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# The Enclosure of Cambridge St Giles: Cambridge University and the Parliamentary Act of 1802

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*This study describes the enclosure of the Cambridge parish of St Giles (the West Fields) by Parliamentary Act and the roles played by the University and colleges in influencing the process. The enclosure was conducted under procedures which had become standardised, and when complete in 1805, the colleges (including Merton College, Oxford) and the University itself owned 60% of the 1361 acres of the parish, while 25% was owned by other corporate bodies (the diocese of Ely, three local churches, Cambridge Corporation and local charities), 10% by the Lord of the Manor of Madingley and just 5% by other people of Cambridge. Tithes were abolished and tithe owners compensated with land. In acreage terms the distribution of land broadly reflects the pattern of ownership before enclosure, but the colleges and University obtained allocations convenient for themselves, especially on land adjacent to the present Backs. This allowed them to expand their gardens and walks, protect their views and laid the ground for the physical development of the University and colleges to the present day.*

### Introduction

Around Cambridge, a landscape which had not changed significantly for more than 500 years was transformed in less than ten by the enclosure first of its medieval West Fields (1802–1805) and then of its East or Barnwell Fields (1807–1811). These fields together with the built-up area of the town constituted the Burgh or Borough of Cambridge. It was in the West Fields that the seeds of the future physical development of the University were sown. The East Fields were more important to development of the town but far less significant to the University.

Since 1800, Cambridge University has experienced three marked periods of physical expansion. The first began around 1870, with the construction of Newnham, Girton and Selwyn Colleges (not to mention Westminster College, Ridley Hall and St Edmund's House, all of which subsequently became part of or associated with the University). The second took place after the Second World War with the building of seven new colleges, plus residential facilities

in west Cambridge for many of the older colleges, a number of faculty buildings and the new Cavendish laboratories. The latest one includes construction of further faculty buildings, the Athletics Centre and the on-going West Cambridge site, while there are longer-term plans for expansion in the northwest.

What all these developments have in common (with the exception of Girton and Darwin which lie just outside the boundaries) is that they are built on the West Fields. Siting of these buildings can be traced back to the Parliamentary Act of 1802 enclosing the Parish of St Giles, which was essentially co-terminous with the West Fields plus a small inhabited area at its northern tip composed of Castle Hill, Northampton Street and Bridge Street west of the river, containing the parish church. It comes as no surprise to anyone familiar with Cambridge that the colleges, and to a lesser extent the University, exerted a significant influence on the way enclosure was carried out.

Table 1 and Fig 1 show the distribution of land-ownership in St Giles after enclosure, as reflected in the Award and map published in 1805. That distribution reflects the ownership pattern pre-enclosure, the most significant difference being the assignment of land in compensation to previous tithe owners. The dominance of the colleges, some of whom had also been tithe owners, is immediately visible.

Key documents are 'An Act for dividing, allotting, laying in severalty and inclosing the open and common fields, common meadows and other open and commonable lands and waste grounds, within the Parish of St Giles, in the Town of Cambridge, in the County of Cambridge, 42 GEO III, 1802', the map of the enclosure allotments dated 1804 but containing changes not made until 1805, and the text of the Award, 1805. These documents are in the Cambridgeshire County Record Office. Minutes of the meetings of the Commissioners of the Enclosure, a partial list of claims submitted by those who held, or believed they held, land in the West Fields or had rights of pasturage, and a miscellaneous collection of 239 contemporary documents including claims, bills, receipts, tables, letters, etc are in Cambridge University Library.

**Table 1.** *Ownership of land in the Parish of St Giles, Cambridge, 1805 (by type, in descending order of acreage).*  
*\* Mainly houses and their garden plots*

	<i>Acres</i>	<i>Percent</i>
<b>Colleges and University</b>		
St John's College (includes 0.5 acres in lieu of tithe)	410.4	30.1
Benet College (Corpus Christi College)	114.5	8.4
Merton College, Oxford (excluding Merton Manor)	105.1	7.7
Jesus College (in lieu of tithe)	69.8	5.1
Caius College (Gonville and Caius College)	34.0	2.5
Clare Hall (Clare College)	32.4	2.4
King's College	21.8	1.6
Trinity Hall	7.3	0.5
Catharine Hall (St Catharine's College)	7.0	0.5
Magdalene College	6.7	0.5
University of Cambridge	5.7	0.4
Peterhouse (in lieu of tithe)	2.2	0.2
Queens' College	1.1	0.1
Trinity College	0.3	0.0
<i>Subtotal</i>	<i>818.5</i>	<i>60.1</i>
<b>Ecclesiastical Bodies</b>		
Bishop of Ely	165.5	12.2
Vicar of St Giles	33.3	2.4
Vicar of Holy Sepulchre	5.1	0.4
Rector of St Botolph	3.1	0.2
<i>Subtotal</i>	<i>207.1</i>	<i>15.2</i>
<b>Local Govt Bodies, Misc. Corporate Bodies and Manors</b>		
Storey's Charity	68.7	5.0
Surveyor of Highways	36.2	2.7
Cambridge Corporation	8.3	0.6
Madingley Manor	4.9	0.4
Merton Manor	4.2	0.3
Great St Mary's Parish Officers	3.9	0.3
Coton Parish Officers	2.0	0.1
Grantchester Manor	1.8	0.1
St Peter's Parish Officers	0.5	0.0
St Giles's Parish Officers	0.1	0.0
Trustees of Huntingdon Road	0.1	0.0
<i>Subtotal</i>	<i>130.7</i>	<i>9.6</i>
<b>Private Owners</b>		
Sir Charles Cotton	141.1	10.4
Jacob Smith	34.1	2.5
John Kidman	11.5	0.8
Holden (Rev.?)	3.3	0.2
William Coe	2.9	0.2
26 others, each with under 2 acres*	12.6	0.9
<i>Subtotal</i>	<i>205.5</i>	<i>15.1</i>
<b>Total</b>	<b>1361.9</b>	<b>100.0</b>

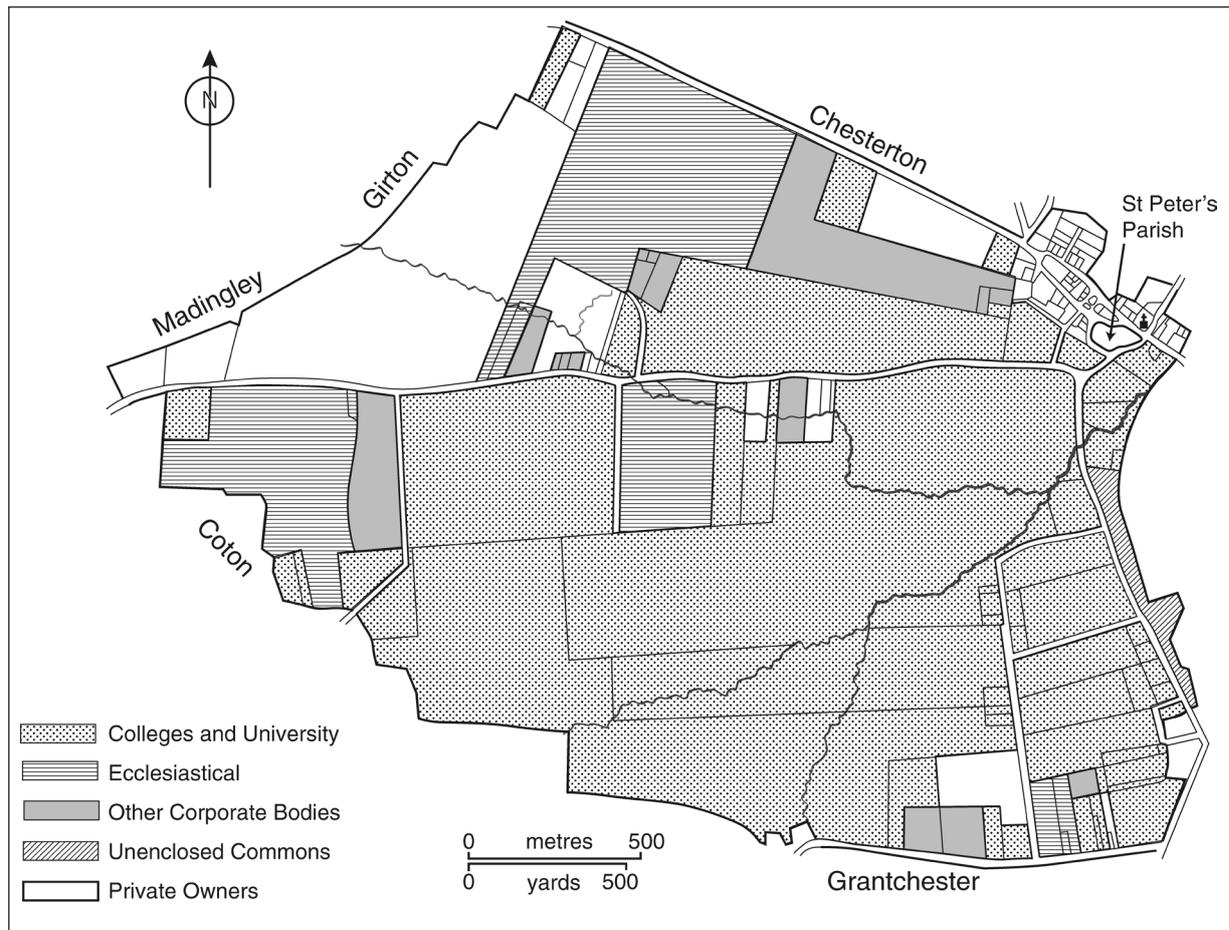


Figure 1. Ownership pattern following Enclosure of St Giles Parish, 1805.

### Background to Enclosure

In the period between 1600 and 1800, the population of Cambridge nearly doubled, to over 9000 persons, without expanding in area. Instead, it increased density by infilling within the old boundaries, which by the late 18th century had created congestion and insanitary conditions frequently commented upon by visitors (Bryan 1999). Coincidentally, within the same two centuries no new colleges were founded until Downing became a reality in 1800, and expansion of existing colleges took place likewise by infilling. This constriction was because Cambridge was hemmed in by three large open fields, the East or Barnwell Fields to the south and east, the West Fields (or Cambridge Fields) to the west, and the Chesterton Fields to the north, the first two being part of the Borough of Cambridge while the third lay outside it (Chesterton was not enclosed until 1837).

The first evidence of college interest in enclosure is in the Conclusion Book of Jesus College, 1753–1796. In December 1768, authorisation was given to put the college seal to various instruments and deeds including 'A petition to Parliament for inclosing the fields behind Trinity and St John's Colleges, etc'. In February 1769, St John's College decided to employ a surveyor

to take action preparatory to eventual enclosure (SJC Conclusion Book 1736–86, p.195).

A document found at Jesus College, 'Proposal for Enclosure December 1769' reads

We the owners and persons interested in Lands in the Common Fields on the west side of Cambridge are willing that the said should be enclosed if, on perusal of a Bill to be prepared for that purpose we shall approve the Conditions, and we desire Mr Lombe to prepare the Bill and to treat with the proprietors of the tythes for their Consents, and we are willing that one seventh part in Value of the Lands be assigned in lieu of tythes.

(Jesus College Archives, Radegund Tithes Folder 1769–70)

Signatories are the Vice-Chancellor (the Master of Emmanuel) on behalf of the University, the Heads of Houses of St Johns, King's and Clare Hall, an unidentified signatory on behalf of Bene't College (Corpus Christi), J Hynde Cotton (Lord of the Manor of Madingley and owner of considerable land in St Giles), two names on behalf of Storey's Charity (also a substantial landowner in the parish) and a note about a delayed signature for Catharine Hall (St Catharine's). Beneath that is the statement 'Merton College in Oxford have given their consent'. Jesus College is not

a signatory; it would seem that that College was not the originator of the document, and had had a change of heart. There is no indication of who prepared the declaration or what percentage of landownership its supporters represented, but from an anonymous table drawn up in 1801, the signatories are thought to have owned between 80 and 90% of land, excluding waste (CUL Doc. 626/194). Correspondence between the Secretary of the Bishop and Jesus College (both important tithe owners) reveal that the Bishop had known nothing of what was afoot until informed by Jesus, and was not pleased.

The Enclosure Act of 1802 refers to the Bishop and Jesus College as 'respectively appropriators of the Rectory of St Giles and as such entitled to Part of the Great and Small Tythes'. The Bishop and the College received almost all the large tithes while the Vicar of St Giles received most of the small. A few other parties also had small tithe entitlements. As was not uncommon, the Bishop and the College leased out their tithe entitlements. Their lessee was Thomas Whittred 'Gentleman' who claimed that the proposed one-seventh part in value of the Land to be assigned in lieu of tithe (as in the declaration) was not enough. However he was reported to have said that 'if by consent of the Bishop and [Jesus] College the Bill [for the Act of Enclosure] goes forward, he will be content with two-thirteenth in lieu of tithes' (Jesus College Archives, Radegund Tithes Box, letter of 26 December 1769). The Bishop supported him, and on 4 January 1770 Jesus College Council minuted

4. That we will accept two-thirteenth parts value of the Land on the west side of Cambridge and that if a Bill be carried unto Parliament for inclosing the said land without allowing us that proportion in lieu of Tythes we will join with the Bishop in a petition against it.  
(Jesus College Conclusion Book 1753–96, 49.)

In 1773 the Council gave consent to a Bill

... for inclosing the Lands on the West side of the Town, provided (1) that the Inclosure shall not extend to the Eastern side of the Road, (2) that the College be put to no expense in connection with the Inclosure and (3) that we be allowed two-thirteenth Parts, Quantity and Quality considered, in lieu of our Tythes. (*ibid.* 57)

There the matter rested for the next twenty years, though St John's was still keeping in sight the possibility of enclosure. In 1775 it agreed to pay Mr Lombe for 'attending the business of the Inclosure proposed to take place behind the Colleges', and its new leases consistently contain a clause requiring the lessee to agree to eventual enclosure or surrender the lease.

Then, an entry dated 4 July 1796 in the St John's College Conclusion Book states

Agreed that the opinion of Mr Maxwell be taken respecting the expediency of an enclosure of the Cambridge fields, of the expense likely to be incurred and the advantages to be expected.

George Maxwell of Fletton in Huntingdonshire acted as Commissioner in more than a hundred enclosures between 1773 and 1800 (Tate 1967) including at least one involving St John's, and it is assumed that he is

the Maxwell referred to.

In 1801 things finally started to move. Not only were land and cereal prices at unprecedented heights consequent upon the Napoleonic wars, but by the end of the 18th century it had become common practice in enclosure actions to allot to the tithe owners approximately one fifth by value of the arable and one eighth of the pasture enclosed, and episcopal opposition seems to have vanished.

A third factor may have been the extreme difficulties encountered in finding a site for the new Downing College. Approval of its charter was contingent upon acquisition of a site acceptable to the Court of Chancery. John Mortlock, the semi-permanent Mayor of Cambridge, had offered Parker's Piece – which was not his to dispose of, since it was common land – and a too-small site on Pound Hill. The nascent college eventually bought an inadequate site called Dolls Close, between the present Maid's Causeway and New Square and, once the charter had been approved, the new college sold that site and bought the much larger one, part of which it now occupies (French 1978). Whether at the time of purchase the new site ('The Marsh' on Loggan's map of 1688 and popular as a place to shoot snipe) was part of the Barnwell Fields seems open to debate, but the Downing initiative broke the encircling belt of open land. Its purchase required an Act of Parliament and negotiation with eleven landowners and over 200 people claiming common rights of pasture. That experience cannot have been lost on the rest of the University.

### The Enclosure: Preparations and Proceedings

Because variation of practice and lack of system in conducting parliamentary enclosures were costly in time and money, protagonists such as Arthur Young pressed for a general act which would consolidate and codify practice and establish a general framework but do away with the need for individual Parliamentary Acts. The General Enclosure Act of 1801 achieved the first of these aims, but not the second.

Since the enclosure of St Giles was conducted in accordance with the General Act, the first formal step was to draft a Bill for presentation to Parliament. St John's College Conclusion Book, 10 July 1801, states

Agreed that the College take such steps as are necessary to produce an Act of Parliament for the inclosure of the field behind the College called the Cambridge field.

The College advanced £250 to pay for drafting the Bill and getting it through Parliament (a sum reimbursed with interest by a rate levied on all landowners in St Giles). A notice in the Cambridge Chronicle and Journal of 22 August 1801 states that

... application is intended to be made to Parliament in the next session for leave to bring in a Bill to obtain an Act for Dividing, Alloting, Inclosing and Exonerating from Tithes the Open and Common Fields, Common Meadows and other Commonable Lands and Waste Grounds lying in the Parish of St

Giles ... particularly including certain lands called Newnham Crofts and a certain piece of ground called the Pound Hill within the said Parish, in such manner and under such regulations as in the said Act shall be directed. Dated this 10th day of August 1801.

It is evident from later events that Pound Hill had been the subject of dispute between certain local inhabitants who claimed rights of common there and the Corporation of Cambridge which claimed outright ownership, and that there were problems in Newnham over who had rights of common in St Giles. It was hoped that these legal issues could be cleared up as a by-product of the Enclosure Act.

On 7 November 1801 the Cambridge Chronicle and Journal carried a notice, signed by James Fawcett, Senior Bursar of St John's, drawing the attention of proprietors to a public meeting on 23 November 1801 at the Rose Inn in Cambridge to consider 'the expediency of an application to Parliament for an Act to divide and inclose the common fields ... within the Parish of St. Giles'. The same paper later carried a report on the meeting, signed by Herbert Marsh (Junior Bursar of St John's), to the effect that the majority of proprietors were in favour of enclosure, and two solicitors, John Ingle and Christopher Pemberton, had been appointed with joint responsibility for preparing the Bill and seeing it through Parliament. The meeting resolved that one-twentieth of the waste land be given to the Lords of the Manor, in lieu of their right of soil, and that one fifth of the arable and one eighth of the pasture be offered in lieu of the rectorial and vicarial tithes. According to an anonymous pamphlet, *A Narrative of the Proceedings of the St Giles Inclosure Bill ...*, 1802, a considerable majority had declared in favour, 'some few remained neuter; and that only one proprietor (who gave his consent within a few days) then declared against the measure'.

An undated table of unknown authorship entitled 'Statement of Property which will be affected in case the Bill now depending in Parliament for Dividing, Allotting, ... commonable Lands and waste Grounds within the Parish of Saint Giles ... should pass into a law, distinguishing the quantity owned by each person and those who Consent, are Neuter, or Dissent to the Bill' (CUL, Document 626/194) gives names of 55 proprietors, how much acreage and/or how many dwellings each owned, and purports to show 42 parties assenting, 11 'neuter' and two dissenting (the Corporation of Cambridge and the Deputy Mayor, John Forlow Junior, in his personal capacity as copyholder of a house). Though the table contains various inaccuracies, it seems to confirm the report of the pamphleteer. Moreover it brings out the concentration of house-ownership: of the 21 individuals having no land but rights of common based upon ownership or occupancy of dwellings in the Parish, 13 claimed for more than one house. William Coe, for example, claimed freehold ownership of 11 houses, Thomas Coe 8, Leonard Battle 5. With the exception of the aforesaid Mr Forlow the other 20 individuals assented to the Enclosure. The 11 'neuters' include

Trinity Hall, Caius and Queens' Colleges, as well as the Parish Officers of Great St Mary's, the incumbents of two local churches and two private landowners.

St John's surely had a hand in the selection of John Ingle as one solicitor, since he was regularly employed by them in drawing up leases. The other, Christopher Pemberton, served as agent for Merton College, Oxford as well as for Sir Charles Cotton, both major landowners, and was subsequently chosen as Clerk to the Commissioners of the Enclosure. At least one was at work on enclosure preparations well before they were officially appointed. Ingle appears to have written to inquire about the views of the Bishop of Ely, James Yorke. The Bishop's secretary replied asking what terms had been agreed by the interested colleges and saying that the Bishop was basically in favour but wanted more information. An itemised bill (CUL Doc.626/7) for services rendered by Ingle in 1801 and 1802 refers to 'A great many attendances upon the Bursar of St John's, the Rev'd Mr Marsh and Mr Truslove respecting the above inclosure' in August 1801, and there are references to further conferences with Mr Marsh. Truslove, frequently employed as a surveyor by St John's and other colleges, was subsequently selected as one of the three Commissioners of the Enclosure.

The decision having been taken, the lawyers went to work. By and large, the draft followed the standard pattern, but made specific reference to three pieces of common land immediately west of the Cam which were to be excluded – Queen's Green, Clare Hall Pieces and the triangular piece of land immediately north of it, the last remnants of the ancient Long Green, the water meadows west of the river before encroachment by college gardens. Since all were part of the University Walks much treasured by academics, this exclusion was surely made at the behest of the interested colleges. There was no mention of the problems relating to grazing rights on Pound Hill and in Newnham, though these were not forgotten.

It was usual practice for a parish of the size and nature of St Giles to select three Commissioners, representing the Lord of the Manor, ecclesiastical interest, and a majority of other owners. These were selected before the Act was presented to Parliament and were normally named in the Act. While the Act nowhere states who is entitled to select them, in each case there is a clause naming the person or persons who, if the Commissioner in question dies or refuses to act or is incapable of carrying out his duties, has the authority to select his replacement. One can assume that the initial selections were made by the same parties and if so, in the enclosure of St Giles the role of Lord of the Manor was played by Merton College, Oxford, and the clerical role jointly by the Bishop of Ely and Jesus College, as appropriators of the Rectory of St Giles.

The first Commissioner, William Custance, was at the time a resident of Cambridge, and an experienced architect, surveyor and map maker (1798 map of Cambridge) who also served as Commissioner in the later enclosure of the Barnwell Fields. It evidently was concluded by the drafters of the Bill that Merton

College held the significant Manor in the Parish – a claim to which the Corporation of Cambridge took vehement objection. St John's and Jesus also laid claim to Manors (St John's to Harleston's Manor, Jesus to St Radegund's Manor), and Admiral Sir Charles Cotton pressed his claim as Lord of the Manor of Madingley, but their claims seem to have been made just for form's sake.

The Commissioner representing the Bishop of Ely and Jesus College was Joseph Truslove. He had also served as Commissioner for the enclosure of several local parishes, including Grantchester and Coton and, like Custance, was later to serve in the enclosure of Barnwell fields. The third Commissioner, representing the majority of other owners, was Thomas Gostelow of Amptill in Bedfordshire who had also served as a Commissioner for the enclosure of Grantchester and Coton. There can be little doubt that St John's, as the largest landowner in the Parish, had a hand in his selection.

An additional element was the Corporation of Cambridge. Given that the West Fields were part of the Borough, it might be expected that the Corporation would take an active interest even though its actual ownership was insignificant. Yet it only participated on the issue of the manorial lordship, clearly a matter of great symbolic importance, and the lesser issue of the ownership of Pound Hill.

The principal account of the Corporation's part in the proceedings comes from the anonymous pamphlet cited above. The curious state of town government at the time was that the town was in effect the fief of John Mortlock III, draper, banker, landowner, and thirteen times Mayor until his death in 1816. For one brief period he was simultaneously Mayor, Recorder and MP. With considerable land in Pampisford and Whittlesford, in 1792 he bought more land and the lordship of the Manor of Great and Little Abington. Three of the parishes where he held land were in the process of enclosure in 1801.

While it had long been the practice in Cambridge to elect a new mayor each year, in 1783 a by-law permitted re-election after one year's interval. Between 1784 and 1835 only he or members of his family or faction were mayors. Moreover, although there was no official post of Deputy Mayor, the CRO possesses 18 letters of attorney for varying dates, signed by Mortlock and appointing one of his associates or sons as Deputy, or signed by one of the latter when Mayor and appointing Mortlock as Deputy. John Forlow Junior, like his father, was a strong Mortlock supporter.

In 1801/2 Mortlock was Mayor and John Forlow Junior Deputy Mayor. As reported by the anonymous pamphleteer, John Mortlock, dining at St John's around Christmas time in 1801, 'expressed his surprise that the consent of the Corporation had not been asked before any steps were taken'. He said the manorial rights belonged to the Corporation, not to Merton or anybody else, but did not say whether the Corporation would oppose the Bill for the Act. When this conversation was reported to Herbert Marsh, he said his college did not recognise the Corporation's

claim, which the college had successfully opposed in the past, and therefore did not feel it incumbent to treat the Corporation differently from other owners.

John Cheetham Mortlock (eldest son of John Mortlock III) informed the Vice-Chancellor and Marsh that the Corporation would oppose the Bill if it asserted that Merton College was Lord of the Manor. The wording of the preamble was therefore amended. The Bill was signed by the principal actors (except that the Deputy Mayor Mr Forlow Junior refused to sign on behalf of the Corporation), it had its first and second readings in the House of Commons, and then printed copies were sent to the Corporation's solicitor, the Mayor and all Proprietors within the Parish asking for final amendments. In the five-week period between the second reading and the Bill's commitment to the Committee of the House, the Corporation presented a petition to Parliament asking to be heard by Counsel. The documentation in CUL includes two long and interesting briefs prepared respectively for the Corporation's Counsel (a Mr Romilly, almost certainly Samuel Romilly) and the supporters of the existing draft (CUL Doc.626/198 and 199).

Ten days before the Committee of the House was to sit on the bill, the Deputy Mayor informed Marsh that it was not the Corporation's intention to oppose the Bill altogether but to seek alteration of three clauses. He was unable to say which, and instead the Master and Fellows of St John's were served with a notice by the Town Clerk to produce certain deeds belonging to the College before the Committee of the House.

Where was the Mayor while all this was going on? According to the pamphleteer he turned up a few minutes before the House Committee was due to open its hearings on 26 March 1802 and produced alternative wording which was found unacceptable by the original drafters. The wrangling continued in Committee for two days, until a compromise was found which put all manorial claimants on the same level and instructed the Mayor, Bailiffs and Burgesses of Cambridge to 'proceed to try their Right to the said Soil in an Action to be brought by them in the Court of King's Bench at Westminster against the Warden and Scholars of Merton College, the Master, Fellows and Scholars of Jesus College, the Master, Fellows and Scholars of St John's College and the said Sir Charles Cotton' (St Giles Enclosure Act, pp 7-8). With this modification, the Act was duly passed.

Just before this debate took place, the University belatedly set up a Syndicate for the St Giles Enclosure, chaired by the Vice-Chancellor (Joseph Procter, Master of St Catharine's). The other four members attending its first meeting in 20 March 1802 were the Masters of Pembroke and Peterhouse, Dr RT Cory of Emmanuel and Dr Joseph Jowett of Trinity Hall (Cambridge University, UA Min VI 1, 130). At that first meeting the Vice-Chancellor was empowered to put the University Seal on the Bill for the Act of Enclosure.

Neither St John's nor any of the larger college landowners (Caius, Clare, Corpus Christi and King's) was represented on the Syndicate at that point. Of the five

colleges represented, Pembroke and Emmanuel had no holdings in St Giles, while the other three ranked among the minor collegiate landholders there (Trinity, by then the largest Cambridge college, had no land in St Giles but owned a house in Bridge Street with rights of common).

### Implementation of the Act of Enclosure

The Act having received royal consent on 22 June 1802, the Commissioners called the first meeting on 28 July at the Hardwicke Arms in Arrington. Why this inconvenient location, ten miles from Cambridge, should have been chosen is unknown. The Commissioners, noting that 'none of the proprietors having attended to nominate a banker to whom monies raised by virtue of this Act should be paid,' adjourned the proceedings to 8 November, at the Eagle and Child Inn in Bene't Street, Cambridge.

In all, the Commissioners called 25 meetings from July 1802 to May 1805. All were held at the Eagle and Child, excepting the first and one at the King's Arms, Bournbridge, Little Abington. Most meetings lasted more than one day – one of them 13 days. Minutes are brief but show the sequence of events (CUL Add. MSS 6026).

A notice in the Cambridge Chronicle and Journal of 23 October 1802 invited all interested parties to submit their claims, and a deadline of 6 December was set, at which point all claims would be open for examination by the public. Christopher Pemberton was appointed Clerk of the Commission and Edward Gillam, a local banker who both owned land and was one of the larger tenants of St John's, was chosen to handle the moneys of the enclosure process. Of some 55 claims submitted, 11 were from colleges, 10 from other corporate bodies and 34 from private individuals. Most are listed in the Claims Book (CUL Add. MSS 6025) established by the Commissioners, but some only among miscellaneous papers of the Commission. Some individuals claiming rights of common (to pasture animals in the common fields), did so not as owners of freeholds but as copyholders or other lessees occupying dwellings to which were attached traditional rights of common.

Five claims contain virtually the same awkward sentence about grazing rights on Pound Hill on the southwest flank of Castle Hill, at that time a patchwork of cottages, farm homesteads, the town pound and open land: 'NB The sheep were till within these few years last always excluded from Pound Hill'. The back of the Claims Book (CUL Add. MSS 6025) was used by the Commission to record (undated) evidence given for and against the presence of animals on Pound Hill, as part of the argument about Cambridge Corporation's claim to outright ownership of that area, a claim to which several colleges as well as private persons registered their objections. In April 1803 the Commission found against the Corporation, the Corporation decided not to challenge the decision, and thus that part of Pound Hill not already occupied by old enclosures was included in the land to be redis-

tributed (for full text see CUL Add. MSS 6026, p 21).

Another group of claims resulted because 'the hamlet of Newnham' was split among St Botolph, St Mary the Less and St Giles, and certain residents in St Botolph and St Mary the Less claimed rights of common in St Giles. It appears that these claims were disallowed. However, there is nothing in the documentation to show the nature of the investigations nor reasons for the decision. The Act provided that holders of rights of common should be compensated either by setting aside a common pasture or by individual grants of land. The commoners opted for the latter. Having published all claims, the Commission then invited objections. Not many are recorded, and of those that were, most concerned conflicting title claims or claims for exemption from tithe. Some were withdrawn, some overruled, some upheld. Only the Pound Hill issue seems to have been serious.

At the beginning of 1803 the Commissioners appointed two surveyors (one of whom soon dropped out) and 'perambulated and ascertained' the boundaries on 7 February. Since two of the Commissioners had participated in the enclosure of the neighbouring parishes of Coton and Grantchester, they only surveyed the rest.

Another specification of the Act was that before the Commissioners began consolidating and reallotting land, they should lay out the road network and subtract from the acreage to be allotted whatever area was needed for public roads and footpaths (33½ acres in the present instance). Since two of the parish boundaries were existing turnpikes, while the Cambridge to St Neots turnpike ran between, the new road construction contemplated was relatively small, yet the road proposals seem to have been among the most contentious issues, and Commissioners were obliged to make several changes, including dropping a proposed new road over Pound Hill and eliminating a footpath in Newnham. The inhabitants of Coton had objected to the omission of 'a certain ancient bridle road from Coton to Cambridge' which if not included 'will become stopped up and the inhabitants of Coton and others will be put to the inconvenience of travelling three miles instead of two and will also incur a considerable additional expense for turnpikes'. The Commissioners, presumably at the request of St John's, refused to retain the old bridleway, which bisected the largest allotment to that college, downgraded it to what is still today the Coton footpath, but added a new bridleway linking Coton to the turnpike road on the hither side of the tollgate. They also added a new road running south from Madingley Road (approximately opposite the modern site of the Observatory): that this was also at the request of St John's is confirmed by the fact that the college, and not the Surveyor of Highways, was to be responsible for its upkeep. Neither of these two last-mentioned links survived as a made road into the twentieth century.

Fig 2 shows those roads, bridleways, driftways and footpaths which are specified in the Award and shown on the Enclosure Map. Even where new these

roads generally followed the line of earlier tracks or important field boundaries. It is interesting to compare that map with the field map in Hall and Ravensdale (1976), derived from the 14th century terrier at Corpus Christi College. Almost every road in the later map can be found as a road, track or balk in the earlier, the only completely new roads being the earlier mentioned bridleway to Coton and a short road into Sail Piece. Conversely, the most significant change was the disappearance of the old Barton Way (said to be the last stretch of the Roman road from the southwest). This road, running through the fields up to the castle mound and an important thoroughfare in medieval times, has vanished from the 1805 map, its nearest replacement being Queen's Road and its southward extension.

Queen's Road had long been a track along the western margin of the water meadows, but early maps show it at times as a proper road (a St John's College deed of 1610 even refers to it as a highway) and at others as little more than a bridleway. The Commissioners called it the Arrington Road and sometimes even the Arrington Turnpike, although the official turnpike, designated in 1792, did not extend north of modern Silver Street.

The only specification mentioned in the Award is the width of the various types of public roads and paths, which refers to the distance between hedges/ditches, not to the width of the made road. The 60-foot width applied only to turnpike roads. It would

seem that road-making was limited to grading and gravelling, for among the working papers of the Commission there are more than 20 bills for carting gravel. Any improvement of turnpike roads was presumably left to the turnpike trusts. Most of the work of 'forming' the public roads was carried out by a John Searle but other road makers were also used, under the general supervision of Commissioner Truslove.

Drainage work required was relatively modest: there were only three watercourses in the Parish, the Binn Brook and two branches. The brook and its southern branch were to be 10 feet wide and 4 feet deep, the lesser northern branch 5 feet wide and 3 feet deep. It was found necessary to straighten part of the lower course of the Binn Brook, then as now a source of intermittent flooding, and to improve drainage alongside several roads.

As instructed by the Act, Cambridge Corporation brought suit against Merton and the other manorial claimants in London on 20 January 1803, 'before Mr Justice Lawrence, and a special jury of Merchants'. The jury found for the Corporation, 'that no part of these lands belong to Merton College' and 'that the Mayor, Bailiffs and Burgesses were owners of the Soil of all and every part of the Waste Lands of the said Parish of St. Giles'. The case took one day, and according to Maitland (1898, 3) disposed of some very complex legal issues in a highly expeditious if rather casual fashion.

This legal case is nowhere referred to in the

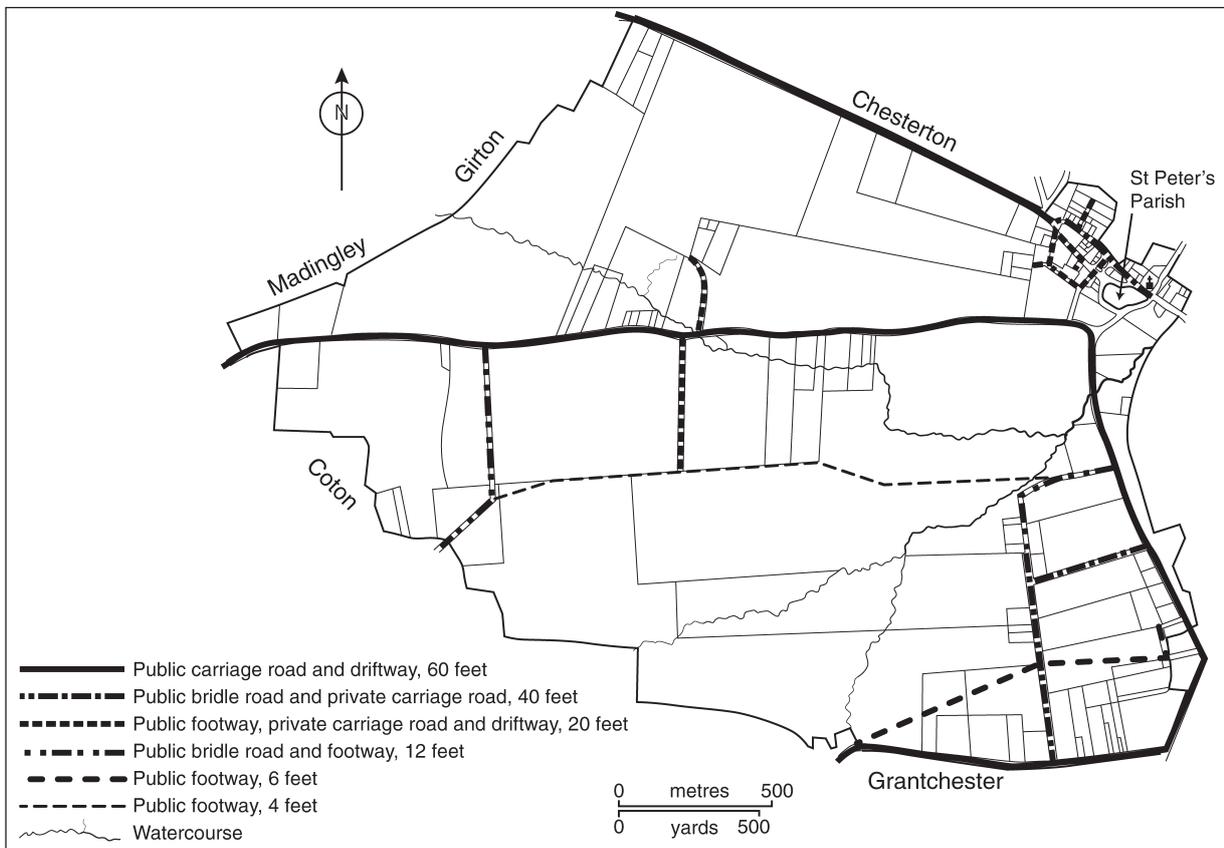


Figure 2. Roads referred to in the Enclosure Award, 1805.

Minutes of the Commissioners. However a letter in the Cambridge Chronicle and Journal of 5 February 1803 signed 'A Constant Reader', explained for the benefit of the unenlightened the implication of the trial. The writer said that the decision required the Commissioners of Enclosure to allot to the Corporation one-twentieth part of the waste land (referring to the wording of the Act). 'As there cannot be more than 60 acres of land that will come under the description of Waste Lands (after the roads are set out) the Corporation will not be entitled to more than 3 acres for this Allotment'. The Corporation in fact received two allotments totalling just over 5 acres described as being 'for Manorial Rights', which would otherwise have been acquired by Merton College. This decision does not appear to have affected copyholders of Merton Manor, all but one of whom received allotments in compensation for their loss of common rights (as did two copyholders of the Manors of Grantchester and Madingley respectively). The seventh, John Forlow, was a special case. Forlow had a house and garden in the general area formed by the angle of Northampton Street and Bridge Street. The tabular information on the award map shows him as copyholder of Merton for the property in question, but with no new allotment in compensation for rights of common.

The Commissioners ordered their Clerk to give notice 'to such proprietors as are desirous of having particular situations, that the Commissioners will receive petitions for situation in writing at any time previous to 4 July', but there is virtually no evidence of a response. Only the replies of University and St John's are found among the Commissioners papers, and none from individuals; it is hard to believe that others did not make their wishes known, but perhaps only orally.

Not until 5 July 1803 did the University Syndicate get around to its second meeting. This time membership was bigger (eight Colleges as against five earlier) and St John's, Bene't (Corpus Christi), Clare, Caius, King's, Jesus and Trinity were represented. The document produced is the key to the future development of west Cambridge

At a meeting of Syndics for St Giles Inclosure held on 5th day of July it was resolved to make the following proposals to the Commissioners for the said Inclosure.

1. That in the Allotment, the Fencing, and the general Distribution of land lying contiguous to the Turnpike Road which bounds the public walks behind the Colleges from the corner of Mr Wilkins's Orchard at the end of the Croaches [this small piece of land abutting Queen's Road on the east had once belonged to the medieval Hostel of the Holy Cross (cruxis) from which its name derives] to the corner of the field opposite to the entrance of Bell Lane [Northampton Street] care be taken to avoid, as much as possible, whatever may diminish the present beauty of the walks; and to contribute, as far as it can conveniently be done, to the future improvement of those walks.

2. That in order to prevent any inconvenience which might arise from the erection of Dwelling-houses or other buildings, no land lying contiguous to the above-mentioned road be allotted to private individuals, but that it be allotted, in part to the University, in part to such Colleges as have property in the said field; regard being had to the situation of each College.

3. That the allotments along the said road be as deep as the several properties will admit.

4. That the land which is to be allotted to the University be behind Trinity College.

While there is no reference in the Commissioners' Minutes to this document, their final award followed in every respect the wishes expressed above. The impact of this acquiescence on the future of west Cambridge can be seen to this day.

Herbert Marsh informed the Commissioners that 'St John's College wishes the College allotment may extend immediately behind the University allotment' (CUL Doc.626/215). And so it did – or the biggest one did. It is tempting to impute to the colleges a kind of prescience, a sense of the future needs of the university. However, it is more likely that what motivated the academics, in an era when emparkment of large estates was all the rage, was the desire to create and preserve a parkland setting for their colleges. Moreover the colleges had always been interested in gardens. Over the previous two centuries, colleges backing onto the river had taken advantage of corrupt municipal governments to purchase sections of the water meadows on either side of the Cam, which were common land, to create gardens. The maps of Hamond, Loggan and others show how elaborately laid out these were.

Yet when Capability Brown, uninvited, presented the University in 1779 with a grandiose plan for a park extending along the river from Peterhouse to Magdalene, the University thanked him politely, gave him a piece of inscribed plate and buried the proposal. To quote John Boys-Smith (*The Eagle* 1951, 305) 'the various colleges affected by his proposals were not persuaded to subordinate their several areas to a scheme so radical and comprehensive'. They were only moved to work together when faced with an outside threat: in 1779 when the Corporation of Cambridge ordered trees at the north end of Queens' Green, part of the common land along the Backs, to be cut down and sold, the University bought them for £50 to preserve 'the beauty of the public walks' (Cooper, vol.IV, 389). College after college seized on Enclosure as the opportunity to create or expand its Fellows' Garden. So determined was St John's to acquire a small bit of land from Merton to extend its gardens that it held up the completion of the enclosure for six months.

The colleges, by stating their preferences, simplified the job of the Commissioners, but only up to a point. Complexities in assigning allotments can be shown by the case of Richard Comings, admittedly an extreme case. He wanted a single compact area, and with the aid of the Commissioners he achieved a farm of about

6 acres in Newnham Crofts made up of a mixture of freehold, copyhold and leasehold land as follows: a 4-acre old enclosure in which he owned the freehold of 1 acre and farmed the remaining three pieces as lessee respectively of Clare Hall, St Catharine's and St John's; a contiguous strip of old enclosure of about quarter of an acre which he acquired by exchange with Bene't College for an equally small strip of new enclosure elsewhere; an area of almost 2 acres of new enclosure which he acquired as copyholder of a Grantchester manor, and a small strip for which he was lessee of Clare Hall, which linked his new enclosure with the rest of his allotments. Fortunately such a jigsaw puzzle was rare.

Even so the task was formidable. Required by the Act to allocate to the former tithe owners a specific percentage of the area of the Parish (determined by the respective quantities of arable land and pasture) and to the Lord of the Manor or other entity entitled to the manorial rights another specified quantity, they had to divide up the remaining approximately 80% to satisfy pre-existing landowners and to compensate owners of rights of common.

The period from April to September 1803 involved intense work surveying, mapping, costing, discussing, modifying, remapping. A major concern was sorting out tithe entitlements. By October the Clerk was instructed to give notice on the door of the parish church that 'all Right of Common be extinguished from and after Monday 17th instant and that each proprietor be at liberty to enter upon his allotment on that day'. This did not prevent a continuing process of minor adjustments and modifications, while allowing work to start on the most urgent task of fencing the new boundaries, much of which was the responsibility of the individual landowners.

By the end of September the Commissioners could calculate the cost of executing the Act of Enclosure (fees and salaries, public fencing, roads and drainage works) and proprietors were informed of their share. These ranged from £1120.13.11 for St John's to 2 shillings 9 pence for a William Russell. Not all were paid punctually, but enough to permit Commissioners to hire a contractor to begin to erect public fencing (surrounding allotments granted in lieu of tithe and along public roads). They informed individuals of their fencing obligations, though in the following July they ordered the Surveyor to adjust them more equitably. A timetable was supposed to be established for completion of outer boundary fences but none has been found in the documentation. Commissioners then concentrated on putting values on existing trees and hedges and on the degree of land preparation within each allotment, in order to levy fees upon new owners to compensate old owners for past improvements. This proved very time-consuming, and chasing up delinquent debtors even more so.

The Commissioners thought they had completed their examination of the draft Award in July 1804, but this proved to be premature, especially in relation to roads and paths. They imposed a second rate, having found the first one insufficient to cover their costs.

Unlike in the first, persons receiving allotments exclusively in lieu of common rights were exempt from this supplementary rate, levied on other proprietors at 14% of their first rate.

But for the deletion of a footpath in Newnham and changing part of the Coton footpath to follow allotment boundaries, the Commissioners would have been ready to finalise their Award in October. There was another hitch: St John's College could not agree with Merton College Oxford on one exchange. Finally an umpire was appointed, who gave his decision in March 1805. The Commissioners' papers contain a draft, undated and unsigned but in the handwriting of Pemberton their Clerk, as follows

We the Commissioners do hereby declare that we have made the exchange between the Master, Fellows and Scholars of St John's College and the Warden and Scholars of Merton College in the manner set forth and ascertained in this our Award not according to our own judgment but at the particular instance and request of the two Parties interested therein. (CUL Doc.626/236)

In the final Award, no such statement appears. This is the only instance in which a protest of this kind has been found, and there is no reference to it in the Minutes. The exchange required some redrawing of boundaries and renumbering of allotments, and in consequence the Award could not be executed until May 1805. Then the Commissioners published their final accounts and, on 14 May, their Award.

#### Costs of enclosure

Despite reference in the Minutes to the publishing of final accounts, no official version has survived, though among miscellaneous papers is an undated table headed 'The Commissioners on St Giles Inclosure Account with the Proprietors' (CUL Document 626/189). Total income is given as £3232.14.7, of which £2862.17.4 was derived from the first rate and £369.17.3 from the second. The expenditure side shows the main heads as fees and salaries to the Commissioners, the Surveyor, the Clerk and the lawyers who prepared the Bill for the Act of Parliament (65%), payments for public fencing (24%) and for roads and drains (10%). There is an unexpended balance of under £2 and no reference to arrears.

The total public cost works out at around £2.8.0 per acre, slightly higher than average (Martin JM 1967). The payments to the Commissioners were the two guineas each per day (plus travel costs for Mr Gostelow who lived in Bedfordshire), standard by that date. The basis for payments to the Surveyor and Clerk is not given. Costs for roads and drainage works were relatively low, since new road construction was limited and drainage work was moderate. The fencing cost was substantial, not merely the fencing of roads and other public facilities such as watering places and gravel pits, but because the parliamentary acts required that all land allotted in lieu of tithe be fenced at public expense.

To this must be added the fencing and other costs of individual proprietors. Gooch states that 'Sir Charles Cotton was at the expense of £700 on 125 acres in this Parish, the cost of fences included' (1811, 84), and St John's College's accounts show enclosure-related expenditures (other than rates levied by the Commissioners) totaling almost £750. Fencing costs bore particularly heavily on smaller proprietors, although the Commissioners ordered some adjustment in cases of manifest inequity.

### The outcome of enclosure

Figure 1 derives from the official enclosure map dated 1804 but incorporating modifications which did not take place until 1805. The original in the CRO measures 648mm high by 870mm, is somewhat damaged and barely legible in parts. In addition to showing the boundaries of the 181 'allotments', identified by number, it has a long table purporting to group the allotments by name of proprietor. Each allotment is identified as either an old or new enclosure and the area of each is given, as well as the total acreage awarded to each proprietor.

The term 'old enclosure' covers not only agricultural land enclosed before 1802 but also existing private dwellings and gardens. In St Giles', the detailed surveys undertaken in 1802 and 1803 identified some 89 acres of previously enclosed land (6%). These remained untouched by the enclosure process, unless their proprietors chose to arrange an exchange. The term 'new enclosure' refers exclusively to more than 90% of the Parish which was consolidated and redistributed, after excluding a small amount of common land along the Backs and about 33 acres set aside for public roads and paths.

Data on the left margin of the enclosure map are the only complete statistical reflection of the outcome of the enclosure, and they present problems. The 181 'allotments' are not in numerical order and the ordering of the proprietors is not self-evident, except that priority is given to Cambridge Corporation and former tithe owners. Some tenants are listed under their own names, and some under the names of the proprietors of the lands they occupied. Lands assigned to churches in lieu of tithe are disguised under the names of current incumbents rather than of the churches themselves. Sadly, the Award document, while clarifying new-enclosure acreage figures illegible on the map, nowhere refers to allotment numbers, nor does it mention old enclosures unless involved in an exchange.

To assist in drawing conclusions about the patterns of ownership after enclosure the allotments were consolidated by landowner, with the name of the tenant (when known) shown second – eg King's College/Angier, John – and then reordered to produce two large tables, one in numerical order by allotment number, and the other alphabetical by name of owner. These tables are too bulky to reproduce here, but may be consulted in a fuller text deposited at the CRO or

on the web, at [http://uk:geocities.com/philguill](http://uk.geocities.com/philguill). The results of the reordering reflected in the tables are revealing.

The table in numerical order shows the logic of the allotment numbering: it reflects the itinerary – literal or metaphorical – followed by the Surveyor. He started with allotment 1 on the Backs, opposite the back gates of Trinity College, proceeded south and then west part way along Barton Road. Thereafter the route gets complicated, but essentially he dealt first with the fields south of Madingley Road (traditionally named Middle Field, Little Field and Carm Field), then the house concentration in the northeastern corner of the parish near the castle, and finally How Field (formerly Grithow Field), the triangle between Madingley Road, Huntingdon Road and the parish's western boundary. This table makes it easier for future users to find their way around the enclosure map. The real interest comes in the alphabetical table, from which the Table in the present text is derived.

It comes as little surprise that corporate bodies – colleges, churches and other institutions – rather than individuals were the major proprietors, but the percentage figures are striking. The ancient landowning colleges (including Merton) received after enclosure 55%, but if the allocation to Jesus College in lieu of tithe is added, that figure is 60%. Individuals held only 15% (including Sir Charles Cotton who held 10%).

It is impossible to compare acres owned before and after enclosure. Before the detailed surveys were undertaken, nobody even knew the exact area of the Parish: the Act refers to 1200 acres 'more or less', whereas it was later found to be over 1350 acres, and the claims by owners show that they were often unclear about their acreages. The preparatory survey survives in the CRO, but the reference key is lost, so that although more than 400 strips are numbered, the owners are not identifiable. In only a very few cases, based on other sources, has it been possible to identify the owners. Then, tithe owners were compensated by allocations of land where they had owned none before. The Bishop of Ely alone acquired 165 acres, and he and the other six with tithe entitlements acquired over 20% of the entire acreage. In working out the new allotments, other factors were taken into account, particularly land quality, proximity and accessibility. In the exchange between St John's and Merton location counted for much more than acreage, Merton acquiring 14 acres in the middle distance of the Parish in exchange for under two acres of land immediately abutting St John's gardens.

When one looks at the Table in relation to Figure 1, several things stand out. Firstly, the colleges got all land immediately adjacent to the Backs (as the University Syndicate had requested) and (also as requested) their allotments generally extended westwards – in the case of St John's to the Cotton boundary. Secondly, land along the outer boundaries of the parish was often assigned to parties owning substantial holdings on the other side of the boundary, for example the large allotment to Sir Charles Cotton adjacent

to Girton and Madingley, and the largest allotment to Benet College, near its holdings across Barton Road in Grantchester. A smaller example is a 5-acre allotment to King's College, abutting lands allocated to it during enclosure of Coton, while two little allotments were made to St Catharine's on the southern border of St Giles: the boundary there had two small excrescences, and the award of these to St Catharine's, with land on the Grantchester side, enabled the college to straighten the borders of its plot.

The Bishop of Ely got two large allotments in the central area, each with access to a main road, while sizable allotments went to other former tithe owners, namely Jesus College and the incumbents of three churches (St Giles, St Botolph and Holy Sepulchre). Land in Newnham, an area of ancient settlement, was particularly sought-after and shows a complicated mix of recipients and plot shapes – eg the allotments to Richard Comings (above). It may seem surprising that St John's received 26 separate allotments, but 11 of these were old enclosures, while 6 were exchanges to consolidate its main holdings. Its lands were concentrated in three areas where the college had long had holdings derived from ancient benefactions to St John's Hospital: in Newnham, in the central part of the parish westward from its home grounds, and in How Field north of Madingley Road.

The attention given by the Commissioners to location in making their allotments is confirmed by Sail (also Sale or Sael) Piece, at the top of Castle Street. This curious 6-acre protrusion (into Chesterton), part of the Borough of Cambridge from before Norman times, had small old enclosures in its northwest corner but was otherwise open arable land, and was used by the Commissioners to assign small allotments (many about one-eighth of an acre) to owners or occupants of dwellings nearby in Northampton Street, Bridge Street or Pound Hill which had rights of common.

The Table groups the recipients in four categories by size of holding. Among the academic bodies, the dominance of St John's, with 30 per cent of the area, is patent. Its importance in the West Fields goes back to the 13th century, when bequests were commonly made to the Hospital of St John. When St John's College was founded in 1511, it took over the holdings of the Hospital and there were further local benefactions (Underwood 1993). The colleges held land in mortmain: they could make exchanges, but sales required special legal permission until the Universities and College Estates Act of 1858.

In the absence of written records about how Commissioners reached their decisions, we can deduce something from those locations about the pecking order of the colleges (the power of the University in relation to the colleges was at its nadir, well illustrated by what happened at enclosure). St John's, Clare and King's all received allotments on the west side of what is now Queens' Road immediately opposite their existing gardens or meadows. Gonville and Caius, having in the 16th century acquired Mortimer's Manor, already owned a long strip of old enclosures on the west side of the road, and was assigned further

land immediately behind it and to the south. Trinity (no surprise) did well. It had next to no entitlement in the West Fields, but wished to have a convenient Fellows' Garden. The Syndicate had asked that the land to be allotted to the University be "behind Trinity College", the Commissioners obliged, and well before the process of enclosure had been formally completed, the University leased its entire allotment of 5½ acres to Trinity (who bought it in 1872).

Others did less well. Trinity Hall received no land immediately across the river but a 7-acre allotment out on the Huntingdon Road. Benet College (Corpus Christi), though second largest college landowner in the West Fields, received land along Barton Road close to (but not abutting) its Grantchester lands, but otherwise only got land beyond that owned by Caius. And Catharine Hall (St Catharine's) was assigned land beyond the main allotment to King's or even further out. A puzzling example is Queens' College, whose lessee was assigned a one-acre allotment out on the Coton boundary, accessible only by footpath.

Jesus claimed some land from earlier holdings of the nunnery of St Mary and St Radegund, but these claims were apparently disallowed; its substantial allocation west of Grange Road arose from its role as co-appropriator of the parish tithes. Peterhouse was in the same situation, having acquired a small tithe right; its allotment was at the corner of Grange and Barton Roads. The principal tithe holder by far was the Bishop of Ely. The three parish churches also benefited. Of the remaining institutional landowners, only Storey's Charity, founded early in the 18th century to create and maintain almshouses, was of significance.

Only four private owners acquired holdings of more than 3 acres. This group is dominated by Admiral Sir Charles Cotton, Lord of the Manor of Madingley, who emerged with 141 acres. Second was Jacob Smith, a substantial farmer and lessee of almost all the land allotted to Clare Hall. The third, with 11 acres in Newnham, was John Kidman, an Overseer of the Parish of St Giles. The last is identified merely as 'Holden'; he (or she) owned just over 3 acres of old enclosure near Girton parish boundary and received no new allotment.

William Coe and 26 others had less than three acres apiece. Seven held old enclosures and acquired no additional land. Edward Gillam the banker had previously owned a small amount of land in the open fields and it is possible that there were others in the same situation, but the great majority only had rights of common based on their dwellings. 'About 18 freeholders were to be compensated for land, besides a few copyholders of Merton College. One small piece seems to have been deemed copyhold of Madingley, and another copyhold of one of the Grantchester manors. Then about 30 other persons received small plots in exchange for rights of common connected with tenements in St Giles's parish' (Maitland, 1898: 121). In a footnote he identifies all eight copyholders, but not the 18 freeholders compensated, which is unfortunate because I come up with no more than 8 who were unambiguously freeholders of land.

When the freeholders of dwellings with recognised rights of common are examined in detail, it emerges that many are townsmen with non-agricultural occupations. William Coe and his brother Thomas are variously described as ironmongers or tinsmiths and, according to a table found among the papers of the Commissioners, were believed to own respectively 11 and 8 houses with rights of common, but neither had owned land. Under the Award, William received almost 3 acres and his brother more than 1 acre in compensation. A directory of 1805/1807 (Holden, Vol 2) identifies Robert Gee as an attorney, Mary Knell as a broker, Richard Wallis as a grocer and Charles Worthington York as a silversmith.

In the land tax records for 1798, which show both ownership and occupancy in St Giles, we find perhaps 11 cases in which a person receiving an allotment of land under the Enclosure Award in lieu of rights of common was in 1798 both owner and occupant of the house from which that right was derived – none of them named in the previous paragraph. The evidence is not strong, the dates do not coincide, there is a handful of people who did receive allotments but whose names cannot be found in earlier land tax records, but the impression remains that the number of genuine cottagers with rights of common is small.

Judging from claims recorded, some people who believed they had rights of common did not receive land in compensation. In February 1803 the Commissioners had published an announcement to the effect that they intended ‘to allow only such Messuages and Tofts to be commonable for which the owners or occupiers thereof have exercised Rights of Commons within the last twenty years without interruption’. Their minutes show that they also disallowed some claims based on dwellings constructed too recently for traditional rights.

There were no doubt individuals (and possibly even corporate bodies) who emerged with the conviction that they had been ill done by, but the evidence is missing. Newspapers and memoirs of the period report no riots or demonstrations, and the only indication of discontent lies in the fact that the Corporation of Cambridge took overt and public exception to the selection of Truslove and Custance as Commissioners for enclosure of Barnwell Fields in 1806, on the grounds that they were ‘Agents of the large Proprietors’. But the situation in Barnwell was very different from that in St Giles: for instance, the largest proprietor in Barnwell was a private individual, Thomas Panton. In any case the Barnwell Enclosure Act went through the following year, with Truslove and Custance as Commissioners after all.

The voice of the smallholder is not heard. His displacement in the West Fields and the weakening of the original links between town and field had taken place well before Enclosure. Moreover it is doubtful whether there were many individuals for whom the abolition of common rights produced severe hardship, given that it was a time of buoyant expansion in the town, the colleges were growing and the employment opportunities outside agriculture numerous. It

may have been the least painful moment to introduce this radical change in agricultural organisation.

### The sequel

The most immediately visible change was a multitude of fences (and later hedges) between and sometimes within allotments. Systematic fencing and ditching also marked off public roads and footpaths. Hedge trees gradually developed, but in the course of the next 25 years the most notable change was the conversion of arable to pasture, particularly land close to the town in the hands of the colleges. On a map of 1831/2, which shows land-use, almost 90% of that area was under pasture, compared with perhaps 10% twenty-five years earlier. Beyond Grange Road and to the parish boundaries, the proportion of arable remained considerably higher. House construction, apart from a few isolated buildings along the major roads, was limited to the periphery, to Sail Piece and Pound Hill near the castle, and a little in Newnham.

Virtually all the town’s expansion over the next half-century, in which a number of colleges participated, took place in the Barnwell Fields (where enclosure was completed in 1811), while the west remained almost entirely agricultural. Only after 1870, with the onset of the agricultural depression and the shrinking of incomes from farm rent, were the colleges obliged to abandon the de facto policy of preserving their ‘green belt’.

### Bibliography

- Act of Parliament 42 George III, cap. 108, 1802 – Act for enclosing the Parish of St Giles, Cambridge.
- Act of Parliament 47 George III, session 2, cap 60, 1807 – Act for enclosing the Parish of St Andrew the Less or Barnwell with parts of St Andrew the Great, St Mary the Great and St Mary the Less, Cambridge.
- Allen, R 1992 *Agriculture and the Yeoman*. Oxford: Clarendon Press
- Anon 1802 ‘A Narrative of the Proceedings of the St Giles Inclosure Bill especially in regard to the Corporation of Cambridge’, London, in *Tracts Relating to Cambridge* (CUL)
- Baker, Thomas 1869 *History of the College of St John the Evangelist*. Cambridge University Press (hereafter CUP)
- Bendall, AS 1992 *Maps, Land and Society, a list with a cartobibliography of Cambridge estate maps c. 1600–1836*. CUP
- Bryan, P 1999 *Cambridge – the Shaping of the City*. Cambridge *Cambridge Chronicle and Journal*, passim
- Cambridge University, *Syndicate Minutes*, UA Min VI 1, pp 130, 131, 135
- Cambridgeshire Record Society 2002 *Cambridge 1574–1904, A Portfolio of 12 Maps Illustrating the Changing Plan of Cambridge from the 16th to the early 20th Century*
- Clark, JW & A Gray 1921 *Old Plans of Cambridge*. Cambridge: Bowes and Bowes
- Cooper, CH 1852 *Annals of Cambridge*, Vol. IV, Cambridge Corporation of Cambridge *Common Day Book 1805–1816* in CRO
- Corpus Christi College Archives *Order Book 1783–1823 Enclosure Award for the Parish of St Andrew the Less or*

- Barnwell with parts of St Andrew the Great, St Mary the Great and St Mary the Less, Cambridge 1811.* Cambs RO Q/RDz6
- Enclosure Award for the Parish of St Giles, Cambridge 1805.* Cambs RO Q/RDz4
- Enclosure Claims Book for the Parish of St Giles, Cambridge.* CUP Add.MSS 6025
- French, S 1978 *A History of Downing College.* [Cambridge]: Downing College Association.
- Gonner, ECK 1912 *Common Land and Enclosure.* London
- Gooch, Rev W 1811 *General View of the Agriculture of the County of Cambridgeshire.* London: printed for R Phillips
- Gray, A & F Brittain 1979 *A History of Jesus College, Cambridge.* 2nd ed., London: Heinemann
- Gray, JA (ed) 1977 *Newnham: Aspects of modern social history.* Cambridge: Hanwell Publications
- Gray, JM 1922 *Biographical Notes on Mayors of Cambridge.* Cambridge: Heffers
- Griffiths, RJH 2000 *Mortlock: Two Cambridge Dynasties.* Langston, Havant
- Gross, EJ 1912 'Chronicle of College Estates' in John Venn, *Bibliographical History of Gonville and Caius College, Vol IV, Part II.* CUP
- Gunning, H 1854 *Reminiscences of the University, Town and County of Cambridge from the Year 1780,* in 2 Vols. London
- Hall, C and JR Ravensdale (eds) 1976 *The West Fields of Cambridge.* Cambridge Antiquarian Records Society
- Hammond, JL & B Hammond, 1920 *The Village Labourer.* London: Longmans Green
- Hollowell, S 2000 *Enclosure Records.* Phillimore
- Howard, Sir H 1935 *The Finances of St John's College.* CUP
- Holden's Triennial Directory, 4th edition for 1805, 1806 and 1807, Vol.2
- Hulley, P 1974 *The Growth of Working Class Housing in Cambridge during the Nineteenth Century.* unpublished
- Jackson, C 1990 *A Cambridge Bicentenary: The History of a Legal Practice 1789–1989.* Bungay: Morrow.
- Jesus College Archives, *Conclusion Books COL.4*
- Jesus College Archives, 'Radebund Tithes box', 1769–1770.
- Jesus College Memorabilia 1799 *A History of the College Estates compiled by Dr [William] Pearce from the Leases, Conclusions Books, Fine Books, Surveys etc. mainly for the purpose of assessing fines.* Jesus College Archives, Est.2.14
- Journal of the House of Commons House of Lords Records Office*
- Keynes, M 1984 *A House by the River, Newnham Grange to Darwin College.* Cambridge: Darwin College
- Lobel, MD 1974 'Cambridge' in the series *Historic Towns, historical cartography.* London: Scholars Press Ltd
- Maitland, FW 1898 *Township and Borough.* CUP
- Martin, JM 1967 'The Cost of Parliamentary Enclosure in Warwickshire', in Jones, EL (ed), *Agriculture and Economic Growth in England 1650–1815.* Methuen
- Merton College Archives Register 1722–1833 MCR 1.4
- Merton College Archives Register of Leases 1796–1813 MCR 6.9
- Mingay, GE 1997 *Parliamentary Enclosure in England.* London: Longman.
- Minutes of the meetings of the Commissioners for Enclosure of the Parish of St Giles, Cambridge. CUL Add. MSS 6026
- Miscellaneous papers of the Commissioners for Enclosure of the Parish of St Giles. Cambridge. CUL Doc. 626
- Mitchell, BR and P Deane 1962 *Abstract of British Historical Statistics.* CUP
- Mitchell, E 1984 *Notes on the History of Parker's Piece.* Cambridge
- Neeson, JM 1993 *Commoners: Common Right, Enclosure and Social Change in England, 1700–1820.* CUP
- Overton, M 1996 *The Agricultural Revolution in England.* CUP
- Royal Commission on Historic Monuments 1959, *Cambridge,* 2 vols, HMSO
- Rubin, M 1987 *Charity and Community in Medieval Cambridge.* CUP
- St John's College Archives, *Conclusions Books*
- St John's College Archives, *Rental Books*
- Tate, WE 1967 *The English Village Community and the Enclosure Movements.* London: Gollancz
- Tate, WE and ME Turner 1978 *A Domesday of English Enclosure Acts and Award.* Reading
- Turner, ME 1980 *English Parliamentary Enclosure: its historical geography and economic history.* Folkestone: Dawson
- Underwood, M 1993 'The Impact of St John's College as Landowner in the West Fields of Cambridge in the Early Sixteenth Century' in Patrick Zutashi (ed) *Medieval Cambridge: Essays on the Pre-Reformation University.* Woodbridge: The Boydell Press
- Vancouver, C 1794 *A General View of the Agriculture of the County of Cambridgeshire.* London
- Victoria History of the Counties of England 1959, *Cambridgeshire Vol. 3.* Woodbridge: The Boydell Press
- Willis R & JW Clark 1886 *Architectural History of the University of Cambridge and of the Colleges of Cambridge and Eton* 4 Vols. CUP

#### Maps

- Map (undated draft made by William Collisson, Surveyor to the Commissioners of Enclosure) showing pre-enclosure boundaries of properties in the Parish of St Giles, Cambridge with later post-enclosure alterations. CRO map 124/P35
- Map 'Plan of the Parish of St Giles in the Town and County of Cambridge made on the Inclosure 1804' CRO map Q/RDc6
- Map of Property in the Parish of St Giles in Cambridge with the names of the present Occupiers 1832. CRO map 124/P36 with reference book dated 1831 P29/28/2