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A HAND-LIST OF ENGLISH ENCLOSURE ACTS AND AWARDS.

PART 17.

OPEN FIELDS, COMMONS AND ENCLOSURES IN KENT.

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KENT, as Professor H. L. Gray's map shows,¹ lies well outside the main area recognized as having formerly been cultivated under the two- and three-field systems. Meitzen² considered that the differences—very obvious to even a superficial enquirer—existing between the field structure of Kent and that of the Midland counties are clear evidence of "Celtic" settlement. The difficulty in the way of accepting this theory is that Kent, as we shall see later, is probably of all the English counties the one most pre-eminently English in its settlement. Nevertheless, it is characterized by the peculiar field systems alluded to, and in general by very early enclosure. So far is this true that some very competent authorities have doubted how far either common arable fields or common pastures were ever generally prevalent here. Professor Gray found evidence of such, however, and his findings are confirmed and are amplified by the later researches of Dr. and Mrs. Orwin.³ They have found definite evidence of the existence of open fields mediævally both to the north and to the south of the Weald. They quote Dr. Muhlfeld⁴ for further evidence as to the existence of four fields at Wye in 1312. Dr. Muhlfeld, however, found that these fields early disappeared. They suggest that the early disappearance of open fields in Kent as elsewhere has little to do with racial factors but may be the resultant of three forces :

(a) The existence of the Weald in the centre of the county and of extensive marshes along the North and East coasts.

(b) The geographical position of the county athwart the main route of communication between London and the Continent. They suggest, very reasonably, that this may have tended towards the development of a money economy at a much earlier date in Kent than elsewhere.

(c) The existence of gavelkind and the right it gave to tenants to buy and sell without licence from their lord. (They might have added to this the fact that in other ways gavelkind tenure was particularly hostile to common rights and favourable towards enclosure.)

Professor Gray's⁵ instances of the existence of open arable fields within this county relate to : Adisham (late 13th century), Badlesmere (1338-9), Barfreston (1235-6), Bilsington (1338-9), Brabourne (1337-8),

Chilham (1338-9), Chislet (late 13th and 14th centuries), Eastry (*recte* Eastrey) (13th and 14th centuries), Gillingham (1452-3), "Hertesdowne" (1456-7), Hothfield (1338-9), Ickham (late 13th century), Iwade (1236-7), Lewisham (15th century), Littlebourn (late 13th century), Margate (1456-7), Monkton (late 13th century), Newchurch (early 15th century), New Canderby (14th century), Orpington (1342-3), Ringwold (*recte* Ringwould) (1338-9), Romney Marsh (early 15th century), St. Mary Cray (1342-3), St. Peters in Thanet (14th century), "Sawlyng" (1456-7), "Syankesdon" (1456-7), Throwley (1339-40), Westgate (1456-7), Whitstable (1338-9), and Wye (c. 1272-1307, 1311-12, and early 15th century).

The evidence of Tudor, Jacobean and even later surveys confirms the deduction drawn from medieval records that the open field system, or an open field system, was fairly widely spread in the county until at any rate three or four centuries ago.

Hoo St. Mary's seems to have been largely open in the 16th century. Sutton at Hone, c. 1509-47, had its demesne entirely in severalty but its tenanted lands perhaps 25 per cent. open, Horsham Manor in Alteram, Ham, and Upchurch, and Newington were intermixed in 1589-92. Eltham was partly open in 1605. Dr. Slater⁶ thinks that Eltham was clearly in common fields of a kind in 1578, and both here, in the royal manor, and in the neighbouring ecclesiastical manor of Addington he thinks that traces of the open field lay-out are to be seen quite plainly in the villages to-day. West Court *als* Sibertswold was "lately enclosed" in 1616. Guston, near Dover, was about two-thirds enclosed by 1616 (the demesne being markedly more so than the tenants' holdings), Dale *als* Court Ashe manor in Deal was almost entirely in open field in 1616-17. Sutton by Dover was largely so about the same time. St. Margarets at Cliffe was largely open until 1645.

But, as Professor Gray points out, Kentish open fields are very different affairs from those found in the Midlands. There rarely appears in them any trace of a two-, three-, or four-field grouping. The lands are not always even located in "furlongs," and Professor Gray well describes the Kentish open field parcels as situated in "a bewildering number of field divisions, bearing local names, and furnishing little clue to the husbandry employed. The only resemblance between these lands and those of the two- and three-field area was that the parcels were small and intermixed; they were not grouped in fields, much less equally divided among two or three great fields of approximately equal areas (though Ringwould had its three fields until recent years). In general there is little evidence as to whether the parcels of any individual tenant were dispersed throughout the area on any system, or congregated in any subdivision of it.

The normal Kentish tenurial unit is the *ingum* or *dola*, a more or less rectangular area—sometimes styled a *tenementum*—subdivided

sometimes into four *ferthings*. Its area was anything from 25 or 60 to as much as 200 acres, with an average of perhaps 60 or 70 acres. Sometimes very confusingly the fourth of a *iugum* is styled a *ferthing* or a *virgate*. To make confusion more confounded, elsewhere and more usually in Kent a *virgate* is a *rood*—a quarter of an acre. Sometimes a larger unit—the *subung*—persisted—without any reference to *iuga*. This was an area of perhaps 200-300 acres. The great difference between land tenure in Kent and that elsewhere is that as a rule here the holdings were relatively compact, and such discreteness as existed was not a primitive survival but a late result of the partitioning among coheirs, etc., of estates (originally consolidated) in accordance with the well-known land customs prevalent in this county. It is likely enough that, as Professor Gray suggests, some Kentish open fields in the downlands may represent comparatively late improvements from the waste, which has been apportioned with a rough and ready attempt at equity as between tenant and tenant. Even when estates lay in separate *iuga* or *dolae* they were markedly less scattered than were comparable estates in open fields in the Midlands, and lay often in adjacent *iuga* or *dolae*. *Iugum* and *dola*, says Professor Gray,⁷ had become by the beginning of the 15th century rather financial units than agricultural ones, corresponding rather to the Midland *virgate* than the Midland furlong. The *iugum* seems to be clearly enough the old Jutish family holding, often bearing the same name as that of its occupiers (though Professor Gray thinks that often in the 13th century as e.g. at Wye (1311-12) the tenants took their name from the holding rather than *vice versa*), and the history of the *iugum* is one of continuous subdivision and re-allotment. The differences between the Kentish system and the Midlands one are many, those between the Kentish system and the "Celtic" one are less obvious, and reside mainly in the original area which was subdivided. In "Celtic" counties this was the township, in Kent it was the smaller roughly rectangular *iugum*, presumably laid out in the first place by the Roman *agrimensores*.

Clearly such a system as this lent itself to early enclosure. There are other features, too, of Kentish husbandry which help to account for the early enclosure of the county. In Kent, pasture rights upon the fallow could not be the same deterrent to enclosure as they were in the Midlands, where they were exercised over a large compact fallow area. As a matter of fact, in the Kentish township there seems to have been little fallowing.⁸ The land—at any rate the demesne, which in this county was generally an area distinct from the land in the rest of the manor—was cropped more or less continuously. Moreover in Kent, as in the "Celtic" counties, the existence of large areas of unreclaimed waste must have tended to diminish the importance of pasturage on the fallow, when there was one. The variety of tenure characteristic of Kent—*gavellkind*—in another way lent itself to early

enclosure. "It was an ancient usage respecting gavelkind lands that the lord could inclose at his discretion."⁹

As noted above, all the authorities agree that Kent is essentially a county of early enclosure. Professor Gray thinks¹⁰ the enclosure of the county was largely complete before the 16th century. Dr. Slater¹¹ styles it certainly "a county of very ancient enclosure." Mr. Curtler¹² says "most of Kent was enclosed early." Miss Leonard¹³ thinks the county was enclosed "before the 17th century." In 1517 Wolsey's enclosure commission visited the county. Its returns were not forthcoming at the time of Leadam's *Domesday*, and unlike those of several other counties they do not seem to have been unearthed subsequently.¹⁴ Presumably little agrarian change was taking place locally in the early 16th century. At any rate the county was exempted from the depopulation act of 1536.¹⁵ Not of course that the county was entirely unaffected by the movements of Tudor times. Professor Tawney¹⁶ speaks of Kent "like the other counties mainly of small enclosure carried out by the peasantry, being little affected by the agrarian risings of Tudor times." Leland^{16A} visited the county in his tours 1535-43, but has little to say of its agrarian state. The only references to it I have been able to find are: "The lordship at that tyme (Godhurste i.e. Goddard's Castle *temp.* Sir John Cutte), was partly a ground much overgrouen with thornes and busshes, and was but xx markes by the yere. Now it is clensid and the valeu much enhaunsid. And much goodly Wood is yet aboute it. . . . There is good plentie of woodde in Weste Kente. The partes of Kent beyounde Cantewarbyri hath the name of Este Kent, wher yn diverse placis is sufficient woodde. But on the coste from Reculver to about Folkestone is but little . . . the commodities of Kent, as fertility, wood, pasture. . . . In the isle (of Thanet) is very litle wodde. Rumeney (Romney) Marsch . . . is a mervelus rank grownd for fedyng of catel . . ."

A casual reference shows, however, that in 1543¹⁷ Boxley Park and a neighbouring wood were enclosed by Sir Thomas Wyatt. Other enclosures in this same parish were "cast open and throwen downe by the people . . . in the tyme of rebellion of comenwelthe (i.e. the 1548-50 disturbances). In 1549 the anonymous author of the *Discourse*¹⁸ notes "the Countries wheare most Inclosures be as essex, kent, devonshire and such."

The year before this, the commons of Kent had taken the law into their own hands in the effort to stem the tide of the agrarian change which was threatening by then to submerge what little common or common field still remained. King Edward VI himself includes Kent in the counties where agrarian disturbances had developed before the issuing of Somerset's commission, and Strype, Stow and Speed all cite Kent among the earliest counties affected. Godwin in 1675¹⁹

describes Kent as "The Fountain of this General Uproar." Five hundred villagers laid open an enclosure made by no less a person than the Lord Warden of the Cinque Ports, who, according to the grossly exaggerated account in the *Spanish Chronicle*, was reputed to have "taken in all the commons in Kent." The authorities at Canterbury had to send for artillery to deal with the rebels, who threatened to besiege the city. After the suppression of the early disturbances a commission was sent down to pacify the rebels, and it ordered the destruction of the enclosure complained of. In July 1549 the county was still uneasy, though it was reported to Russell that the commons in Kent and the neighbouring counties confessed their faults "with verie lowlye submission" and were ready to fight the western rebels. In August 1549 they "meekly confessed their folly and prayed for the King's most gracious pardon." In 1550, however, Kent was among the counties where men of the Boulogne garrison were stationed to preserve order.²⁰

Lambarde in 1570 tells us of Kent that the soil is for the most part bountiful, consisting indifferently of arable, pasture, meadow, and woodland . . . wood occupying the greater portion . . . except it be towards the east which coast is more champaigne than the residue. He also repeats the statement that "no man ought to have common in lanes of gavelkind, howbeit the contrary is well known at this day, and that at many places."²¹ About this time Harrison in his *Description*,²² making special reference to the evil of enclosure for imparcation, alleges that there were "a hundred parks in Kent and Essex alone."

"A circuit of these enclosures contains oftentimes a wall of four or five miles. Where in times past many large and wealthy occupiers were dwelling within the compass of one park . . . there now is almost nothing kept but a sort of wild and savage beasts, cherished for pleasure and delight, and yet some owners, still desirous to enlarge these grounds, do not let daily to take in more, not sparing the very commons whereupon many townships now and then do thrive, affirming that we have already too great store of people in England . . . the 20th part of the realm is employed upon deer and conies already."

There is record evidence of as well as literary reference to the early enclosure of the county. As noted above, the demesne of Sutton at Hone²³ was enclosed *ante temp.* Henry VIII. Professor Gray²⁴ is satisfied that "Sondrisshe was enclosed by I Mary (1553-4), Nether Bilsington by 1567, and three manors in the parishes of Cranbrook, Goudhurst, and Hawkhurst, were entirely in severalty by 1587. A series of surveys of manors in and about Romney Marsh, the property of All Soul's College, 1689-93, shows nearly all the land as consolidated. Eltham was mostly enclosed by 1605, Neates Court by 1608-9. Northbourne also was enclosed by this time, and in a hundred pages of surveys of

Kentish manors or townships at this period, there is reference to but two minute scraps of open arable field, respectively at Faversham and Shoreham. As noted above,²⁵ Westcourt or Sibbertswold was mostly enclosed shortly before 1616. Guston, near Dover, was largely enclosed before this same year, Frith manor in the same parish was wholly enclosed, and Reach and Sutton by Dover largely so by the same time. According to Miss E. M. Leonard,²⁶ Farningham was (enclosed and ?) depopulated by Sir Anthony Roper in 1633.

At the end of the 16th century Kent, like its neighbours Middlesex, Surrey, and Sussex, was exempted from the last depopulation act.²⁷ If one may trust the statement of a contemporary "thereby noe Inconvenience in y^e stat found."²⁸ Burton seems to confirm this, since in his *Anatomy of Melancholy*²⁹ he instances Essex and Kent as proofs that enclosure produces wealth, "for that which is common and every man's is no man's, the richest countries are still inclosed, as Essex, Kent, with us etc." It may or may not be with reference to this early enclosure of Kent that Thomas Fuller³⁰ informs us only a year or two later that "when hospitality dyed in England she gave her last groan among the yeomen of Kent." Evidently enclosure in Kent, having absorbed the common fields, early turned its attention to the reclamation of the Weald. At any rate Gervase Markham's *Enrichment of the Weald of Kent* (1625)³¹ was devoted solely to improving the Kent and Sussex Wealds. It is dedicated to Sir George Rivers of Chafford. It may be a tribute to Markham's persuasive powers that John Aubrey³² less than half a century later informs us that the Weald of Surrey is "like the Wealds of Kent and Sussex a rich deep inclosed country."

Certainly the enclosure of almost the entire County except the Weald seems to have been completed long before this. Kent is last of the thirteen counties listed by Professor Gonner³³ in order of the amount of the enclosure compositions paid 1635-8, with a total payment of but £100 compared with Lincolnshire's £19,000 and Leicestershire's £9,000. John Moore,³⁴ who detested enclosure, said in 1656: "I complaine not of inclosure in Kent or Essex where they have other callings and trades to maintaine their country by or of places near the sea or City, but of inclosure in the inland countreys which takes away tillage."

Richard Blome³⁵ in 1673, like Lambarde a century earlier, differentiates in his account of Kent between the west and the east "where it is more champain." In 1675 there appeared John Ogilby's folio road book *Britannia*, with its 100 strip maps, on which Professor Gonner³⁶ based his calculations as to the extent of enclosure towards the end of the 17th century. If he is right in taking the percentage of enclosed road as a fair indication of the percentage of enclosed land generally in each county, Kent was 36th of the 37 counties listed in order of open

land still remaining. It had but 5 per cent. of open land, and the only county with less was Essex with 3 per cent. Leonard Meager³⁷ in 1697 includes Kent among the enclosed counties "where people can live happily and supply corn to the open-field counties." It is quite clear that Celia Fiennes³⁸ does not mean what she appears to say in describing her journey through Kent from Canterbury to Dover, c. 1695 by "a good road and a sort of Champion country."

There seems relatively little evidence as to enclosure in Kent during the latter half of the 17th century and throughout the 18th. As to Kentish agriculture the principal authorities are the Board of Agriculture's *Surveys*³⁹ and Marshall's *Rural Economy*.⁴⁰ These agree that at this time there were no open arable fields remaining in Kent. According to Marshall, "The greater part of the hills [of the eastern extremity of Kent] are inclosed. There is nevertheless much *open down*, especially on the sides, and lower parts of the hills, where the soil is of a chalky nature; what may properly be called the true chalk-down soil: and this, it may be said, is everywhere kept in an open state! While the parts, which are covered with a strong clayey soil are chiefly enclosed."

Marshall's notes are (of the Maidstone district) "the entire district appears to have been inclosed from the forest or pasture state. I observed not a trace of common field lands. (Of the Weald) "The whole is in a STATE OF INCLOSURE, and mostly divided, by wide woodland belts, into well sized fields." He, however, seems to suggest the existence of open lands in Thanet. "The whole country lies open; excepting the immediate environs of villages." This latter is confirmed by Professor Gray who says "Eighteenth century references to open fields in Kent are rare, but do occur occasionally." He notes, e.g., one to Henhurst, where some part of the land was clearly in open field in 1770.

All three of the county reports are by John Boys,⁴¹ who describes himself as "of Betshanger, farmer." Curtler says he was a "large" farmer. There seems to be little to our purpose in the first report which is not repeated in the second, so I content myself by giving references to the latter.

As to the lack of open fields Boys says, "There is no portion of Kent that is occupied by a community of persons, as in many other counties." Concerning enclosure generally and about the remaining commons crying out for the process, Boys says a good deal. The open part of East Kent was between Canterbury and Dover and Deal, the enclosed part from Dover to Rochester, and from the Isle of Sheppey to Lenham. Sheppey was (all) in small (and old) enclosures. West Kent was more highly enclosed than the east of the county, though there were many commons between the Hog's Back, the boundary of the Weald, and the Surrey border. There were others on the gravel near Dartford and

Blackheath. South-western Kent was the most highly enclosed of all parts of the county. The waste lands and impoverished commons of the county were overdue for enclosure. They amounted in all to some 20,000 acres, mostly on poor loams, wet clays, and gravels and sands. The commons Boys lists are "Baddlesmere Lees, Barming Heath, Blean Common, Black Heath, Bromley Common, Boxley Heath, Challock Lees, Charing Heath, Chart Leacon, Cox Heath, Dartford Brinks, Dartford Heath, East Malling Heath, Ewel Minis, Hays Common, Hotfield Heath, Ightham Heath, Langley Heath, Lenham Heath, Pinnenden Heath, Rodes Minis, Seal Chart, Stouting Common, Stelling Minis, Swingfield Minis, and Wrotham Heath." Enclosure of these would do much. "I shall here take the liberty of suggesting to the Honourable Board of Agriculture, the propriety of recommending to the legislature a plan for a general act of enclosure, founded on the principle of Mr. Gilbert's act⁴² for incorporating parishes for the support of the poor, so far as that act relates to the calling a meeting, and determining by a majority of two-thirds in number and value of the occupiers, whether their common shall be divided; and, if determined in the affirmative, then to proceed by appointing commissioners, and expediting the business, as in cases where separate Acts of Parliament have been obtained."

Elsewhere Boys refers to the great need of a general enclosure act. "Our commons for live stock are generally much covered with furze, thorns, brakes, or heath, with a mixture of plots of poor grass-land; the cattle and sheep feeding upon them, are of course in a half-starved state. The total destruction of all commonable rights, by a general act of parliament for inclosing, is an object, in my humble opinion, of the greatest magnitude to the interests of this kingdom in general, and to this county in particular. There have been some exertions for accomplishing a division and inclosure of an extensive common in East Kent, within these few years; which failed for want of unanimity among the persons concerned. . . . Had the same encouragement been given by parliament, for the last fifty years, to agriculture as we have then given to manufactures, we, probably, by this time might have had many thousand acres of land, that are now desolate wastes, in a high state of cultivation. . . . The right of commonage on the barren heaths of this county is certainly an obstacle to their improvement. . . . There is scarcely an acre of (waste) land to be found in this county, but what might be converted to some valuable purpose. The gravelly and sandy heaths . . . would produce good Turnips, seeds, and corn. The cold clays and wet commons, no doubt, would also produce good corn, or make inclosed meadows and pastures."

Professor Gonner's opinion⁴³ is that much land in Kent was enclosed directly from the waste, that the county was in historic

times "singularly devoid of common," and that probably such land as was suitable for enclosure had been taken in at a very early date. Common field he thinks very rarely existed, and where there was any as a rule it disappeared early.

SURVIVAL OF OPEN LANDS IN KENT.

At Ringwould and Kingsdown⁴⁴ there were, respectively, four fields and three which survived in some degree of completeness until the time of the tithe map. The fields of Ringwould totalled about 330 acres. At the date mentioned it was the exception for two adjoining strips to belong to the same owner, and this parish gave the best example of open field survival in this part of England. Both parishes were enclosed by non-Parliamentary means, the more prosperous owners gradually buying up the strips and enclosing piecemeal.

There are still some commons in Kent, fairly full details of which are given by Lord Eversley.⁴⁵ The principal ones are the following, regulated under the Metropolitan Commons Act of 1866: Blackheath, 267 acres, regulated in 1871; Chislehurst, 182 acres; Hayes, 200 acres; one secured by other means, Woolwich, 187 acres; and some others most of which apparently have received no statutory protection, but which nevertheless have survived to this day. *Plumstead Commons* occupy 170 acres. The lords of the manor are Queens College, Oxford, who acquired it in 1756. The Court Rolls exist from 1685 and reveal the existence of a curious manorial custom—that all monies arising from dealings with the waste and from amercements in the manor court should be divided equally between the lord of the manor and the poor of the parish. From 1859 to 1866 about a third of the common was enclosed by the lords. Legal proceedings followed an attempt at further enclosure and these dragged on from 1866-71. Ultimately the commoners were entirely successful and succeeded not only in retaining their common and in securing the award of costs against the lord, but also in getting several important principles of law duly established. The main common and Bostal (?) Heath, 55 acres, are now vested in the L.C.C., the former being regulated under the Metropolitan Commons Act of 1866, the latter acquired by buying out the manorial interests. At Dartford, the Heath of 120 acres escaped enclosure in 1865-74. Hothfield had a common in 1797 and Meopham, one of 6 acres. Eden refers to these and the value of the former to the poorer parishioners.⁴⁶ I have not been able to ascertain whether or not these two commons still remain. Hayes Common in Baston and West Wickham manors suffered extensive enclosure shortly before 1865. The Baston portion was regulated in 1868 under the 1866 Commons Act, the Hayes portion was saved some years later by the action of the Commons Preservation Society.

PARLIAMENTARY ENCLOSURE IN KENT.

Perhaps one should include among Kentish enclosure acts some of the earliest measures on the statute book for the embankment and reclamation of marsh lands. I refer of course to the Tudor legislation for the enclosure and maintenance of Plumstead Marsh and the embanking (and enclosure ?) of Greenwich Marshes.⁴⁷ As to later enclosures in the county the tables subjoined (A. to G.) show very much what one would expect, having in mind the considerations set forth above.

List A., Kentish enclosures by Act of lands including open field arable, is blank. List B., enclosures by Act of lands consisting of waste, pasture, etc., alone, contains but 17 entries, all, be it noted, decidedly late in date, and all covering relatively small areas. Clearly this indicates the enclosure in comparatively modern times of various scraps of common waste (as distinct from common fields), which had somehow or other escaped enclosure in earlier times. The largest of these covers but 900 acres, and the average is perhaps 350 acres. Lists C. and D., enclosures respectively of open arable and of lands other than open arable, enclosed under the Acts of 1836 and 1839, show, as one would expect, complete blanks. All open field and waste of a manor that was worth enclosure, and for which a modicum of consent to enclose could be obtained, had in general disappeared long before 1836. Lists E. and F., the statement of enclosures carried out under the General Acts of 1845 *et seq.* also show very much what one would have expected. Lists E. (i) and E. (ii) are complete blanks. No open field remained in 1845 to be enclosed either by Provisional Order alone, or by Provisional Order confirmed in Annual General Act. List F., enclosures of waste by Act in the years following 1845, contains some 14 entries, averaging about 110 acres each, and clearly showing the final "mopping up" in the Victorian era of nearly all the last remaining scraps of common in the county.

List G., enclosures by private agreement duly embodied in awards enrolled among county or national records contains but two entries. Here again it seems clear that almost all open lands in Kent—mostly pasture grounds, but no doubt including small areas of open field arable—for which a consensus of agreement could be arrived at had been enclosed. This had happened long before the days when enclosures were sanctioned by either act or formal agreement, and embodied in a formal award, duly executed and proclaimed, and finally enrolled in a court of law.

In the tables below (M) signifies Manor, C.R., County Records.

A. ENCLOSURES BY PRIVATE ACT OF LANDS INCLUDING OPEN FIELD ARABLE.

Nil.

B. ENCLOSURES BY PRIVATE ACT OF LANDS NOT INCLUDING OPEN FIELD ARABLE.

Date of Act.		Area in Act.	Date of Award.	Award enrolled.
1740	Rusthall (M)	?	?	?
1763*	Bromley	?	?	?
1805	East Malling and Teston	450	1810	C.R.
1807	River	122	?	?
1810	Lewisham	850	1819	C.R.
1810	Sellinge	72	1813	C.R.
1811	Burham	280	1815	C.R.
1812	Erith	200	1815	C.R.
1812	Crayford	170	1820	C.R.
1814	Bexley	300	1819	C.R.
1814	Coxheath in Boughton Monchelsea, Loose, Linton, East and West Farleigh, and Hunton	900	1817	C.R.
1814	Wrotham and Ightham	500	1820	C.R.
1814†	Birling	80	1815	C.R.
1819	Aldington Freight <i>als (et recte ?)</i> , Aldington Frith	n.s.	?	?
1821	Bromley	350	1826	C.R.
1822	Brabourne, Smeeth, Bircholt and Sellinge	300	1824	C.R.
1840	Swingfield Minnis <i>als (et recte)</i> , Folkestone	620	1844	C.R.

C. ENCLOSURES (MAINLY OF OPEN FIELD) UNDER 6 & 7 WM. IV, c. 115, 1836.

Nil.

D. ENCLOSURES (MAINLY OF LAMMAS LANDS, ETC.) UNDER 6 & 7 WM. IV, c. 115 (1836), AS EXTENDED BY 3 & 4 VIC., c. 31, 1840.

Nil.

E. ENCLOSURES OF OPEN FIELD UNDER THE GENERAL ACTS OF 1845 *et seq.*(i) *By Provisional Order alone, not needing confirmation in Annual General Act.*
Nil.(ii) *By Provisional Order confirmed in pursuance of Annual General Act.*
Nil.F. ENCLOSURES OF LANDS NOT INCLUDING OPEN FIELD UNDER THE GENERAL ACTS OF 1845 *et seq.*(i) *By Provisional order alone, not needing confirmation in Annual General Act.*

1845	Great Mead and Rye Street in Cliffe	?	1853	C.R.
1845	Postling Leeze in Postling	?	1854	C.R.
1845	Shorne Mead in Shorne	?	1853	C.R.

* Act repealed in part by act of 1877. See *Arch. Cant.*, XXXIII (1918), pp. 113-24.† Act not 1813 as in 1904 *Blue Book*.

(ii) *By Provisional Order confirmed in pursuance of Annual General Act.*

Date of Act.		Area in Act.	Date of Award.	Award enrolled.
1845 and :				
1846	Alkham	84	1849	C.R.
1848	High Minnis and Rhodes Minnis in Lyminge	212	1855	C.R.
1849	Westwell Leacon in Westwell and Charing	96	1851	C.R.
1849	Brasted Chart in Brasted	450	1853	C.R.
1851	Aylesford	25	1854	C.R.
1852	Ditton Common in Ditton and Barming	25	1859	C.R.
1854	Queenborough	255	1856	C.R.
1856*	Langley	55	1858	C.R.
1860	Kennington Lees and Walls Green in Kennington and Boughton Aluph	50	1864	C.R.
1862	Common Saltings, etc., in Wouldham	163	1866	C.R.
1864	Barming Heath in Barming	58	1866	C.R.
1866	Charing and Lenham	66	1868	C.R.
1867	Rhodes Minnis in Elham	29	1872	C.R.
1869†	Fairbourne Heath in Harrietsham	37	1871	C.R.
1877†	Biquores Estate in Dartford	?	1880	C.R.

G. ENCLOSURES BY FORMAL WRITTEN AGREEMENT ENROLLED AMONG COUNTY OR NATIONAL RECORDS.

Date of Agreement.		Area.	Date of Award.	Award enrolled
1820 under 29. Horsey Hill in Westerham.				or deposited.
Geo. II, c. 36, 1755-6		?		(duplicate ?)
	Indenture of agreement also allots.			
{ 1841	Broxham (M) in Chiddingstone, Hever, and Edenbridge	?	1844	C.R.
{ 1843	Maidstone (M)	?	1854	C.R.

NOTES.—There are no acts, as far as I know, indexed under Kent but relating to places now in other counties, and none relating to places formerly in other counties, but now in Kent. There is but one amending act, for Bromley Act 1763, repealed in part in 1877.

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* Not under 1845 act alone, as stated in 1904 *Blue Book*.

† Not entered in 1904 *Blue Book*.

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REFERENCES.

- ¹ H. L. GRAY, *English Field Systems*, Cambridge Mass, U.S.A., 1915, frontispiece.
- ² *Siedelungen und Agrarwesen*, II, 122, 154, quoted by Gray, op. cit., 272.
- ³ Dr. and Mrs. C. S. ORWIN, *The Open Fields*, 1938, pp. 64-6.
- ⁴ Dr. H. E. MÜHLFELD, *Survey of the Manor of Wye*, Columbia U.S.A., 1933, xxxiii.
- ⁵ Gray, op. cit., p. 279.
- ⁶ *The English Peasantry . . .*, 1907, p. 231.
- ⁷ Op. cit., p. 290.
- ⁸ Op. cit., p. 302.
- ⁹ C. I. Elton, *Tenures of Kent*, 1867.
- ¹⁰ Op. cit., p. 404.
- ¹¹ Op. cit., p. 230.
- ¹² *Enclosure . . . of our Land*, 1920, p. 220.
- ¹³ Miss LEONARD in *Trans. R. Hist. S.*, N.S., XIX, 1905, p. 137.
- ¹⁴ E. F. GAY in *Trans. R. Hist. S.*, N.S., XIV, 1900, p. 238.
- ¹⁵ 27 Hen. VIII c. 22 (1536). Miss Leonard, op. cit., p. 124.
- ¹⁶ R. H. TAWNEY, *Agrarian Problem . . .*, 1912, p. 262.
- ^{16A} LELAND, *Itinerary . . .*, ed. Miss L. T. Smith, 5 vols., 1907-11; II, p. 30; IV, pp. 42, 57, 61, 67.
- ¹⁷ E. F. GAY in *Trans. R. Hist.*, N.S., XVIII, 1904, p. 202, note 1.
- ¹⁸ *Discourse of the Commonweal*, ed. Miss E. Lamond, 1893, p. 49.
- ¹⁹ *Annals of England*, p. 134, quoted by E. F. GAY in *Trans. R. Hist. S.*, N.S., XVIII, 1904, 202.
- ²⁰ GAY, op. cit., p. 207.
- ²¹ *Perambulator . . .*, 1570 (1574), pp. 3, 5, 6, 7.
- ²² *Description . . .*, 1577-87, reprint of 1888, p. 206.
- ²³ *Supra.*, p. 55.
- ²⁴ Op. cit., p. 273.
- ²⁵ *Supra.*, p. 55.
- ²⁶ Op. cit., p. 133.
- ²⁷ 39 Eliz. c. 2 (1597), Slater, op. cit., App. D., p. 32.
- ²⁸ *A Consideration of the Cause in Question . . .* 1607, in Cunningham, *English Industry and Commerce*, Modern Times, II, App. II, pp. 702-3.
- ²⁹ 1621, Reprint of 1887, p. 58.
- ³⁰ *Holy State*, 1642, p. 117.
- ³¹ *The Inrichment of the Weald of Kent*, 1625.
- ³² J. AUBREY, *Natural History . . . of Wiltshire*, 1656-85, III, p. 48.
- ³³ E. K. C. GONNER, *Common Land and Inclosure*, 1912, p. 167.
- ³⁴ *Scripture Word . . .*, 1656.
- ³⁵ *Britannia*, 1673.

- ³⁶ *Op. cit.*, p. 173.
- ³⁷ *Mystery of Husbandry*, quoted by G. E. Fussell in *Ministry of Agriculture Journal*, Jan. 1937, p. 944.
- ³⁸ *Through England on a Side Saddle* (1889), p. 103.
- ³⁹ JOHN BOYS, *General View of the Agriculture of Kent*, 1794, 1796, and 1805.
- ⁴⁰ WILLIAM MARSHALL, *Rural Economy of the Southern Counties*, 1798, I, 21; II, 364.
- ⁴¹ The 1796 8vo is an expansion of the 1794 4to. The 1805 8vo I have not seen. I think it is a mere reprint of the 1796 volume. These quotations are from 1796, pp. 53, 5, 7, 17, 9, 12, 127-9, 174, 177.
- ⁴² The act referred to is Gilbert's Act, 22 Geo. II, c. 53. "For the better relief of the Poor," 1781-2, on which see my book *The Parish Chest*, now in the Press. Boys's very reasonable suggestion was carried into effect in 1836 by 6 & 7 Wm. IV, c. 115.
- ⁴³ *Op. cit.*, pp. 238-40.
- ⁴⁴ *Ex inf.* Mr. W. P. D. STEBBING, quoting the late Dr. F. W. Hardman.
- ⁴⁵ G. SHAW LEFEVRE, *English Commons and Forests*, 1892, pp. 178-80, 318, and 366-72.
- ⁴⁶ Sir F. M. EDEN, *State of the Poor*, 1797, abridged edition of 1928, pp. 210-11.
- ⁴⁷ T. E. SCRUTTON, *Commons and Common Fields*, 1887, p. 94, and 37 Hen. VIII c. 11 (1545), (Greenwich) and 22 Hen. VIII, c. 3 (1530), 14 Eliz. c. 15 (1572), 23 Eliz., c. 13 (1581), and 27 Eliz., c. 27 (1585), (Plumstead).