definite local management. The Metropolitan Commons Acts, as we have seen, afforded the means of doing this, and fortunately the old Metropolitan Board of Works, which was by no means forward to resist the extravagant claims of Lords of Manors, showed itself very ready to assume control over any open space. The first application of the Metropolitan Commons Act to any common took place in 1869, when Hayes Common in Kent was placed under the management of local conservators. Two years later the Metropolitan Board of Works took charge of Blackheath and of Shepherds Bush Common, and during the next twelve years, nine commons or groups of commons were placed in the care of the Board, while other open spaces, lying outside the present county of London, though within the Metropolitan Police District, were placed under the management of district boards or local conservators. In all, twenty commons, or groups of commons, comprising about 3,840 acres, have been brought under local management by means of the Metropolitan Commons Act. Other London commons have been similarly dealt with by special Acts; amongst them may be mentioned Hampstead Heath, Wandsworth Common, Wimbledon and Putney Commons, Plumstead Common, and Tooting Graveney Common, extending together to about 1,570

<sup>62</sup> See Table II.



acres. Outside London the famous Malvern Hills, comprising 5,000 acres of open land have also been placed under local management by means of a special Act of Parliament.

## XII.—*General Results of Open Space Movement.*

There are other phases and results of the open space movement at which I can only just glance. Prior to 1865 it was the habit of railway companies and other persons anxious to construct works by means of Parliamentary powers to take as much common land for the purpose as opportunity offered. The land was very cheap, and there was practically no one to object to its appropriation. The lord of the manor was the only person who obtained substantial compensation, and he was only too glad to turn a barren inheritance into money. The commoners, who were often grievously injured, could only object under difficult conditions, and the public, who lost an open space, could not object at all. Consequently not only in rural districts, but on the edge of London, commons were sliced to pieces by railway lines. One of the earliest actions of the Commons Preservation Society was to challenge railway Bills which offended in this way in the House of Commons; and with such signal success has this policy been pursued, that commons are now rather avoided than sought, and the Society is looked upon by railway promoters as the recognised champion of public interests, to be propitiated, if possible. On the average of the last five years the society has examined annually no less than 25 Parliamentary Bills affecting open spaces, and has either stopped or introduced important conditions into all such as have seriously threatened the public interests.

Again, the importance of small gardens in towns has led to an alliance with the Ancient Buildings Protection Society and other bodies of a like aim, in a stout defence of many a fragment of old London—some venerable and interesting building standing amid charming lawns. Notable successes in this direction are the preservation of the historic buildings and pretty gardens of the Charterhouse and (very recently) of the Trinity Almshouses, Mile End. By degrees also the open space movement has extended itself to beautiful spots and tracts of land, not necessarily in the nature of commons,—to such work as the defence of the Lake District from needless disfigurement by railways, and the purchase of some of the more notable features of our country. A very striking instance of the growing sensitiveness of public opinion to the importance of protecting natural beauty, is afforded by the recent arrest, on the motion of Mr. Bryce, of a Scotch Railway Bill at a late stage, on the charge of inflicting wanton injury on a lovely highland glen. However, these are matters which do not

easily lend themselves to statistics. Let me return, before concluding, to parks, gardens, and commons, and see how far it is possible to sum up what has been done.

I have been at some pains to obtain the best information as to commons and parks actually secured to the public during recent years both in London and in the provincial towns.

In the case of the County of London my figures are obtained mainly from a recent Report on the subject of open spaces issued by the London County Council; in the case of the Metropolitan Police District outside the county of London, or, to use a shorter phrase, "Greater London," I have consulted various sources of information, and have been greatly assisted by the list which appears annually in the Report of the Metropolitan Public Gardens Association. It is impossible to say that the particulars I have obtained are accurate to a few acres or a few pounds, but I believe they are substantially correct.

In the county of London<sup>63</sup> then, 2,162 acres of common land have since 1865 been definitely secured to the public either by schemes under the Metropolitan Commons Acts, or by special Acts. Omitting legal expenses and expenses of laying out, the total cost of purchasing this area is nearly 270,000*l.*, or an average of nearly 125*l.* per acre. Within the same area and during the same period<sup>64</sup> parks and gardens have been purchased or acquired by gift, or formed from disused burial grounds and from square gardens, to an extent of 1,654 acres, the price paid being a little over 1,313,000*l.*, or an average payment of 793*l.* per acre.

In Greater London (excluding the county), commons to the extent of 4,297 acres have been acquired for 43,600*l.*, or a little more than 10*l.* an acre. To this total must be added 5,531 acres rescued from Epping Forest at a total cost for purchase money and incidental expenses (not including the cost of litigation and of abolishing certain common rights) of 189,012*l.*, or an average cost of 34*l.* an acre. Adding Epping Forest to the other commons acquired in Greater London, we have a total acreage of 9,828 acres acquired for just under 230,000*l.*, or about 23*l.* per acre. Turning to parks and gardens, 466 acres have been secured for the sum of 87,600*l.*, or about 188*l.* an acre. These figures show in a very striking way the great saving to the public which has arisen from the arrest of the movement for inclosure, and the rescue from its effects of so many commons in the neighbourhood of London. It cannot be doubted, that if Finchley Heath, the state of which as an open

<sup>63</sup> For the particulars of the commons and parks secured and of the expenses incurred, see Table II.

<sup>64</sup> The Act for the formation of Southwark Park was passed in 1864, but the park of course was not opened to the public till some time later.

waste was so picturesquely described and deeply regretted at the end of the last century, had been left in its wild condition, the ratepayers of London would have been saved some of the large items of expenditure which they have incurred in providing parks and open spaces on the north of London, and the sum of 1,300,000*l.* which I have mentioned would have been largely reduced.

To complete the tale of open spaces enjoyed by London, one must add the area of the Royal Parks, which, of course, were in existence long prior to the open space movement, but many parts of which have nevertheless been opened to the public during recent years, and the whole of which have been made far more enjoyable, under the influence doubtless of the prevailing feeling for open spaces. Within the county of London these extend to 1,249 acres, making the total area of open space within the county 5,065 acres. Outside the county the large expanse of Richmond Park, together with Bushey Park and Hampton Court, constitute an addition of 3,639 acres, thus making in all about 14,000 acres of open land.

The population of the county in 1896 was 4,433,000, thus giving 1 acre of open space to every 875 persons. The population of the outside ring was, in 1891, 1,422,000, giving about 1 acre to each 100 persons. If this population is added to the population of the county in 1896, we have 5,855,000 as the population of the whole of greater London; and in this district there are 308 persons to each acre of open space.

The distribution of the open spaces is not, of course, equal throughout the district. Speaking generally it will be found that the western half of London is far better supplied than the eastern, although great efforts have been made during the last ten years to add to the advantages in this respect of East London, both south and north of the Thames. At this moment an effort is being made to add another 50 acres to the secured open spaces in the shape of Churchyard Bottom Wood, Highgate, a wood which for practical purposes belongs to the north-east section of London.

To obtain information as to the area of land, in the shape of commons, parks, and gardens, which has been secured to the public by the provincial towns of England and Wales during the present reign, I addressed a circular to the town clerks of all boroughs of more than 6,000 inhabitants, that limit of population being selected in the Commons Act of 1876 as denoting a town, commons in the neighbourhood of which are to be considered suburban. I divided these towns into three classes, those of 50,000 inhabitants and upwards, those of between 10,000 and 50,000 inhabitants, and those of between 6,000 and 10,000 inhabitants. Excluding London,

there are 55 towns of 50,000 inhabitants and upwards, and from these I received forty-two replies. These answers show that in the 42 towns in question over 2,000 acres of common land have been secured, either by the operation of regulation schemes under the Commons Act, 1876, by purchase or otherwise, while nearly 5,500 acres of parks and recreation ground have been provided. Adding these figures together we have a total of about 7,500 acres. The aggregate population of the 42 towns in question is 4,423,000, thus giving 1 acre of open space to every 583 persons.<sup>65</sup>

There are 135 towns of more than 10,000 and less than 50,000 inhabitants. Of these only 82 have furnished information in answer to my circular; the result is to show an area of 4,388 acres of common and 2,035 acres of park and recreation ground secured. The total of these two areas is 6,423 acres, and the aggregate population of the towns in question is 2,162,000, thus giving 1 acre of open space to every 336 persons.

Of the towns between 6,000 and 10,000 inhabitants, 22 out of 33 have replied to my circular, and the result is to show an area of 593 acres of common land and 92 acres of park and recreation ground. The total of these two areas is 685 acres, and the aggregate population of the towns in question is 153,934, thus giving 1 acre of open space to every 224 persons.

To sum up the whole of these figures (leaving out for this purpose the royal parks) we have as the sum total of the movement in favour of open spaces which has taken place during the present reign, and especially during the last half of it, the following figures :—

	Acres.
County of London .....	3,816
Greater London .....	10,294
145 provincial towns .....	14,687
Total .....	28,797

The total area of common land placed under regulation is, as we have seen, 31,081 acres. If we assume that the whole of the commons secured by provincial towns are included in this figure, there still remain 24,000 acres of common land placed under regulation and thus secured to the public, either in the neighbourhood of the towns which have made no returns or in rural districts. We thus have, in all, over 52,000 acres of common, park, and garden preserved.<sup>66</sup>

<sup>65</sup> For particulars of the several classes of towns and the area of open spaces secured in each, see Table III.

<sup>66</sup> I must express my acknowledgments to several friends, and particularly to Mr. J. Okell of the Post Office, for their kind aid in checking the several figures given in this Paper

It would be interesting to consider the relation of the tables of mortality to the provision of open spaces in the several towns from which particulars have been obtained, but any such attempt would be beyond the scope of the present Paper. It will at least be conceded, that a very potent factor in the maintenance of the health—not only of the bodily, but of the mental, I might almost say the spiritual, health—of the town population of the country has been brought to bear through the efforts of those who have for the last thirty years striven to preserve the remaining commons of the country, and to provide parks and gardens, where no commons are now available.

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TABLE I.—*Progress of Inclosure in Different Periods, in Groups of Counties.*

	Eighteenth Century.	1800–42.	1845–69.	Totals.
<b>NORTHERN.</b>				
A.—Northumberland...	30	20	17	67
Cumberland .....	18	63	29	110
Durham .....	26	13	2	41
Westmoreland ....	13	32	33	78
	87	128	81	296
B.—Lancashire .....	28	33	15	76
Yorkshire .....	315	232	62	609
Lincoln .....	172	90	15	277
	515	355	92	962
<b>EAST ANGLIA.</b>				
Norfolk ... ..	53	200	29	282
Suffolk .....	8	64	27	99
Essex .....	3	34	29	66
	64	298	85	447
<b>MIDLANDS.</b>				
Beds .....	31	42	4	77
Cambs .....	7	88	10	105
Hunts .....	27	28	5	60
Leicestershire.....	135	14	—	149
Warwickshire.....	69	37	12	118
Northants .....	127	53	16	196
Oxford .....	67	49	39	155
Rutland .....	18	2	3	23
	481	313	89	883
Notts .....	79	33	4	116
Stafford .....	38	43	10	91
	117	76	14	207
<b>HOME COUNTIES.</b>				
Hertford .....	9	19	29	57
Middlesex .....	5	22	3	30
Surrey .....	3	38	21	62
Kent .....	—	15	15	30
Sussex .....	4	32	32	68
	21	126	100	247
Wilts .....	54	82	19	155
Dorset .....	14	48	22	84
	68	130	41	239
Devon .....	—	26	41	67
Cornwall .....	—	2	15	17
	0	28	56	84
Cheshire .....	12	24	14	50
Derbyshire .....	74	51	7	132
Berks .....	27	63	20	110
Bucks .....	53	43	15	111
Hants .....	35	47	60	142
	115	153	95	363
Monmouth .....	—	3	8	11
Gloucester .....	74	63	22	159
Worcester .....	62	47	15	124
Hereford .....	7	34	18	59
Salop .....	18	26	10	54
	161	173	73	407
Somerset .....	45	60	21	126
Wales .....	15	82	82	179
	1,775	1,997	850	4,622

TABLE II.—*Commons, Parks, and Gardens secured to Public in London.*A. *County of London.*

## I. COMMONS.

## N.E. District.

Name.	When and how Secured.	Cost, and when not found wholly by County Council, how made up.	Area.
		£	A. R.
Hackney Downs.....	1872. Under Metro- politan Commons Sup- plemental Act, 1872....	The lord's interest was purchased subsequently to the Act for Local Management for 90,000	41 3
London Fields .....			26 2
Well Street Common			20 3
South Hackney Com- mon .....			—
South Mill Field .....			34 2
North " " .....	London Open Spaces Act, 1893 .....	County Council } 50,000 — Hackney Vestry } 25,000 — — 75,000 165,000	23 1
Clapton Common .....			7 2
Stoke Newington Com- mon .....			5 1
Hackney Marshes .....			337 —
			496 2

## S.W. District.

Wandsworth Common {	Wandsworth Common Act, 1871 .....	A perpetual an- nuity to Earl Spencer of 25 <i>ol.</i> , say .....	£ 7,000	183 —
Clapham „ {	1877. Under Metro- politan Commons Sup- plemental Act, 1877....	18,000	17,771	220 —
Tooting Beck .....	1873. Metropolitan Commons Supple- mental Act, 1873 .....			144 —
„ Graveney .....	Metropolitan Board of Works (General Powers) Act, 1875 ....			63 —
Streatham Green .....	1873. Under Metro- politan Commons Sup- plemental Act, 1873....			1 —
„ Common ... {	1884. Under Metro- politan Commons Sup- plemental Act, 1884....	Acquired from Ec- clesiastical Com- missioners for nominal sum of	5	66 —
			42,776	677 —

TABLE II—*Contd.* Commons, Parks, and Gardens secured to Public in London.

## A. County of London.

I. COMMONS—*Contd.*

## S.E. District.

Name.	When and how Secured.	Cost, and when not found wholly by County Council, how made up.	Area.
		£	A. R.
Peckham Rye.....	1882. Private Act .....	1,000	<div> <div>64</div> <div>6</div> <div>1</div> <div>1</div> <div>2</div> </div>
Goose Green .....			
Nunhead Green.....			
Blackheath .....	1871. Under Metro- politan Commons Sup- plemental Act, 1871....	No payment .....	267 -
Plumstead Common .....	1878. Private Act .....	<div> <div>Met. Board</div> <div>of Works</div> <div>War Office....</div> <div>£</div> <div>6,000</div> <div>4,000</div> <div>10,000</div> </div>	100 -
Bostal Heath .....	1877. Under Metro- politan Commons Sup- plemental Act, 1877....	5,000	55 -
Shoulder of Mutton Green* .....	1878. Private Act .....	500	5 -
		16,500	498 3

## N.W. District.

Brook Green .....	1881. Under Metro- politan Commons Sup- plemental Act, 1881....	No payment.....	27 -†
Eelbrook Common.....			
Walham Green .....			
Parsons „ .....	1871. Metropolitan Commons Second Sup- plemental Act, 1871....	£ 505	8 -
Shepherd's Bush Com- mon .....			
Wormwood Scrubs ....			
Little Scrubs .....	1886. Private Act .....	—	22 -
Hampstead Heath.....			
	Hampstead Heath Act, 1871 .....	45,000	240 -
		45,505	490 -

\* Outside County of London.

† The County Council "Report" gives the acreage of this group of commons at 21a. 2r. only.



TABLE II.—*Contd.* Commons, Parks, and Gardens secured to Public in London.

## A. County of London.

## II. PARKS AND GARDENS.

## N.E. District.

Name.	When and how Secured.	Cost, and when not found wholly by County Council, how made up.	Area.	
			A.	R.
Victoria Park .....	London Parks and Works Act, 1887 .....	Transferred from Government to County Council without charge .....	244	—
Bethnal Green Gardens, comprising—				
Museum Gardens ....				
Bethnal Green Poor's Land .....				
West Meadow .....	1893. By purchase .....	£ 6,000	6	2
Finsbury Park .....	Finsbury Park Act, 1869	£ 136,304	115	—
Clissold Park, Stoke Newington .....	1889. By purchase.....	Met. Board 25,000	53	—
		Charity Com. 47,500		
		Ves. of Stoke Newington } 10,000		
		S. Hornsey Local Board } 6,000		
		Hackney Dis. Board ..... } 5,000		
		Vestry of Islington.... } 2,500		
		96,000		
Highbury Fields .....	Private Act .....	Met. Board 30,000	25	2
		Vestry of Islington.... } 30,000		
		60,000		
Highbury Fields .....	1891. Purchase .....	—	2	—
Canonbury Square.....	1888. Under control of Islington Vestry .... }	—	1	—
	1889. Under control of Islington Vestry .....	—	1	2
Baronsbury „ .....				
Thornhill Gardens, and several other small open spaces in Islington .....	Under control of Islington Vestry.....	—	5	—
Cattle Market, Holloway, part of site of	1896. Purchased by Vestry	16,000	5	2
Meath Gardens (formerly Victoria Park Cemetery).....	1894 .....	1,005	9	2
Shandy Street Recreation Ground .....	Squares, gardens, or dis-used burial grounds acquired or managed under Open Spaces Acts, 1887 to 1892 ....	Nominal ground rent to Beaumont Trustees .....	1	2
Carlton Square Gardens.....			—	3
Holy Trinity Churchyard, Mile End .....			1	1
Limehouse Churchyard Stepney „ .....			3	—
St. Bartholomew's Gardens, Bethnal Green .....			7	—
St. Paul's Churchyard, Shadwell.....			1	—
		315,309	486	2

TABLE II—*Contd. Commons, Parks, and Gardens secured to Public in London.*A. *County of London.*II. **PARKS AND GARDENS—Contd.***N.E. District—Contd.*

Name.	When and how Secured.	Cost, and when not found wholly by County Council, how made up.	Area.	
		£	A.	R.
Wapping Recreation } Ground ..... }	Cleared under Artizans } Dwellings Act ... }	Brought forward... 315,309	486	2
Winthrop Street Play } Ground ..... }		52,000	2	2
Isle of Dogs Recrea- } tion Ground ..... }	—	— £	—	2
		London C.C. 5,200	3	—
		Poplar Dist. Board of W. 3,500		
		8,700		
Goldsmith's Square } Recreation Ground, } Shoreditch ..... }	—	London C.C. 2,450	—	3
		Shoreditch Vestry ... 2,000		
		4,450		
Poplar Recreation } Ground ..... }	1867. Under control of } Poplar District Board } of Works ..... }	Met. Board of Works 4,000	2	3
		Poplar Dist. Board of W. 5,500		
		9,500		
Stepney Green ..... }	1872. Under control of } Vestry of Mile End } Old Town ..... }	—	2	2
Goldsmith's Square } Shoreditch ..... }		—	—	2
Tower Gardens ..... }	1888. Use by public } temporarily allowed... }	—	2	—
St. Thomas's Square, } Mare Street ..... }		—	1	—
		394,459	502	—

*S.W. District.*

Battersea Park ... }	London Parks and Works } Act, 1887 ..... }	Transferred by Government } without payment ..... }	198	—
Shrubberies and } Chelsea Embank- } ment Gardens ..... }		—	—	—
		£		
		London C.C. 61,000	78	—
		Charity Com. 25,000		
		Eccles. " 500		
		Vestry of Lambeth 20,000		
		Vestry of Newington 5,000		
		Vestry of Camberwell 6,000		
		Private sub- scriptions 1,757		
		119,257	276	—

TABLE II—*Contd.* Commons, Parks, and Gardens secured to Public in London.

## A. County of London.

II. PARKS AND GARDENS—*Contd.*S.W. District—*Contd.*

Name.	When and how Secured.	Cost, and when not found wholly by County Council, how made up.	Area.	
			A.	R.
Kennington Park .....	London Parks and Works Act, 1887 .....	Brought forward... £119,257	276	—
Myatt's Fields, Camberwell .....		Transfer from government. No payment .....	19	2
Lincoln's Inn Fields ....	London County Council Improvement Act, 1894	Given to London County Council through Metropolitan Gardens Association ...	14	2
Bishop's Park, Fulham		£12,000	7	—
Fulham Palace Recreation Ground .....	1893. Vested in Vestry of Fulham .....	Given by Bishop of London and Ecclesiastical Commissioners .....	12	—
		London C. C. Vestry of Fulham } — £ 11,250	9	—
		142,507	338	—

## S.E. District.

Dulwich Park .....	Metropolitan Board of Works (Various Powers) Act, 1855 .....	Given by Dulwich College ...	72	—
Peckham Rye extension .....		£ 18,000		
Lewisham (Ladywell) Recreation Ground	London Council (General Powers) Act, 1891 ....	Charity Com. 12,000	49	—
Southwark Park.....		Ves. of Camberwell... 20,000		
Bostal Heath extension	Metropolitan Board of Works (Various Powers) Act, 1887 .....	Private donations... 925		
Bostal Woods .....		50,925		
	Southwark Park Act, 1864 .....	London C. C. 10,940	47	—
		Lewisham Dis. Board 10,940		
	Metropolitan Board of Works (Various Powers) Act, 1887 .....	21,880		
		(Including laying out) 121,707	63	—
	London Council (General Powers) Act, 1891 ....	Met. Board of Works 2,232	16	—
		Plumstead Dis. Board 1,118		
		3,350		
	London C. C. Plumstead Dis. Board of Works	6,000	61	—
		6,000		
		12,000		
		200,862	308	—

TABLE II—*Contd. Commons, Parks, and Gardens secured to Public in London.*

## A. County of London.

II. PARKS AND GARDENS—*Contd.*S.E. District—*Contd.*

Name.	When and how Secured.	Cost, and when not found wholly by County Council, how made up.	Area.
		£	A. R.
		209,862	308 —
Royal Victoria Gardens, { North Woolwich ....	London Council (General Powers) Act, 1890 ....	London C. C. 1,000 Charity Com. 10,000 East Ham Local Brd. 500 Private do- nations.... 8,000	10 —
Maryon Park, Charlton {	London Council (General Powers) Act, 1891 ....	Given by Sir Spencer Maryon Wilson..... 19,500	12 —
Telegraph Hill, Hat- cham .....	1894. Open Spaces Acts, 1877-92 .....	London C. C. 3,100 Mr. George Livesey... 2,000 Greenwich Dis. Board 2,000 Haberdash- ers' Com. 2,000	9 2
St. Paul's Churchyard, { Rotherhithe .....	Open Spaces Acts, 1877-92 .....	— 9,100	1 —
Hilly Fields, Brockley { (or Lewisham) .....	London Open Spaces Act, 1893 .....	London C. C. 22,825 Greenwich Dis. Board 7,000 Lewisham Dis. Board 2,800 Lewisham Charities 1,000 London Parochial Charity Trustees 1,500 Private do- nations .... 6,093	41 —
Deptford Park .....	—	London C. C. 24,000 Othersources 12,000	22 —
Lea Recreation Ground	—	London C. C. 2,000 Othersources 4,400	8
Sydenham and Tulse Hill Recreation Ground .....	Purchased by Lewisham District Board of Works .....	— 6,400 8,500	17 2
Camberwell Green ....	Purchased by Camber- well Vestry .....	— 2,000	2 2
Ravensbourne Recrea- tion Ground .....	1886. Under control of Greenwich District Board of Works .....	—	1 1
		332,580	432 3

TABLE II—*Contd.* Commons, Parks, and Gardens secured to Public in London.

A. County of London.

II. PARKS AND GARDENS—*Contd.*

N.W. District.

Name.	When and how Secured.	Cost, and when not found wholly by County Council, how made up.	Aren.
Ravenscourt Park, Hammersmith .....	Metropolitan Board of Works (Various Powers) Act, 1887 .....	Met. Board of Works } £ 29,000 Ves. of Hammersmith } 29,000 £ 58,000	A. R. 32 -
Hampstead Heath Extension .....	Hampstead Heath Enlargement Act, 1886....	Met. Board of Works } 150,000 Vestry of St. Pancras.... } 30,000 Vestry of Hampstead } 20,000 Vestry of Marylebone } 5,000 Charity Com. } 50,000 Private do- } 46,000 nations.... } 301,000	265 -
Embankment Gardens ...	Thames Embankment Act	—	—
Leicester Square Garden	Leicester Square Act, 1874	Given by Baron Grant .....	14 -
Waterlow Park .....	London Council (General Powers) Act, 1890 ....	„ Sir Sydney Waterlow	26 -
Russell Court Playground	—	—	- 1
Red Lion Square Garden	—	—	- 2
Spa Fields' Playground	—	—	1 3
Spa Green .....	—	10,000	1 3
Whitfield's Tabernacle Burial Ground .....	1894 .....	5,000	- 2
Avondale Park, Pottery Lane Fields .....	1892. Purchased by Kensington Vestry, and under their control	9,200	4 1
Paddington Green.....	1864. Under control of Paddington Vestry ....	—	1 1
„ „ Recreation Ground .....	1893. Purchased by, and under control of Vestry	Vestry ..... 50,000	25 -
Recreation Ground, Wendell Park, Starch Green .....	Under control of Hammersmith Vestry .....	Given by Ecclesiastical Commissioners .....	4 -
Great Church Lane Ground, Hammer- smith .....	By purchase. Under control of Vestry of Hammersmith .....	London C.C. 800 Vestry ..... 800 1,600	1 2
Fortune Green, Hamp- stead .....	Purchased by and under control of Vestry of Hampstead .....	London C.C. Vestry ..... Private do- } nations.... } 8,000	2 2
West End Green, Hampstead .....	1885. Purchased by and under control of Vestry of Hampstead .....	Met. Board of Works } Vestry ..... Private do- } nations.... } 850	- 2
Playground, Upper Park Road, Haver- stock Hill .....	1887. Under control of Vestry of Hampstead..	—	- 2
		443,650	381 1

TABLE II—*Contd. Commons, Parks, and Gardens secured to Public in London.*B. *Metropolitan Police District outside County of London.*

## I. COMMONS SECURED TO PUBLIC.

Name.	When and how Secured.	Managing Body.	Cost, and how found.	Area.
				A. R.
Hayes Com- mon, Kent	Metropolitan Commons Sup- plemental Act, 1869 .....	Local Con- servators }	No cost .....	200 -
Barnes Com- mon, Surrey	Metropolitan Commons Sup- plemental Act, 1876 .....	Local Con- servators }	" .....	120 -
Ealing Com- mon .....	Metropolitan Commons Sup- plemental Act, 1877 .....	Ealing Local Board .... }	" .....	50 -
Ealing Lam- mas Land	1888. By pur- chase .....	Ealing Local Board .... }	" .....	24 -
Staines Moor	Metropolitan Commons Sup- plemental Act, 1880 .....	Staines Local Board .... }	" .....	353 -
Acton Com- mon .....	Metropolitan Commons Sup- plemental Act, 1882 .....	Acton Local Board .... }	" .....	12 -
Chiswick Common, Turnham Green .....	Metropolitan Commons Sup- plemental Act, 1882 .....	Chiswick Lo- cal Board }	" .....	21 -
Tottenham Common ....	Metropolitan Commons Sup- plemental Act, 1882 .....	Tottenham Local Board }	" .....	48 -
Chislehurst Common (with St. Paul's Cray) .....	Metropolitan Commons Sup- plemental Act, 1886 .....	Local Con- servators.... }	" .....	182 -
Farnborough Common ....	Metropolitan Commons Sup- plemental Act, 1886 .....	Local Con- servators.... }	" .....	45 -
Mitcham Common ....	Metropolitan Commons Sup- plemental Act, 1891 .....	Local Con- servators.... }	" .....	570 -
Banstead Commons	Metropolitan Commons Sup- plemental Act, 1893 .....	Local Con- servators.... }	" .....	1,300 -
Wimbledon Common ....	Wimbledon and Putney Com- mons Act, 1871	Local Con- servators.... }	A Perpetual An- nuity to Lord of Manor of 1,200 <i>l.</i> secured on rates: say .....	£ 33,600 1,000 - 3,925 -

TABLE II—*Contd.* Commons, Parks, and Gardens secured to Public in London.

## B. Metropolitan Police District outside County of London.

I. COMMONS SECURED TO PUBLIC—*Contd.*

Name.	When and how Secured.	Managing Body.	Cost, and how found.	Area.
Coulston Commons	About 1878-79. Under Corporation of London (Open Spaces) Act, 1878 .....	Corporation of London	<div>£</div> <div>Brought forward .... 33,600</div> <div>Corporation of London ..... } 7,000</div>	<div>A. R.</div> <div>3,925 -</div> <div>346 3</div>
West Wickham Common .....	1892. Under Corporation of London (Open Spaces) Act, 1878 .....	Corporation of London	<div>Corporation of London } —</div> <div>Private subscribers } —</div> <div>————— 3,000</div> <div>43,600</div>	<div>25 -</div> <div>4,296 3</div>

## II. PARKS AND GARDENS.

Hermit Road Recreation Ground, Plaistow ....	1896 .....	West Ham Corporation .....	<div>City of London Parochial Charity Trustees } Metropolitan Public Gardens Association } Private donations .. }</div> <div>350</div>	10 -
West Ham Park .....	1874. Purchased and managed by Joint Committee of Corporation and local gentlemen .....	—	<div>Corporation of London } 10,000</div> <div>Owners ..... } 10,000</div> <div>Private donations .... } 5,000</div> <div>————— 25,000</div>	80 -
Wanstead Park .....	1882. Under Corporation of London (Open Spaces) Act, 1878 .....	—	Corporation of London } 8,000	182 -
Higham Park	1891. Under Corporation of London (Open Spaces) Act, 1878 .....	—	Corporation of London } 6,000	30 -
Highgate Woods (Gravel Pit)	1886. Under Corporation of London (Open Spaces) Act, 1878 .....	—	Given by Ecclesiastical Commissioners .....	70 -
			47,000	372 -

TABLE II—*Contd. Commons, Parks, and Gardens secured to Public in London.*B. *Metropolitan Police District outside County of London.*II. PARKS AND GARDENS—*Contd.*

Name.	When and how Secured.	Managing Body.	Cost, and how found.		Area.
				£	A. R.
Roundwood Park, Harlesden .....	1895. Purchased by Willesden District Council..	—	{ Brought forward ....	47,000	372 —
			{ Willesden District Council .....	15,000	27 —
Home Field, Chiswick Lane .....	1896. Purchased by Chiswick District Council..	—		4,600	10 —
Kilburn Park	1887. Under Corporation of London (Open Spaces) Act, 1878 .....	—	{ Corporation of London .....	3,000	30 —
Acton Recreation Ground	1889. Purchased by and under control of Acton District Council	—	{ Goldsmiths' Co. ....	5,000	
			{ District Council } .....	13,000	
				18,000	25 —
South Acton Recreation Ground ....	1892. Under control of Acton District Council	—		—	2 —
				87,600	466 —

C. *Royal Parks.*

	County of London.	Greater London.
	Acres.	Acres.
Hyde Park .....	350	—
Kensington Gardens .....	270	—
Green Park .....	53	—
St. James's Park .....	91	—
Greenwich „ .....	148	—
Richmond „ .....	—	2,050
Bushey „ .....	—	680
Hampton Court Gardens .....	—	36
„ Park* .....	—	630
Regent's Park .....	275	—
Primrose Hill .....	62	—
Kew Gardens .....	—	243
	1,249	3,639

\* Opened 1893.



## Summary.

## COUNTY OF LONDON.

	N.E. District.			S.W. District.		
	Acreage.		Price.	Acreage.		Price.
	A.	R.	£	A.		£
I. Commons .....	496	2	165,000	677		42,776
II. Parks and gardens ....	502	—	394,459	338		142,507
Totals .....	998	2	559,459	1,015		185,283
III. Royal parks .....	—	—	—	—		—

	S.E. District.			N.W. District.			Totals.		
	Acreage.		Price.	Acreage.		Price.	Acreage.		Price.
	A.	R.	£	A.	R.	£	A.	R.	£
I. Commons .....	498	3	16,500	490	—	45,505	2,162	1	269,781
II. Parks and gardens.....	432	3	332,580	381	1	443,650	1,654	—	1,313,196
Totals .....	931	2	349,080	871	1	489,155	3,816	1	1,582,977
III. Royal parks .....	—	—	—	—	—	—	1,249	—	—
	—	—	—	—	—	—	5,065	1	1,582,977

## GREATER LONDON.

	Acreage.				Price.	
	A.	R.	A.	R.	£	£
I. (A) Commons .....	4,296	3			43,600	
(B) Epping Forest ....	5,531	—			189,012	
II. Parks and gardens ....	436	—			87,600	
			10,293	3		
III. Royal parks .....			3,639	—		320,212
			13,932	3		320,212

## TOTALS.

	Acreage.				Price.	
	A.	R.			£	
County of London.....	5,065	1			1,582,977	
Greater London.....	13,932	3			320,212	
Totals .....	18,998	—			1,903,189	

TABLE III.—*Statistics of Provincial Open Spaces.*  
 I.—*Cities and Towns of 50,000 Inhabitants and upwards (Fifty-five in number)\*.*

Name of City or Town.	Popu-lation.	Area in Acres.	Parks or Recreation Grounds.		Common Lands Secured for Public.			Total Acreage of Parks and Commons.	Acres of Town to 1 Acre of Open Space.	Persons		Remarks.
			Particulars.	Acre- age.	Particulars.	Acre- age.	How Secured.			To 1 Acre of Open Space.	To 1 Acre of Town.	
Barrow-in-Fur-ness Birkenhead .....	51,712	10,987	1 recreation ground	A. B. 35 -	—	—	—	A. B. 35 -	A. 313	1,477	4	There is a further recreation ground, acreage not stated. 36 further acres of common in negotia- tion.
	99,957	3,849	2 parks.....	141 -	2 commons .....	69 -	Partly con- trolled by Corporation	210 -	18	475	25	
Birmingham.....	478,113	12,705	14 parks and gar- dens	266 -	Rednall and Bil- berry Hills	82 2	Acquired by Corporation	348 2	36	1,371	37	Corporation have contracted to buy 62 acres, subject to certain consents. Corporation repre- sented on Board of Mitcham Common, and contribute to keep up common.
	115,002	2,357	7 parks and recrea- tion grounds	83 3	Not stated .....	—	—	83 3	28	1,373	49	
Bolton .....	216,361	10,791	5 parks.....	216 3	None.....	—	—	216 3	49	998	20	Corporation have contracted to buy 62 acres, subject to certain consents. Corporation repre- sented on Board of Mitcham Common, and contribute to keep up common.
	116,817	2,529	5 parks and recrea- tion grounds	102 3	Common land.....	241 -	Acquired by Corporation	343 3	7	339	46	
Brighton .....	87,016	3,923	12 parks and re- creation grounds	112 2	No commons .....	—	—	112 2	34	773	22	
	102,595	9,012	11 recreation grounds	209 2	—	—	—	209 2	43	490	11	
Croydon.....	94,146	3,450	5 recreation grounds	51 2	Chester Green ...	Not stated	Acquired by Corporation	51 2	67	1,828	27	
Derby .....												

\* Thirteen towns made no return.

TABLE III.—*Contd. Statistics of Provincial Open Spaces.*  
 I.—*Cities and Towns of 50,000 Inhabitants and upwards (Fifty-free in number)*—*Contd.*

Name of City or Town.	Popu-lation.	Area in Acres.	Parks or Recreation Grounds.		Common Lands Secured for Public.			Total Acreage of Parks and Commons.	Acres of Town to 1 Acre of Open Space.	Persons		Remarks.
			Particulars.	Acre-age.	Particulars.	Acre-age.	How Secured.			To 1 Acre of Open Space.	To 1 Acre of Town.	
Devonport.....	54,803	1,760	3 parks and recreation grounds	A. 57 3 R. 3	None.....	—	—	A. 57 3 R. 3	A. 30	949	31	Also certain slopes rented from War Office.
Gateshead.....	85,692	3,138	3 parks and recreation grounds	66 —	None.....	—	—	66 —	47	1,298	27	
Hastings.....	52,223	1,822	6 parks, &c. ....	191 2	None.....	—	—	191 2	9	272	28	Some of open spaces leasehold.
Halifax .....	89,832	8,530	4 parks, &c. ....	51 —	Formed into 2 parks	82 1	Acquired by Corporation	133 1	64	674	10	
Hanley .....	54,946	1,768	4 parks, &c. ....	110 —	None.....	—	—	110 —	16	499	31	
Huddersfield.....	95,420	11,882	4 parks, 6 recreation grounds	82 —	—	—	—	82 —	144	1,163	8	
Hull .....	200,044	8,226	3 parks, 2 recreation grounds	131 1	None.....	—	—	131 1	62	1,524	24	Supposed common at Marfleet of 32 acres.
Ipswich .....	57,360	8,110	Park .....	69 —	None.....	—	—	69 —	117	831	7	
Leeds .....	367,505	21,572	2 parks, 14 recreation grounds	504 —	Woodhouse Moor, Huntslet Moor	96 —	Acquired by Corporation	600 —	35	612	17	
Leicester .....	174,624	8,586	8 parks, &c. ....	224 1	None.....	—	—	224 1	38	778	20	
Liverpool .....	517,980	15,252	5 parks, 2 recreation grounds	853 2	—	—	—	853 2	18	607	34	These open spaces cost the Corporation 789,651. The Corporation has also purchased the reversion to Prince's Park, containing 50 acres, for 11,000.
Middlesbrough	75,932	2,824	1 park .....	74 —	Not stated .....	—	—	74 —	38	1,025	26	

TABLE III—*Contd. Statistics of Provincial Open Spaces.*  
 I.—*Cities and Towns of 50,000 Inhabitants and upwards (Fifty-free in number)—Contd.*

Name of City or Town.	Popu-lation.	Area in Acres.	Parks or Recreation Grounds.		Common Lands Secured for Public.			Total Acreage of Parks and Commons.	Acres of Town to 1 Acre of Open Space.		Persons		Remarks.
			Particulars.	Acre-age.	Particulars.	Acre-age.	How Secured.		A.	B.	To 1 Acre of Open Space.	To 1 Acre of Open Space.	
Newport (Mon.)	54,707	4,462	4 parks.....	A. 48	None.....	A. —	—	A. 48	93	1,139	12		
Nottingham .....	213,877	10,935	8 parks, &c., and 7 recreation walks .....	157 2	Bulwell Forest .....	135	Acquired by Corporation	292 2	37	730	19		
Norwich.....	61,096	6,920	Gildencroft .....	4 —	'Chapel Fields .....	7	Purchased by Corporation	195 —	35	303	8		
					Mousehold Heath .....	184	Given to Corporation and under regulation						
Oldham .....	131,463	4,730	1 park .....	70 —	Not stated .....	—	—	70 —	67	1,878	27		Other recreation grounds—acreage not stated. Also Plymouth Hoe.
Plymouth .....	84,248	1,540	3 parks, &c. ....	35 —	None .....	—	—	35 —	44	2,407	54		
Reading .....	60,054	5,878	5 parks, &c. ....	92 1	— .....	—	—	92 1	63	651	10		
Rochdale .....	71,401	4,185	Parks, &c. ....	15 2	Cronkshaw Common .....	43	Acquired by Corporation	53 2	71	1,220	17		
St. Helen's .....	71,288	6,586	3 parks .....	101 —	— .....	—	—	101 —	65	705	10		
Salford .....	198,139	5,171	4 parks .....	101 2	Kersal Moor .....	211	Acquired by Corporation	123 —	42	1,610	38		
Sheffield.....	324,243	19,651	16 recreation grounds .....	293 —	— .....	—	—	293 —	67	1,106	16		
Southampton ..	65,323	2,004	13 parks, &c. ....	75 —	None .....	—	—	440 —	4 5	148	32		
Sunderland .....	131,015	2,868	Parks, &c. ....	61 2	Commons .....	385	Managed by Corporation	61 2	46	2,130	45		Town Moor and Tun-stall Hills near town — acreage not stated.
			6 parks.....		— .....	—	—						
South Shields ..	78,391	1,839	2 parks.....	76 1	Sands and sea shore .....	100	—	176 1	10	444	42		Considerable common land not secured.
Swansea.....	90,349	5,087	9 parks, &c. ....	99 1	None .....	—	—	99 1	51	910	17		

TABLE III—Contd. *Statistics of Provincial Open Spaces.*  
 I.—*Cities and Towns of 50,000 Inhabitants and Upwards (Fifty-five in number).*

Name of City or Town.	Population.	Area in Acres.	Parks or Recreation Grounds.		Common Lands Secured for Public.			Total Acreage of Parks and Commons.	Acres of Town to 1 Acre of Open Space.	Persons		Remarks.
			Particulars.	Acreage.	Particulars.	Acreage.	How Secured.			To 1 Acre of Open Space.	To 1 Acre of Town.	
Stockport .....	70,263	2,200	5 parks, &c. ....	A. 62 — R. —	Not stated .....	A. — R. —	—	A. 62 — R. —	A. 35 R. —	1,133	32	
Walsall .....	71,789	7,480	2 parks, 1 recreation ground .....	42 —	3 pieces of common land .....	60	—	102 —	73	703	9	
Warrington .....	52,743	1,975	2 parks, 3 recreation grounds .....	76 2	—	—	—	76 2	25	689	26	
West Ham .....	204,903	4,706	4 parks, &c. ....	119 —	—	—	—	119 —	39	1,721	43	Small portion of Wanstead Flats, in parish, acquired by Corporation of London as part of Epping Forest. In adjoining district of Ince-in-Makerfield, part of common has been laid out as park.
Wigan .....	55,013	2,188	1 park .....	29 —	—	—	—	29 —	75	1,897	25	
Wolverhampton	82,662	3,525	2 parks .....	101 —	—	—	—	101 —	34	818	23	Corporation considering question of acquiring commons.
York .....	66,912	3,564	None .....	—	Large commons belonging to freemen .....	800	Managed by pasture masters annually elected by freemen	800 —	4	83	18	

TABLE III—*Contd., Statistics of Provincial Open Spaces.*  
 II.—*Towns of 10,000 and under 50,000 Inhabitants (One Hundred and Thirty-five in number).\**

Name of City or Town.	Popu-lation.	Area in Acres.	Parks or Recreation Grounds.		Common Lands Secured for Public.			Total Acreage of Parks and Commons.	Acres of Town to 1 Acre of Open Space.	Persons		Remarks.
			Particulars.	Acre-age.	Particulars.	Acre-age.	How Secured.			To 1 Acre of Open Space.	To 1 Acre of Town.	
Accrington .....	38,603	3,425	2 parks.....	A. R. 19 1	None .....	A. —	—	A. R. 19 1	180	2,082	11	There are two large recreation grounds on short lease. Acreage not stated.
Bacup .....	23,498	6,116	2 recreation grounds	8 —	—	—	—	8 —	764	2,937	4	
Banbury .....	12,768	4,634	1 recreation ground	14 —	—	—	—	14 —	331	912	3	
Barnsley .....	35,27	2,386	1 park .....	40 —	—	—	—	40 —	59	885	16	
Beverley .....	12,539	2,404	None .....	—	3 common pas- tures .....	1,174	Freehold in corporation	1,174 —	2	12	6	
Bootle .....	49,217	1,595	1 park, 3 recreation grounds .....	55 3	—	—	—	55 3	29	894	31	
Boston .....	14,593	2,765	1 park .....	6 2	—	—	—	6 2	400	2,432	6	
Bournemouth ...	37,781	2,415	1 park, &c. (lease- hold) .....	143 —	Turf commons ...	30	Subject of Bill before Par- liament	173 —	14	218	15	13 acres (continua- tion of one plea- sure ground) is pri- vate, but open to public.
Bridgwater .....	12,436	717	1 recreation ground	10 —	—	—	—	10 —	71	1,243	18	
Brighouse .....	20,666	2,224	1 park, 3 recreation grounds .....	16 2	—	—	—	16 2	139	1,291	9	
Burslem .....	31,999	1,851	1 park .....	23 —	—	—	—	23 —	81	1,391	16	
Burton-on-Trent	46,047	4,207	6 recreation grounds	64 —	—	—	—	64 —	65	719	11	
Bury St. Ed- munds .....	16,630	2,947	None .....	—	—	—	—	—	—	—	—	
Cambridge .....	36,986	3,223	2 gardens.....	11 2	—	—	—	11 2	293	3,362	11	Various commons of ample space. No particulars given. Both grounds lease- hold; one of War Office.
Chatham .....	31,657	4,336	2 recreation grounds	33 3	—	—	—	33 3	131	959	7	

\* Fifty-three towns made no return.

TABLE III—Contd. Statistics of Provincial Open Spaces.  
 II.—Towns of 10,000 and under 50,000 Inhabitants (One Hundred and Thirty-five in number)—Contd.

Name of City or Town.	Population.	Area in Acres.	Parks or Recreation Grounds.		Common Lands Secured for Public.			Total Acreage of Parks and Commons.	Acres of Towns To 1 Acre of Open Space.	Persons		Remarks.
			Particulars.	Acre- age.	Particulars.	Acre- age.	How Secured.			To 1 Acre of Open Space.	To 1 Acre of Open Space of Town.	
Chelmsford .....	11,008	2,309	1 park .....	A. R. 20 -	—	—	—	A. R. 20 -	A. 115	550	5	Galley Wood common is 2 miles from town.
Cheltenham .....	42,914	4,301	4 parks, &c. ....	87 -	1 common .....	1,500	Regulated by scheme	1,587 -	3	27	10	Some of the recreation grounds not free, or free only on certain days
Chester .....	37,105	2,960	1 park, 1 recreation ground .....	19 -	The Roodee .....	70	Ancient corporate estate	89 -	3	416	12	
Chesterfield .....	22,009	1,219	Queen's Park .....	22 -	Not stated .....	—	—	22 -	119	1,000	18	
Chorley .....	23,087	3,614	None .....	—	—	—	—	—	—	—	—	
Colchester .....	34,559	11,331	3 parks, &c. ....	47 1	—	—	—	47 1	241	735	3	Corporation intend to purchase 2 large playgrounds
Crewe .....	32,783	1,336	1 park .....	40 -	—	—	—	40 -	33	819	24	Certain rights reserved as regards 225 acres of Darwen Moor during life of lord of manor.
Darwen .....	34,192	5,959	2 parks .....	32 -	Darwen Moor .....	280	Under management of Corporation	312 -	19	109	5	
Dewsbury .....	29,847	1,463	1 park .....	73 -	—	—	—	73 -	20	409	20	
Dodley .....	45,740	3,615	2 recreation grounds .....	22 -	—	—	—	22 -	164	2,079	12	
Durham .....	14,863	880	None .....	—	—	—	—	—	—	—	—	
Eastbourne .....	34,969	5,410	2 recreation grounds (leasehold) .....	13 3	—	—	—	13 3	357	2,497	6	Beachey Head is open to the public; but it is said to be doubtful whether it is common land.
Eccles .....	29,633	2,032	2 recreation grounds .....	19 -	Tract of waste land being laid out as recreation ground	not stated	Acquired by Corporation	19 0	100	156	14	

TABLE III.—*Contd. Statistics of Provincial Open Spaces.*II.—*Towns of 10,000 and under 50,000 Inhabitants (One Hundred and Thirty-five in number)—Contd.*

Name of City or Town.	Popu-lation.	Area in Acres.	Parks or Recreation Grounds.		Common Lands Secured for Public.			Total Acreage of Parks and Commons.	Acres of Towns to 1 Acre of Open Space.		Persons		Remarks.
			Particulars.	Acre- age.	Particulars.	Acre- age.	How Secured.		To 1 Acre of Open Space.	To 1 Acre of Town.			
Exeter .....	37,404	1,883	5 recreation grounds	A. P. 24 -	—	—	—	A. R. 24 -	78	1,588	19	—	—
Faversham .....	10,478	694	1 recreation ground	20 -	—	—	—	—	34	523	15	—	—
Folkestone .....	23,700	4,126	3 parks	23 -	—	—	—	—	179	1,080	5	—	—
Gloucester.....	39,444	1,437	1 park	28 2	—	—	—	—	51	1,408	27	—	Some common land not near city, acre-age not stated.
Great Yarmouth	49,334	3,567	5 parks, &c. ....	28 1	Southtown Com-mon	15 -	Bill before Par-liament au-thorising town to ac-quire common	43 1	82	1,147	13	—	Not apparently acquired by Cor-poration or put under scheme.
Guildford .....	14,316	604	Castle and grounds, park	9 2	Not stated	—	—	9 2	66	1,590	23	—	—
Harrogate .....	13,917	1,268	1 recreation ground	7 -	The "Stray" .....	200 -	Owned and managed by Corporation	207 -	6	67	10	—	—
Hartlepool.....	21,271	552	None.	—	Town Moor.....	14 3	—	14 3	36	1,418	20	—	—
Heywood .....	23,185	3,507	Queen's Park .....	20 -	None.	—	—	20 -	175	1,159	7	—	—
Ilkerton .....	19,744	2,526	None.	—	"	—	—	—	—	—	—	—	—
Keighley .....	30,810	1,812	3 parks.....	45 -	Not stated	—	—	45 -	40	684	17	—	—
Kendal .....	14,430	2,622	Mansion, castle, ruins, and lands	43 -	"	—	—	43 -	61	386	5	—	—
Kidderminster...	24,803	1,213	2 parks.....	24 1	—	—	—	24 1	50	1,032	20	—	Delightful and pic-turesque valley 2 miles away. No scheme.
King's Lynn.....	18,360	3,061	1 recreation ground	1 -	None.....	—	—	1 -	3,061	18,360	6	—	—



TABLE III.—*Contd. Statistics of Provincial Open Spaces.*  
 II.—*Towns of 10,000 and under 50,000 Inhabitants (One Hundred and Thirty-five in number)—Contd.*

Name of City or Town.	Popu-lation.	Area in Acres.	Parks or Recreation Grounds.		Common Lands Secured for Public.			Total Acreage of Parks and Commons.	Acres of Towns to 1 Acre of Open Space.	Persons		Remarks.
			Particulars.	Acres.	Particulars.	Acres.	How Secured.			To 1 Acre of Open Space.	To 1 Acre of Town.	
Lancaster .....	31,038	1,577	3 parks, &c. ....	A. B. 35 —	—	—	—	A. B. 35 —	45	886	19	Ground containing 2a. -r. 13½p., said to be common land. Not acquired by Corporation.
Leamington Spa Lewes .....	26,930 10,997	2,816 1,424	Parks, gardens, &c. Recreation ground	46 2 10 3	Not stated "	—	—	46 2 10 3	61 142	585 1,099	9 7	1 acre of land given to town in 1601 now being laid as recreation ground.
Lincoln .....	41,491	3,747	Arboretum .....	13 —	2 commons .....	486	Corporation own soil	499 —	7	83	11	
Longton Loughborough..	34,327 18,196	1,948 3,078	1 park 3 recreation grounds	45 — 24 —	None "	—	—	45 — 24 —	43 128	743 758	18 5	14 acres of ground round Grammar School open to public.
Louth .....	10,040	2,749	None .....	—	None .....	—	—	—	—	—	—	
Luton .....	30,006	2,613	7 recreation grounds, &c.	61 2	Not stated .....	—	—	61 2	43	492	11	
Macclesfield .....	36,001	3,215	2 parks .....	25 2	Not stated .....	—	—	25 2	128	1,440	11	
Maidenhead .....	10,607	2,123	2 " .....	30 —	"The Moor" ..	6	—	30 —	70	353	5	
Maldstone .....	32,145	4,008	3 gardens, &c. ....	19 2	Barning Heath ..	4	Allotted by Inclosure Commissioners	23 2	174	1,397	8	
Middleton .....	22,162	4,749	2 parks, &c. ....	8 —	None .....	—	—	8 0	593	2,770	4	
Mossley .....	14,462	3,934	1 park .....	8 —	Not stated .....	—	—	8 0	491	1,770	3	
Nelson .....	22,700	3,235	2 parks .....	13 —	None .....	—	—	13 —	248	1,746	7	
Ossett .....	10,984	3,105	None .....	—	" .....	—	—	—	—	—	—	
Penzance .....	12,432	3,355	2 gardens .....	10 —	" .....	—	—	10 —	35.5	1,243	35	
Rawtenstall .....	29,507	9,525	None .....	—	" .....	—	—	—	—	—	—	

TABLE III—*Contd. Statistics of Provincial Open Spaces.*II.—*Towns of 10,000 and under 50,000 Inhabitants (One Hundred and Thirty-five in number)—Contd.*

Name of City or Town.	Popu-lation.	Area in Acres.	Parks or Recreation Grounds.		Common Lands Secured for Public.			Total Acreage of Parks and Commons.	Acres of Towns to 1 Acre of Open Space.	Persons		Remarks.
			Particulars.	Acre-age.	Particulars.	Acre-age.	How Secured.			To 1 Acre of Open Space.	To 1 Acre of Town.	
Beigate .....	22,616	5,994	Castle and land held on long lease	A. P. 5 1	2 commons .....	350	Managed by Board of Conservators	A. B. 355 1	A. 17	65	4	Over 200 acres of commons near town, under Ancient Memorial rule
Richmond (Surrey)	26,875	2,160	Terrace gardens, &c.	17 2	—	—	—	17 2	127	1,581	12	Petersham, Sheen, and Ham Commons near borough, not acquired or under scheme. Richmond Park and other gardens are accessible to the public. Only 1 recreation ground is freehold.
Rochester .....	26,290	2,909	4 recreation grounds	15 1	None .....	—	—	15 1	194	1,743	9	Bernards Heath, 35 acres, and other numerous commons in or near town, not acquired or under scheme.
Rotherham	42,061	6,002	3 parks, &c. ....	96 —	None .....	—	—	96 —	62	437	7	
St. Albans .....	12,898	997	3 " .....	27 —	—	—	—	27 —	37	477	13	
Serborough	33,776	2,348	Parks, &c. ....	53 —	No commons .....	—	—	53 —	45	637	14	
Shrewsbury .....	26,967	3,525	1 park, 2 pieces of land .....	28 —	Not stated .....	—	—	26 —	130	1,087	7	1 piece of land leasehold.
Southport	41,476	3,665	4 parks, &c. ....	56 —	Not stated .....	—	—	56 —	65	739	11	Half of park belongs to Asit-on-under-Lyne. Open space question under consideration.
Staleybridge .....	26,738	3,133	1 park .....	64 —	None .....	—	—	64 —	49	418	8	

TABLE III.—*Contd. Statistics of Provincial Open Spaces.*  
 II.—*Towns of 10,000 and under 50,000 Inhabitants (One Hundred and Thirty-five in number)—Contd.*

Name of City or Town.	Population.	Area in Acres.	Parks or Recreation Grounds.		Common Lands Secured for Public.			Total Acreage of Parks and Commons.		Acres of Town to 1 Acre of Open Space.	Persons		Remarks.
			Particulars.	Acreage.	Particulars.	Acreage.	How Secured.	A. R.	A. R.		To 1 Acre of Open Space.	To 1 Acre of Open Space.	
Stockton-on-Tees	49,708	3,031	2 parks, &c. (1 leasehold)	77 2	None	—	—	77 2	22	16	645	16	Norton village green, 1 mile from borough.
Taunton	18,026	1,203	1 park and 2 recreation grounds	22 2	"	—	—	22 2	55	15	819	15	
Thornaby-on-Tees	15,637	1,997	1 recreation ground	4 —	—	—	—	4 —	499	8	3,909	8	Green, containing 12 acres, is not under regulation, but Council considering acquisition.
Tiverton	10,892	17,680	1 park	6 2	—	—	—	6 2	2,946	0.6	1,815	0.6	
Tunbridge Wells	27,895	3,399	1 recreation ground	8 0	Rusthall Common	249 —	Under scheme	257 —	13	8	1,088	8	
Tynemouth	46,388	4,317	2 parks.	24 2	None	—	—	24 2	179	11	1,941	11	Negotiating for 11 acres of land.
Wakefield	33,146	1,521	2 parks, &c.	31 —	None	—	—	31 —	49	21	1,069	21	Common of 140 acres 1 mile from borough, not secured.
Wenlock	15,703	22,657	None	—	None	—	—	—	—	—	—	—	Corporation buying other open spaces of 8 acres.
West Hartlepool	42,710	2,454	1 park	17 —	Not stated	—	—	17 —	144	17	2,512	17	Jubilee Park being bought.
Widnes	30,011	3,339	None	—	None	—	—	—	—	—	—	—	Corporation buying (a) park of 50 acres; (b) pasture field of 60 acres.
Winchester	19,073	1,049	2 parks, &c.	9 —	Not stated	—	—	9 —	116	18	2,119	18	3 more acres being acquired.
Worcester	14,908	3,185	None at present	—	—	—	—	—	—	—	—	—	
Worthing	16,606	1,425	Park	17 —	Green	9 2	Acquired by Corporation	26 2	54	11	11	11	
Wrexham	12,552	1,306	None	—	None	—	—	—	—	—	—	—	

TABLE III.—*Contd. Statistics of Provincial Open Spaces.*  
 III.—*Towns of 6,000 but less than 10,000 Inhabitants (Thirty-three in number).\**

Name of City or Town.	Popu-lation.	Area in Acres.	Parks or Recreation Grounds.		Common Lands Secured for Public.			Total Acreage of Parks and Commons.	Acres of Towns to 1 Acre of Open Space.	Persons		Remarks.
			Particulars.	Acres.	Particulars.	Acres.	How Secured.			To 1 Acre of Open Space.	To 1 Acre of Open Space.	
Aberavon .....	6,300	2,060	None	—	None	—	—	A. R. —	A. —	—	—	Mountain land of some 100 acres (not secured for public) near town; in private ownership, but public admitted.
Aberystwyth.....	6,725	845	None	—	—	—	—	—	—	—	—	
Abingdon .....	6,557	730	Recreation ground	7	Common land.....	300	Acquired by Corporation	307	2·2	21·3	8·9	
Beebles .....	6,669	2,017	None	—	Common .....	275	Vested in Corporation	275	7·2	24·2	3·3	
Bridgeport.....	6,661	591	None	—	None	—	—	8	90·2	973	10·8	
Chichester .....	7,830	722	1 recreation ground	2	None	—	—	2	—	—	8	
Dartmouth .....	6,025	1,924	None	—	—	—	—	—	—	—	—	
Deal .....	8,891	1,111	Piece of land	2	Common land.....	2	Under manage-ment of com-mittee	2	—	—	1·6	
Denbigh.....	6,412	3,980	"	1	—	—	—	—	—	—	—	
Harwich .....	8,202	1,526	None	—	None	—	—	—	—	—	—	Extensive gardens and green belong-ing to War Office are open to public free, except one day a year.
Hertford .....	9,023	816	None	—	None	—	—	—	—	—	—	

\* Eleven towns made re

TABLE III.—*Contd. Statistics of Provincial Open Spaces.*III.—*Towns of 6,000 but less than 10,000 Inhabitants (Thirty-three in number)—Contd.*

Name of City or Town.	Popu- lation.	Area in Acres.	Parks or Recreation Grounds.			Common Lands Secured for Public.			Total Acreage of Parks and Commons.	Acres of Towns to 1 Acre of Open Space.	Persons		Remarks.
			Particulars.	Acre- age.	A. R.	Particulars.	Acre- age.	How Secured.			To 1 Acre of Open Space.	To 1 Acre of Town.	
Ripon .....	7,511	1,552	3 recreation grounds	—	2	Field .....	3	Acquired by Council	5	315.4	1,502.2	4.7	Also open space of 20 to 30 acres not acquired. Studley Park is two miles from City.
St. Ives .....	6,094	1,890	Land .....	—	2	None .....	—	—	2	—	—	3.2	—
Sutton Wallen .....	6,104	7,502	None .....	—	—	Common used as recreation ground .....	15	Hired by Council from the lord of manor	15	50	404	0.8	—
Sabury .....	7,059	1,925	" .....	—	—	None at present acquired	—	—	—	—	—	—	Scheme to acquire large commons about to be approved by Court.
Sutton Coldfield .....	8,655	12,828	Sutton Park granted to town by Charter of Henry VIII, vested in Corporation in 1885	not stated	—	—	—	—	—	—	—	—	—
Stratford .....	8,358	1,918	Recreation ground .....	9	1	Not stated .....	—	—	9	213	928.7	4.3	—
Stratford-on-Avon .....	8,318	4,012	2 recreation grounds	37	—	" .....	—	—	37	108.4	221.8	2.0	—
Tamworth .....	6,614	285	Field (leasehold) ...	13	—	" .....	—	—	13	21.9	508.7	23.2	Council have just bought family worth Castle and grounds. Acreage not known.
Welshpool .....	6,501	20,426	None .....	—	—	None .....	—	—	—	—	—	—	—
Wisebech .....	9,395	6,476	Pleasure ground .....	14	—	" .....	—	—	14	46.2	671	1.4	—
Yeovil .....	9,618	654	Not stated .....	—	—	" .....	—	—	—	—	—	—	—

VOL. LX. PART II.

DISCUSSION *on* SIR R. HUNTER'S PAPER.

MR. BASIL HOLMES said that his own interest in the matter was in connection with the society founded by Lord Meath, the Metropolitan Public Gardens Association. Their particular branch of work was getting small open spaces in towns, or crowded and populous districts in and around London. Lord Meath found there were many pieces of vacant land, more particularly disused burial grounds and churchyards, which some ten years ago were in a neglected condition, and he thought these would form breathing places for the people close to their homes. Whilst large spaces and commons were very needful, they could only be utilised on the Saturday half-holiday or Sunday. But it was also necessary to have smaller open spaces close to the homes of the people which could be used in the spare hours of the day. The Public Gardens Association started on that principle, and had formed over one hundred of these smaller open spaces in crowded localities. The society worked in the greatest harmony with the kindred societies with which Sir Robert Hunter and Miss Hill were connected, the Commons Preservation Society, and the Kyrle Society, the three together forming a considerable force in opposition to any inclosure movements which were always being attempted. London owed a great debt of gratitude to the leaders of the open space movement, such as Miss Hill, Mr. Shaw-Lefevre, the Earl of Meath, and Sir Robert Hunter himself, for forming these associations and uniting them in this good work. At present they were engaged in the most useful work as a joint committee in preserving one of those large tracts which still remained on the outskirts of London, namely, Churchyard Bottom Wood, of about 52 acres, which would have been built on but for their efforts, but which they could save by the expenditure of 25,000*l*. They had been jointly getting together this money, and had every hope that in a short time this wood would be saved and added to the adjoining ones which were in the hands of the Corporation of London, so as to preserve a tract of about 150 acres of very beautiful woodland scenery.

MR. P. BIRKETT wished to direct attention to the question whether the time had not come for taking decisive steps to prevent the inclosure of commons and open spaces in the future. The paper had proved that such legislation as had taken place, from the Statute of Merton down to 1869, had been to promote inclosures. In 1869 inclosing legislation received a check, and shortly after that date they had a new order of things, and legislation was passed for regulation of commons as opposed to inclosure. But it was obvious that if Bills permitting inclosure were to be allowed to pass into law, land would not

remain for regulation. He would suggest that legislation to prevent the inclosure of common land should not be restricted to common land as lawyers understood the term. There was throughout the country a large area of land which was not technically "common," such as village greens, where possibly all common rights had ceased to be exercised, and allotment land, where persons formerly had the right to take turf, fuel, &c., but which right had fallen into disuse. Where land lay open and unused, except as an open space, there was always the temptation to people to try and convert such land to building purposes; for there was no inducement nowadays to inclose land for the sake of growing corn as in former times. He knew of one case at that moment where it was proposed to inclose over 200 acres of an old fuel allotment. If any one interested in this subject could only induce people, especially members of Parliament, to take up the question and prevent the inclosure of lands by statute, a great work would be done. There were public bodies, railway companies, and so forth, which were constantly trying to take open lands. A great commercial company close to London at that moment was proposing to take 100 acres from a locality whose population had increased from 13,000 in 1871 to 97,000 in the present day. That was the kind of legislation which ought to be stopped, unless a proper equivalent were given for the land so taken away. One very difficult question with regard to the question of inclosure, especially in or near large towns, was how to lay down some general rule. It had been clearly shown that density of population beyond a certain degree must of necessity injure the health of the locality, and it ought not to be difficult to work out to some definite point the density which should never be exceeded, and then it should be absolutely compulsory on a locality to provide an open space directly the density of the population increased beyond this ascertained point.

Mr. GEORGE HOWELL said a great deal had been done already to put an end to wholesale inclosures. The difficulties put in the way of inclosure since Mr. Fawcett, Mr. Morrison, and others took action some years ago, continued to operate until 1884-85. At the present moment all proposed inclosures had to pass through a committee, and that committee exercised its duties for the purpose of insuring provision for open spaces, rather than giving facilities for inclosing them. In the next Parliament, 1885-86, Mr. Buxton, who was a prominent member of the committee, brought the matter before the House, and tightened the regulations very considerably, because he would not consent to what was being done upstairs. He had a good following in the House, and the House rejected the recommendations of the committee. Since then further progress had been made. At the present time a Government Department, the Board of Agriculture, had to report upon every inclosure which was proposed in private Bills, and therefore it had to run the gauntlet first of all of that department, then of the committee, and lastly of the House of Commons itself. To what extent the Commons Preservation Society followed on these lines

he was not so well aware then as he had been at one time, but he should like to call attention to the great work which the author of the paper himself had done in this direction. It might not be known to all, that the Commons Preservation Society owed a great deal to him for the way he had continuously aided them in their labours. They had had great difficulties to contend with, especially when they first undertook the work. In the first instance all the earlier Acts took as their basis the desirability of inclosing common lands in order to provide food for the people. That was what lay at the bottom of everything done by Sir John Sinclair. He was not anxious to take the common lands away from the people of England, for a more generous hearted man perhaps never lived, but his notion was at that time, owing to the difficulties of getting wheat into the country, and the anxiety in many quarters to keep it out, that everything should be done to provide food. Then inclosures were made easy, and that continued until 1845, when the General Inclosure Act was carried. He ventured to hope that, notwithstanding the difficulties in the way at the present moment, if only the localities were on the alert and did their duty, they ought to be able to preserve all that remained of the common lands of England, and if public utility should require that any should be inclosed, it should be made compulsory to hand over an equivalent for it.

Sir ROBERT HUNTER, in reply, said he feared his paper had been inordinately long, but when one came to deal with a subject of this sort there was a great deal to say. Mr. Howell had been extremely kind in the way he had alluded to himself. He had had a long connection with this subject, and he was glad to think that it had fallen to his lot to take part in work which had so direct an influence on the health and welfare of the people of this country. No one would deny that the open space movement had done a great deal for the country. The other day he had the pleasure of a walk in Epping Forest, and he did not think the people of London half realised what a beautiful and extensive pleasure ground they had there. With regard to what Mr. Birkett had said, he thought the present machinery was sufficient for preventing inclosures, if a vigilant watch were kept. However stringent Acts of Parliament might be, and whatever successes might have been gained in defending open spaces in the past, it was never safe to relax in vigilance. Mr. Birkett had alluded to a Bill in Parliament which seemed to fly in the teeth of the Commons Act of 1876, in whatever way it was looked at. He did not wish to go into details, but there were 300 or 400 acres of open land lying just outside Bournemouth which constituted an allotment made by an old Inclosure Act in the earlier part of the century. If this land was a fuel allotment, it came within the section of the Commons Act of 1866, which expressly said that such allotments were not to be diverted from their original purpose except to be used as recreation grounds or field gardens for the labouring poor. If, on the other hand, it did not come within that section, it was in the nature of a common, and the whole legislation of Parliament was to the effect that no



inclosure should be made except on the report of the Board of Agriculture. Notwithstanding, here was a Bill, introduced under the most distinguished authority, promoted by the Attorney-General, not as a member of Government, but as the representative of charities, in which it was proposed to inclose these 300 or 400 acres, to sell them, to give half the proceeds to the lord of the manor, and with the other half to found a charity. It struck those who watched this question as a startling attempt to be made at the present day, and he hoped it would be thoroughly discussed in the House of Commons, and would not be passed unless the promoters could show a better case for it than was apparent at present. The other matter to which Mr. Birkett referred, was an attempt of the East London Water Company to take a very large area of open land in the east of London. Again, they might have a good case for taking it, but it ought not to be taken except under conditions which were beneficial to the public. All these cases showed how necessary was constant vigilance. It might be that something more in the way of legislation was desirable, but it seemed to him that far more important than legislation, was activity in carrying out the laws we already had.

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