

5. The Sonning Inclosure Act of 1816 and other acts

The Sonning Inclosure Act of 1816 is our source for the foundation of the Earley Poor's Land Charity.¹ The Act appoints two Commissioners of considerable experience, Richard Crabtree of Wokingham and George Smallpeice of Stoke-next-Guildford, to implement the enclosures in Sonning Parish and to arrange for the various acts of compensation. George Smallpeice, whom we have already seen at work on the enclosures in Hawley, Sandhurst and Bray, was clearly one of the senior commissioners. In that same year of 1816, he was also the sole commissioner for the Sunninghill Inclosure, whose beneficiary was King George III. Although the king himself was insane at this time and unable to take any part in the proceedings to enclose this part of Windsor Forest for his benefit, the choice of a commissioner for Sunninghill is nonetheless likely to have been of a person held in some esteem.

The care taken in the preparations for the Sonning Inclosure is similar to that taken by Messrs Barnes and Smallpeice in Hawley, and it began before the Sonning Inclosure Act was even through Parliament. Clearly some obstacles were raised to the parliamentary progress of the Act, because in the *Reading Mercury* of 8 April 1816, we find the following notice:

The Proprietors of Estates within the parish of Sonning, in Berks and Oxon, are requested to meet at the White Hart, near Sonning Bridge, on Friday the 19th day of April inst. At twelve o'clock, for the purpose of conferring upon and adjusting the provisions of the Bill now before Parliament for Inclosing the Open Commonable Lands and Waste Grounds within the said parish.

JOHN ROBERTS

Clearly it proved possible to make the adjustments in a satisfactory way, because the Act was passed shortly afterwards, and the next stage in the process began. This involved the posting of a notice in the *Reading Mercury* on 22 July 1816, calling a meeting. The terms of the notice are slightly unusual, in that they give priority to finding a banker for dealing with the profits of the enclosure before even referring to potential claims and objections:

Sonning Inclosure

Notice is hereby given, That we the undersigned RICHARD CRABTREE and GEORGE SMALLPEICE, the Commissioners appointed to execute the trusts, powers and authorities, granted by an Act of Parliament, made and passed in the present Session of Parliament, intituled "An Act for Inclosing Lands in the parish of Sonning, in the counties of Berks and Oxford," will attend at the house of William Perkins, called the White Hart, in Sonning, on Wednesday the seventh day of August next, at eleven o'clock in the forenoon of the same day, for the purpose of proceeding in the execution of the said Act, and with the approbation of the major part in value of the proprietors there present, to nominate a banker or other person in whose hands the money to be raised by virtue of the said Act, shall be deposited, in conformity to the directions of the statute of the 41st Geo. 3d, c.109. And notice is hereby also given, that we the said Commissioners do intend at the said Meeting to receive the claims of all persons and bodies corporate and politic, having or claiming any common or

other right, to or in any of the said lands and grounds by the said first mentioned Act directed to be divided, allotted and inclosed, which claims so to be delivered are to be signed by such persons and bodies corporate or politic, or their respective husbands, guardians, trustees, committees or agents, and to contain an account or Schedule of such their respective rights or claims, and a description of the respective messuages, lands and grounds, in respect whereof they respectively claim to be entitled to, any, and which of such rights with the name or names of the person or persons in the actual possession thereof, and the particular or computed quantities of the same respectively, distinguishing the freehold from the copyhold or leasehold. - Dated the 28th day of June, 1816.

RICHARD CRABTREE
GEO. SMALLPEICE

In spite of the remarkable circumlocution of the notice, I think it is possible to detect a note of slight impatience or a least a spirit of "let's get on with it". This would be unsurprising in commissioners who had been through all this so many times before.

There is quite a long delay before the next notice is posted, by the clerk to the commissioners, in the *Reading Mercury* of 18 November 1816, and this time the note of impatience is unmistakable:

Notice is hereby given, That Commissioners named and appointed in and by the Act of Parliament made and passed in the last Session, intituled "An Act for inclosing Lands in the Parish of Sonning, in [the] Counties of Berks and Oxford," intend on Tuesday the third day of December next, to perambulate and enquire into the Boundaries of the said Parish of Sonning, adjoining to the several Manors, Parishes, and Places of Hurst, Arborfield, Shinfield-Whitley, and St. Giles's, Reading, commencing at Sindlesham Mill, at ten o'clock in the forenoon; at which said Perambulation the Proprietors of Estates in the said Parish of Sonning, and all other persons whom it may concern are requested to attend. Dated the 14th day of November, 1816.

By order of the Commissioners,

JOHN ROBERTS, Clerk

N. B. All such Proprietors who have not already delivered in their Claims, are required so to do at the next Meeting of the Commissioners, at the White Hart, Sonning-Bridge, on the 3d or 4th days of December next, or they will be excluded all benefit of Allotment under the Act.

We may take it that the Sonning Inclosure was giving a little administrative trouble. This may have been anticipated in one of the largest and most diverse of all the enclosures in the area, one which even spanned two counties.

The enclosure is estimated in the Act to involve about 2500 acres, and it takes in Sonning's "several Open Common Fields, Common Meadows, Common Pastures, Commonable Lands, Marshes and Waste Grounds", with the specific exception of Earley Mead, which represented the consensual enclosure of 1761 and, no doubt following lobbying by the landowners, is to be considered as an old and established enclosure. 2500 acres is a very large proportion of the total land area of the parish (the full extent of the Liberty of Earley is only 2252 acres).

It is fairly unusual for marshes to be included in enclosure acts, and their mention will have been deliberate. The intention will have been to include lands in the flood-plain of the Loddon, in the far south of the Liberty. The potential value of the land after drainage had no doubt occurred to the new landowners. Most of the poor's land for Earley was also allotted in this uninhabited southern part of the Liberty.

The drafting of the Sonning Inclosure Act will have been the work of a local man, possibly John Roberts himself, and the identity of the instigators of the Act soon becomes clear in the way it is drafted. The principal landowners are "the said Duke of Marlborough, Robert Palmer, Sir Henry Englefield, Edward Golding, James Wheble, and divers other Persons".² Several of these names will become very familiar before the end of this account. Robert Palmer was Lord of the Manor of Sonning and Lord of the Manor of Eye; he also owned the Rectory Manor of Sonning and many properties in the area, including (conveniently) the White Hart Inn. The Duke of Marlborough was Lord of the Manor of Earley, although the soil rights of the manor belonged not to him but to Sir Henry Englefield, the 7th baronet (who was the former owner of the estate of Earley Whiteknights). James Wheble, who is to play a questionable role in the history of the Earley Charity, was Lord of the Manor of Bullmarsh (or Bulmershe).

The extensive former common land of Earley Mead, enclosed in 1761 and exempted from the 1816 Act, lay alongside the River Thames between Sonning and the Dreadnought Inn. Its owners in 1816 were Sir Henry Englefield, Sir William Scott, Edward Golding and James Wheble³, and the very terms of its exemption could be said to confirm their title to this land.

The Act allotted to the lords of the Sonning manors and to other right-holders an area equal to one-sixteenth of the enclosed land in compensation for their loss of rights to the soil of the common land. The Act then proceeds to a key passage for the setting up of the poor's land charities:

And be it further Enacted, That the said Commissioners shall and they are hereby required to let out and allot unto the Churchwardens and Overseers of the Poor of the respective Liberties of *Early*, *Woodley*, and *Sandford* and *Eye* and *Dunsden*, within the said Parish of *Sonning*, and their Successors, Churchwardens and Overseers of the Poor for the time being, for ever, such parts of the Open and Waste Lands within the said Liberties respectively, as shall contain in the whole One Sixteenth part thereof, in such Allotments and Proportions as the said Commissioners shall deem fair and reasonable, as and for and in lieu of the Right or Liberty of the poor Inhabitants of the above-mentioned Liberties respectively to cut, take and use Turves, Fern and other Fuel, from the said Commons and Waste Lands, where such Right exists; and such parts of the said Waste Lands as aforesaid shall, immediately on the execution of the Award of the said Commissioners, be vested, and the same is hereby declared to be vested in the Churchwardens and Overseers of the Poor of the said several Liberties respectively, and their Successors for the time being, for ever, in trust for the Poor of the same several Liberties; and the Turves, Fern and other Fuel arising from the Lands so to be allotted as aforesaid, shall be cut, taken and used by such poor Inhabitants of the aforesaid several Liberties

respectively as shall be legally settled therein, and shall not respectively occupy Houses Lands or Tenements of more than the yearly Value of Five Pounds, in such quantities, and at such time or times in each and every year, under such Orders Rules and Regulations, and in such manner as the said Trustees for the time being, or the major part of them shall from time to time direct or appoint: [...] ⁴

A later clause in the Act, crucially, gave the trustees the power to decide that it would be “more conducive to the interests of the poor” to lease out the poor’s land to a third party and to use the proceeds for the purchase of coal or other fuel for poor people in Earley and the other liberties respectively. Whether or not it was conducive to the poor’s interests, this was clearly going to be an option involving a lot less work for the trustees, and it was predictably the course that was followed.

As a result, the clauses about the use of turves, fern and other fuel taken from the poor’s land became inoperative from the very beginnings of the Earley Poor’s Land Charity. The poor’s land was not able to benefit the poor directly, as common land had done in the past, but only indirectly through intermediaries who would decide how and when the cash proceeds of the poor’s land were to be distributed - and to whom. The option that the Earley poor’s land could continue as a direct land resource for poor people was almost certainly never exercised, so that the poor never had direct access to the poor’s land, and we shall see later one or two hints from the 1850s that this loss of common land may have been long resented.

For both the Woodley and Sandford Poor’s Land Charity and the Earley Poor’s Land Charity, the trustees were empowered to let their land for periods not to exceed 21 years, and regulations might be made at a vestry meeting. Unfortunately, the vestry minutes for Sonning Parish for the period 1815-1851 have not survived, so we do not have details of early lettings or leases.

The Earley poor’s land was in three parcels, one large and two small, amounting to between twelve and thirteen acres in total. This makes it one of the smaller areas of land in Berkshire known as “fuel allotments” or “poor’s land” allocated by act of parliament in compensation for local enclosures. The Woodley and Sandford poor’s land consisted of 16 acres, 2 rods and 16 perches at Hadleigh Heath, identified in the Sonning Inclosure Award as “a parcel of land, being six old inclosures and two allotments”. The Woodley and Sandford poor’s land, like the Earley poor’s land, was administered in the nineteenth century by the local vestry, and in the early part of the twentieth century, when it is reported that there were no churchwardens in the liberty of Woodley and Sandford, Woodley parish council appointed two trustees to be responsible for the poor’s land. The land was rented out by the clerk to the parish council and all proceeds (after payment of tithes and other costs) were spent upon coal to be distributed amongst the poor of the liberty.

The situation was very similar with the Binfield poor’s land, which was about the same size as the Earley land (being 12 acres 3 rods and 34 perches,

augmented slightly by a later purchase). The Binfield poor's land was allotted by an award dated 8 November 1817 under the act for enclosure of Windsor Forest. The land was let, and at the turn of the twentieth century fifty poor people in Binfield were receiving coal purchased with the proceeds.

Other Berkshire fuel allotments were sold off at an early date. The poor's land in Easthampstead (awarded on 1 August 1827, and comprising 65 acres) was sold in 1863 or 1864 and the proceeds devoted to a fuel fund. The Warfield poor's land, which was 61 acres and 3 rods of heathland in Sandhurst given in compensation for an 1821 enclosure, was also sold in 1863 to create a fuel fund holding some £2122 in consols. The sale in 1857 of the Finchampstead fuel allotment (comprising 37 acres and allocated by the same 1817 award as the Binfield poor's land) generated a much smaller sum: £742 17s 2d was invested in consols for the benefit of the poor of Finchampstead.

Sale of the Tilehurst poor's land did not come under active consideration until 1998, when the possibility caused great controversy in the area. (The controversy was renewed in March 2001, with the resignation of a trustee over the issue.) This land, part of Tilehurst Common, comprises about 28 acres and dates from an award of 26 February 1817. The Tilehurst Poor's Land Charity for many years distributed its income in the form of coal gifts, but has in recent years distributed funds in a more varied way.

It appears that the Tilehurst award of 1817 also allocated the 53-acre Little John's Farm (now privately owned and part of the Reading Rock Festival site beside the River Thames) for the benefit of the poor of the three adjoining parishes. The rents from Little John's Farm were applied to pay for the apprenticeship of local boys "to some useful trade". We also note that not all of the income went directly for charitable purposes: "A certain amount is received by each of the vicars upon the apprenticeship of a boy selected from his parish".⁵ Such clauses to the benefit of local vicars were not unusual.

Other poor's land charities in Berkshire comparable to the one established in Earley include those for the Theale poor's land (7 acres at South End Heath); the fuel allotment of the Liberty of Newland in Hurst (awarded in 1817, sold in 1861); an allotment in Wokingham parish, created by the Ashridge Inclosure Award of 1814; another allotment for the benefit of the poor of Wokingham which, strangely, was created by the Staines Inclosure Act of 1843 and which, very unusually, was distributed in the form of gifts of beef given out on St Thomas's Day; a small allotment at Wangel Field in Sonning parish, which may have been in Oxfordshire and which was known as the "Poor Widows' Land"; and, finally, the Cholsey poor's land, comprising 16 acres now in Oxfordshire but then in Berkshire, dating from a late enclosure award of 25 October 1851 and (exactly like the Tilehurst poor's land) divided between a recreation ground and leased gardening allotments.

There is thus ample evidence to confirm that the creation of areas of "poor's land" was a typical feature of enclosures in Berkshire, and especially central

Berkshire. The Earley Poor's Land Charity has many siblings, but none of them has come to attain anything like comparable prosperity.

NOTES

¹ Berkshire Record Office D/EE/E29: *An Act, for inclosing lands in the Parish of Sonning, in the Counties of Berks and Oxford* [Royal assent, 20 June 1816] (Sess. 1816, 56 Geo. III).

² *Ibid.*, p.2. See also the deferential passages on pp. 21 & 38 referring to the Lords and Ladies of the Manors.

³ See Ernest W. Dormer: *The parish and church of Saint Peter, Earley*. Reading: C. Nicholls & Co., 1944, p. 8.

⁴ Berkshire Record Office D/EE/E29, pp. 16-17.

⁵ VCH, volume III, p.383. Most of the information in this section about poor's land charities is taken from the same volume. See, for example, pp.80, 124, 191, 224-225, 233, 247, 260, 302, 336, 383, 399.