

Documents and letters pertaining to opposition of Bill to Enclosure of Bucklebury Common 1834

BUCKLEBURY ENCLOSURE BILL – HANSARD REPORT

HC Deb 08 May 1834 vol 23 cc748-53 748

Mr. Robert Palmer brought up the Report of the Committee on the Bucklebury Inclosure 749 Bill, and moved, that the Amendments be read a second time.

Mr. Walter - moved, that they be read a second time on that day six-months. He did not mean to say, that cases had never occurred wherein inclosures might have been beneficial; but of this he was persuaded, that if the rage for enclosures had been more tempered with discretion, the country would not at that moment have been burthened with such a mass of poor as now existed. With respect to the Bill now before the House, he had paid the greatest attention to it; and it was his duty to state, that the conviction of his mind was, that the measure was pregnant with as much mischief, and promised as little advantage to any person, as any Inclosure Bill that had ever been presented to the House. With the permission of the House, he would read a fair and impartial account of the advantages which the poor derived from their present right of commonage:—

	£	s.	d.
By Fuel	2	12	0
By keeping pigs	1	10	0
By keeping a cow, with or without a calf	2	15	0
By keeping geese, ducks, and fowls	1	0	0
By litter, such as fern, for bedding for the cow, pigs, or colt	0	5	0
	£8	2	0

He was told, that there were about 230 families interested in this common: of those, about thirty-five were freeholders, and out of that number more than twenty were opposed to the enclosure; about one-half of the remainder were said to be consenting parties, and the other half neuter. The remainder, nearly 200 families, were all opposed to the enclosure. It was probable the individuals composing the 200 families could not be fewer than 1,000 persons; most of whom were wholly dependent on their own labour, or the labour of their parents, and the benefits derived from Bucklebury Common. The injustice which would be done to the poor was thus evident. In behalf of the Bill, only one witness was called; and his evidence only went to show, that the Common, if brought into cultivation, would be worth between two and three times its present value; but there was not a tittle of evidence to show that it could ever be brought into profitable cultivation; whereas three witnesses, all 750 men of great practical experience, and two of eminent scientific knowledge in these matters, were decided as to the unredeemed mischief of the proposed measure. Mr. Francis Hawkes,

surveyor at Reading, said, that the fencing and ditching, according to the Act of Parliament, would cost 3s. or 3s. 6d. a pole. He did not think half an acre worth enclosing. The fuel was worth a shilling a-week to the cottagers. It would be very difficult to find 200 acres of the common, that would repay the expenditure of capital laid out in enclosing and draining it. "Was it his opinion, that the land to be given to the poor as compensation, would be equivalent to the benefit they now derived from the common?" Answer—"Of course not. The effect of passing this Bill, would be to make the poor pay for that fuel which they now have by right." Question—"Now, you have had a good deal of experience, is it your opinion that the parties generally will derive any benefit from this enclosure?" Answer—"With respect to the small proprietors, they would be injured very materially; but with respect to Mr. Hartley, it would be a great improvement of his property." Mr. David Stewart, a land-agent and surveyor, was asked his opinion of the enclosure. His answer was—"I think it would be in a high degree injurious to the poor, and I do not think it would be beneficial to the public, because the land is of such an inferior quality, that it is not calculated for agricultural purposes." He thought that if the Lord of the Manor intended to convert it into a park, it was a most beautiful situation; but, in such case, he might very well afford to give ample compensation. Mr. Judd, who had been overseer, estimated the value of the fuel at 1s. a-week, and the grazing of a single cow at 3l. a-year. He was asked what had been the result of a neighbouring enclosure twenty years ago; and he answered, that it had increased the poor. "What was his opinion of the probable result of an enclosure of Bucklebury?"—"I think it would increase the Poor-rates very considerably." He thought that if the common were divided into small allotments, they would be of very little value to the labourers, and not equivalent to the loss of the right of common; and that any additional labour, after two years, would be done away with. Under all these hardships to the poor, the hon. Member trusted that the House would assent to his proposition.

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Mr. Pryme seconded the Amendment.

Mr. Robert Palmer - wished to say a few words in defence of the Bill. He had no immediate interest in the Bill; it was placed in his hands in the ordinary course, to conduct through that House, and he knew nothing more on the subject than the simple facts of the case. On a former occasion he stated, that he only acted Ministerially with respect to the Bill, and that he was in no other way interested as to the result. The facts were these:—the Lord of the Manor was the proprietor of by far the greater part of the soil. The number of acres amounted to 4,050; of which the Lord of the Manor and seven other individuals assenting to the measure possessed 3,942. The remaining 108 acres belonged to different persons; among these, the number of those dissenting from the enclosure was nineteen, and the number assenting was twelve, who were owners of the common rights. A petition had been presented by 150 tenants-at-will of the Lord against the Bill; but so far from being injurious to their interests, he was of opinion it would protect them. Evidence had been offered to the Committee to

show, that the land was capable of great improvement. He admitted, that only one witness had been called to prove that the land was now in an unproductive state, and that it would be rendered highly productive by being enclosed. He also admitted, that three respectable witnesses had been called on the other side, who declared that considerable injury would be sustained by those tenants whose lands were to be enclosed. He did not think, however, that the number of witnesses on the one side and the other, should have any weight with the House, as it was in the power of either party to have called more. Under these circumstances, he trusted the House would permit the Bill to be read a second time.

Mr. Pease - said, that one of his constituents was interested in the measure, and had desired him to oppose the Bill in his behalf. He, however, felt it to be his duty to do so upon principle. He must say, that an act of greater unfairness toward the poor, in his opinion, had never been committed. They were to be deprived of their rights by the Bill, and no manner of compensation was to be afforded to them. He called upon the House, now, to protect the rights of the poor against the oppression of the great landed proprietors of Berks. He protested against the measure generally, and hoped that such at- [752](#) tempts to deprive the poor of their rights would not be countenanced by that House.

Colonel Evans - also opposed this Bill, as it was his intention to oppose several other Inclosure Bills, now in progress through the House, for the reasons stated by the hon. Member who spoke last—namely, because he considered it an infringement of the rights of the poor. The hon. member for Berkshire (Mr. Palmer) had stated, that if the land were enclosed, it would become greatly increased in value, by being rendered productive. The petitions which had been presented to that House, from all parts of the country, complaining of agricultural distress, declared that the best land in the country would scarcely pay the rent, and that, therefore, the present system of Corn-laws must be kept up. He would ask the hon. Member, how that could be reconciled with the pretext set up on the present occasion for depriving the poor of their rights—that the land would be rendered more valuable by the inclosure?

Mr. Throckmorton - having been a member of the Committee, was desirous to observe, that so far as the evidence adduced before the Committee went, there was no argument advanced that could induce him to withhold his support from the Bill.

Mr. H. B. Curteis - gave his decided opposition to the Bill upon public principle. He knew nothing of the facts of the case, but he opposed the measure generally, because he thought the rights of the poor were not sufficiently protected in any Bills of that nature which were introduced into the House. He was himself the Lord of a Manor, and he very well knew, that a universal desire prevailed with the Lords of Manors to encroach on the rights of the public, and particularly of the defenceless poor, and for this reason their conduct ought to be watched with great jealousy by that House. Another ground of objection to this Bill was, with respect to the great amount of tithe which would be received out of this land. He strongly objected to the pressing forward Bills of this nature at the present time. When it was remembered that a

great Parliamentary measure for the commutation of tithe was about to pass, it must be admitted, that the present Bill was premature.

Mr. Hughes Hughes - said, that it was never contended in the Committee, that the poorer freeholders would not be injured by the bill. The very fact that the Lord of the Manor had offered them compensation proved, that there must be some 753 injury anticipated; and one of the questions before the Committee had been, whether the compensation offered to the poor was sufficient. He admitted, that if the poor-rates of the parish were increased, the principal part of that increase would fall upon the Lord of the Manor, but that was no reason for adopting a measure which was calculated to make paupers of those who had hitherto supported themselves by their industry. Numbers of these poor persons had come to the Committee and stated that they now supported themselves by their own exertions, and were most anxious to continue to do so; they had even implored the Committee, with tears in their eyes, not to make paupers of them by this bill. They said this bill would deprive them of fuel, of pasturage for their cow or sheep, and of various other advantages they now derived from their right of common; indeed, there had been no proof offered that anybody but the lord of the manor would derive advantage from this Bill. He thought that its preamble was not proved—indeed he had divided the Committee upon it, and the report had only been agreed to by a majority of one. In conclusion, he called upon the House to withhold its consent from this Bill, which enabled the lord of the manor to add to his own park at the expense of his poorer neighbours.

Mr. Robert Palmer - in reply, repeated that he only acted ministerially on the present occasion, and regretted it became his duty to divide the House on the question.

The House divided on the Question that the Bill be read a second time: Ayes 6; Noes 38—Majority 32

1834 – Bill for Enclosure

A Bill for Enclosing the Parish of Bucklebury having been brought into the House of Commons the small Freeholders considered it their Duty to oppose the Measure being fully convinced that if the Bill were suffered to pass upwards of 170 Families consisting or more than 1,000 persons would be deprived of the privilege of cutting Furze or Fern for Fuel for themselves & litter for their cattle, and of the means of rearing their Cattle, Pigs and Poultry for Sale, for without these advantages many of them would be unable to support themselves and would be driven to seek Relief from the Poor rate to avoid absolute starvation. Considerable Expense have been necessarily incurred in opposing the progress of the Bill in the Committee and throughout the House of Commons, which the small Freeholders with their limited means are unable to meet, they feel themselves under the necessity of appealing to the kind liberality of a generous Public for assistance in this Case of Necessity and trusting their Appeal will not be deemed unworthy of consideration.

1) The list of subscribers and amounts paid and the appeal paper.

The Amount of Expenses incurred in opposing the Bill.

	£ s. d.
Fees to the House, Parliamentary Agents and Solicitors Charges & Councils Fees	126. 7. 0.
Land Surveyors	10. 0. 0.
Witnesses travelling Expenses	<u>41.10. 0.</u>
Total	177.17. 0.

Subscribers	£ s. d.		£ s. d.
John Morton	10.	Mrs. Lailey	2.
James Snell	10	John Hedges	1
Robt Tidbury	10	Thatcham Friend	1
John Hope	8	Ditto	1
George Rixon	4	"	10. 0.
John Fisher	8	"	2. 6.
Da Wheeler	5	Wm Francis Morn	1. 0.
Joseph Green	2	Richd Tuggy	2. 6.
Thomas Robbins	3	John Arnold	5.0.
Thomas Minall	3	Thos Fassott	2.
Steven Clarkson	3	Mrs Hutchins	2
Wm Green	2	Geo Markin	2. 6.
Isack Rixon	2	A Friend	2
John Adams	2	"	1
Ed Fisher	3	"	1. 0.0.
Thos Clements	2	John Drinkwater	2. 6.
John Sellwood	2	George Giles	1
Thos Giles	1.10. 0.	Richard White	5
Thos Tull	2	A Friend	1
Robt Snell	1	Wm Castle	2. 6.
Charles Allum	2	Wm --	1
Mrs. Wigmore	2	John James Pocock	1. 6.
Thos Loader	1	Greenham	
George Andrews	<u>1</u>	Ralph Head	2. 6.
	s.	A Friend	1
	88.10. 0.	Edmond Monll	5
Wheeler Daniel	10	Geo Hun	2. 6.
Miss Arnaout	2	Thos Lailey	1. 0. 0.
	<u>17. 0.</u>	R Lailey	10.
Wm May		Mrs Bidmead	
Shellsmore	<u>5</u>	Stanford	10.
	17	Wm Wigmore	2. 6.
		James Chapman	<u>2</u>
			11. 0. 6.
Total	<u>100. 7. 6.</u>		

Copy of Appeal paper.

2) Copy of letter from John Vaizey to E.E.W.Gale Esq dated 11th April 1834

**Transcription of letter from JOHN VAIZEY to E.E.W. GALE Esq –
concerning Bucklebury Commoners**

2 South Square, Grays Inn

11th April 1834

My Dear Sir

I received your letter this Morning, and I assure you the poor Bucklebury Commoners have my sincere Sympathy, and good Wishes; any friendly Suggestions of mine, or any Influence or Solicitation which might be in my power to use, either with Members of the Committee, or otherwise, they are welcome to, but I could not undertake the professional Opposition to the Bill.

With regard to the Queries about Expenses not having been employed at present, in any parliamentary Case to oppose a Bill, I am not prepared to tell you what the Fees of the House, and the probably Cost would be.

There is no Doubt if Counsel and Parliamentary Agents are employed (and which I fear would be needful to any efficient Opposition on the Merits) Money must be forthcoming and paid in these quarters.

The Prompt and spirited Efforts and Assistance of a professional Person in the Neighbourhood to collect and frame Evidence &c and otherwise to act both on the spot and in Town would most likely be wanted, and probably the Attendance of Witnesses before the Committee would be necessary.

I do not make these Remarks to discourage their attempt but rather in the way of Suggestion for your Consideration and Guidance, the Interests at stake are of Course very important to them and worth a Struggle.

Mr Walter (who I suppose is on the Committee) having access to the proper Quarter, can give you if you write to him, the Names of the Members and would perhaps give his Opinion on the general Merits of the case, and advise as to the Propriety of taking any Steps and chance of Success.

I beg my Respects to Mrs Gale jointly with yourself and Family and I am, my dear Sir,

Yours very truly

JOHN VAIZEY

To E.E.W. Gale Esq.

3) Copy of letter from E.E.Gale to John Morton April 12th 1884

**Transcription of letter from E.E.W.GALE to JOHN MORETON April 12 1834
concerning Bucklebury Commoners**

Speenhamland

April 12 / 34

Dear Moreton

Mr Budd intends to go to London on a/c of the Kingsclere Inclosure tomorrow. You will see by the Copy of Mr Vaizeys letter that he cannot attend to the Bucklebury Bill – Mr Dibley has been kind enough to copy it and has offered to go to London tomorrow night for you charging only his expenses – but if you to his going it will be without yourself and Snell to give evidence – Mr Budd has engaged Carrington J Rigby gratuitously for the Kingsclere case and you I have no doubt will share in their favour if you accede to the proposition above – at all events let me see you tomorrow some time of the day - if ever there was a work of Charity and Necessity this it – you & Snell should go to London with Mr Dibley tomorrow night if you do not mean to die Dunghill

I remain yours truly

E.E.W. GALE

P.S. I was fifty miles from hence at three o'clock this afternoon and nothing brought me home but this affair.

4) Copy of letter from John Morton to his wife Sarah: Paddington April 17th

**TRANSCRIPTION OF LETTER FROM JOHN MORTON TO HIS WIFE
dated April 17th 1834**

Paddington,
Thursday night April 17th 1834

My very dear love

I arrived safe to London on Wednesday morning, before my neighbour 2 hours & we went to Charing Cross and waited for Mr. Dibley he soon came. We waited then till he had seen Mr Walters, and unfortunately the Bill past the third time on Tuesday, before we came. It appears Mr Walters did not attend the Petition so prompt as he ought. He endeavoured to get us before the Committee today, but Mr. Baker prevented it, we have used every means today to get the Bill readmitted again, if possible tomorrow, but we are doubtful of doing it. Mr -- belonging to Gray's Farm has joined us today in our exertions to duty. We have also been to Richardson he also has not set his hand to the Enclosure Bill. It seems as if we should have kept on with him he says he should have been sure of success had he kept on, he gives encouragement still, we shall know tomorrow more about it. We have another opportunity of standing before the House of Lords but the Attorney today says we shall not stand so good a chance as before the House of Commons, if it is possible I shall come home a Saturday night for it will not come before the House of Lords before next Thursday or longer. We expected today to come before Mr. Baker but that was laid aside. I have got a Bill of the contents of the enclosure. I see it will ruin the Parish if it takes place. Tell all the People to pray earnestly to God and we will do all in our power here. I am afraid the money will not be enough. Some had better go to them that have promised to give, tho' it has not cost much yet, but we shall take every care not to involve ourselves, but our living on it lessens it delaying in Town. Be sure and take care of all the cattle. Clarkson wishes you to let his wife know he is well.

I have nothing more to add, my love to you my dear & kind affection to Thomas, and Good wishes to the Inhabitants of Bucklebury.

I remain Your affectionate

Husband

John Morton

(transcriber & owner of the original unknown)

5) Copy of letter from John Morton to his wife Sarah. May 1st 1884

**Copy of a letter written by John Morton to his wife on May 1st 1834 from
London endeavouring to save Bucklebury Common.**

My Dear Wife

I hope this will find you well. I am well and we have just ended our Contest and it have been a long conflict. It have ended without any decision on are a part we cannot quite get the Bill out nor they cannot pass it in its present form. So they have offered us a double allotment if we will accept the terms. Our Counsell advises us to compromise the matter so we are a going to consider the matter till to morrow morning what will be best. I don't think it will be any use to proceed any further but make as good a job of it as we can. We shall come home to morrow night, so no more from yours affectionally John Morton

May 1st 1834.

(Spellings and grammar as per original)

- 6) Copy of a letter from Mr Alex. Dobie to John Morton and Mr James Snell confirming that the Bill to enclose Bucklebury Common had been thrown out. 8th May 1884.

Dear Sir,

It is with much pleasure that I inform you we have this day succeeded in throwing out Mr Hartley's Bill altogether – We beat him by 38 votes to 6 on the Division – you have therefore now got justice done and the Common remains as it is – I shall send you a Newspaper by tomorrow night's Mail which will give you the speeches of the Members and the names of those who voted for you and against you which will enable you to see to whom you are indebted for this Victory.

It is probable some overture or proposals may be made to you on the part of Mr Hartley but do not enter into any without consulting some friends or myself – remember Tidbury and his Freehold –

I remain

D Sir

Yours Truly

Alex: Dobie

Palgrave Place,
Temple Bar;
London.
8th May 1834

Mr Snell or Mr Morton

7) The Reading Mercury and copied in The Times 20/05/1834

The Times, 20/05/1834

The following different statements of the merits of the Bucklebury enclosure Bill, which was lately thrown out in the House of Commons, are copied from the Reading Mercury.

One Account, (From a correspondent)

The rejection of this bill by the House of Commons has excited the surprise of most persons who are acquainted with the local circumstances of the case, and with the charitable disposition and liberal sentiments entertained by Mr Hartley, the lord of the manor. So far from the measure being "pregnant with mischief, and promising little advantage to any person" would, if carried into effect, have produced considerable benefit to the parish at large, and particularly to the industrious poor, by bring into cultivation 600 acres of land, which would have afforded the best possible relief to the poor by the constant employment of the labourers, and have contributed to the payment of the parish rates which at present amount to £1,000 for the year For several years past ,during the winter months ,there have been upon an average 30 men unemployed, or maintained by the parish, in useless labour, at an annual expense of not less than 140.L which with the rats payable in respect of the newly-enclosed lands, taken at very moderate computation for the year 1832,would affect an annual saving in the rates of 275L. The detailed account of advantages which the poor may derive from the commons, amounting to 8L 2s, is merely speculative and matter of opinion; not a single instance can be produced of any poor person in the parish ever having realized such a sum,or anything like it;and the statements "that there are about 200 families interested in the co9mmons of those about 35 were freeholders, of whom more than 20 together with 200 families ,comprising not less than 1000 persons, were opposed to the enclosure." have been introduced for the purpose of creating a strong feeling of excitement and to keep up the delusion that "the poor were to be deprived of their rights". Now , as to rights, the case stands thus:- The parish contains 4,050 acres, or thereabouts, of old enclosed lands, belonging to 30 proprietors, wherof there are 6, possessing 3,940 acres, assenting:15 possess 60 acres, dissenting; and 7, possessing 30 acres who are neuter. There are 6 or 7 other persons who claim as freeholders in respect of encroachments made within 20 years, and consequently have no legal rights; the remainder of the 200 families are occupiers only, and more than three- fourths of them tenants to Mr Hartley, and have no legal claims. Of the 15 dissentients, 12 have enjoyed common rights to a considerable extent and , as their united estates did not exceed 10 acres, it was represented in Mr Hartley that they might not derive so much benefit from the enclosure, an account of the heavy expence of the ring-fencing their small allotments, when he immediately proposed to grant from his own allotment to every proprietor in the parish whose estate and interest in the lands did not exceed 5 acres, 40 perches for every acre (being double the quantity which, according to the opinion of Mr Hawkes, their own surveyor, they would be entitled to under the act),to enclose their several allotments at his own expense, and to pay all

commissioners' rates and other charges to which they might be liable under the Enclosure Act. This liberal offer was rejected, and the unfounded and delusive clamour "for the protection of the rights of the poor against oppression of the great landed proprietors of Berks" unfortunately prevailed, and the bill was lost: the consequences will be very injurious to the parish. The poor will be deprived of the benefit of the advice and assistance of Mr Hartley as a resident among them, which in the winter season must be severely felt; his numerous cottage tenants will be deprived of small allotments of land near their house., which it was his avowed intention to grant (although not entitled to claim) for the purpose of bettering.

(This is all that has been photocopied)

Commoners' Rights

Bucklebury Common and Commoners' Rights

Bucklebury parish is large, covering 6,000 acres. The area of the common is about 600 acres, making it one of the biggest commons in SE England. It mostly runs along a gravelly ridge between the Pang and Kennet river valleys about 400 ft. The top is gravel and lower down is heavy clay made wetter by the free draining soil above, so it is not useful for growing crops and has remained like many similar local hills, throughout historic times, as waste or woodland.

The transition from the open field to the enclosed system of farming was at Bucklebury, a very gradual process. Well into the 19thC many farms had part of their arable land in open fields. Throughout the 18th and the first half of the 19th C, the impression given in the Court records is of a rather large number of small cultivators to whom the resources of the common were of considerable importance and interest.

(A Berkshire Common 1564-1880).

The common was managed until 1927 by The Court Leet and Court Baron. The court, headed by the Lord of the Manor's steward, appointed Tythingmen and jurymen. Fines for encroachments and releasing unauthorised animals was levied. The estate has had a Court Baron over many years. The court has not met since 1969. (They met at the Blade Bone Public House.) In 1929 a scheme of management was entered into by Bucklebury Estate and Bradfield Rural District Council. By-Laws were introduced. The Court Leet and Court Baron ceased to function although it has been preserved under the 1977 Justice Act.

Commoners' Rights.

Commoners' Rights attach to particular households not people. There are approximately 130 houses in Bucklebury that have commoners rights. The majority of commoner's rights are in respect of "hedgebot" or "firebot" (the right of picking up fallen dead wood from the common for the mending of fences and for fire. Chainsaws are not permitted and all timber remains the property of the estate. Approximately 20 households have grazing rights" but these are generally not exercised because the common is no longer fenced or gated.

West Berkshire Council superseded Bradfield RDC in 1972, and became responsible for way marking public rights of way, maintaining the commoners' rights register, collecting rubbish and assisting with vegetation clearing. They also maintain car parks and public access.

In 2014 BBOWT (Berkshire, Buckinghamshire and Oxfordshire Wildlife Trust) took over responsibility for the commons of West Berkshire, including some responsibility for Bucklebury Common.

The parish council has no jurisdiction over the common but for many years has organised a twice yearly, March and October, common clearance. WBC provides litter pickers, gloves and refuse bags. A large scale map of the parish is laid out on a table in front of the Memorial Hall and the clerk suggests where parishioners should go to collect rubbish, which is put into skips provided by WBC. BPC provide tea and cakes at the Memorial Hall when people return. It is a popular afternoon and a great deal of rubbish is collected. In recent years Rupert Hartley Russell and others have driven round with trailers, collecting large items of rubbish and the heavy sacks left by the collectors at the side of the road.

Today the Commons Advisory Committee meets twice a year, in the old kitchen at Bucklebury House. It is chaired by the local district councillor and made up of representatives of the estate, WBC BBOWT, commoners, local residents and 2 representatives of BPC.

(Bucklebury Estate 2011. Additional information W.F).

Common Rights in the Parish of Bucklebury.

Throughout much of midland and southern England, while the open field system lasted, grazing tended to be in short supply. Customs for its fair allocation had been established early, often as early as Doomsday .Of course the waste and common pastures were not the only grazing. As in much of Europe there was the aftermath of hay making, stubbles, fallow fields, orchards, waysides etc. But the waste must have been depended upon for grass in May, June and July as well as the rest of the year.

Common of Pasture.

The right to turn out stock to graze - Horses, cattle or sheep: Pig's goats, ducks and hens were all commonable. The number of horses, cattle and sheep were limited to the number which, in winter could be maintained on the stored produce of the holding. There was also a fixed limit or stint. In Bucklebury at one time, this is given as 50 sheep per tenant. In 1708 there were 70 tenants on the manor roll so the possible head of stock was large. This did not apply to other livestock.

Any freeholder, or tenant of a freeholder or of the manor, appears to have had this right provided the holding lay within the parish of Bucklebury. From time to time the Court Leet made several regulations restricting grazing in various ways in the general interest of the commoners and the manor.

Surplus animals were sold in local markets (Newbury)

Common of Estover

The right to cut or take wood for firing or the repair of or repair of building or fences, heather and bracken for litter (animal bedding) furze (or gorse) for domestic use only and not to be used for the use of a kiln or brewing or baking

The undergrowth could not be sold nor taken out of the parish. A tenant could have as much gorse as he could carry but by 1852 there was too much because not many people were interested in gorse as fuel. Cheaper coal brought first by canal and later by train had had a big impact.

Commoners could lop or top timber trees cut by the Lord of the Manor who owned the timber, and to lop all pollards that were usually lopped. The Court Leet evidently made regulations limiting the size of undergrowth which could be cut with the object, no doubt, of keeping the common open for grazing, without destroying timber trees and timber saplings. It was the custom for tenants of the manor to be allowed estovers, and when the Manor sold its property the new freeholders usually inherited these rights. Bracken and furze, dead or fallen wood, and the lop and the top of all timber led at the order of the Lord of the Manor, were allowed to be used by the parishioners.

(There are still a number of old coppiced trees to be seen in the parish, oak, sweet chestnut, beech and hazel.)

Common of Piscary.

The right to take fish from ponds and streams - There are no streams with fish in them but it is said that a right exists for commoners to take fish from the fish ponds. No reference has been made to this in the Court Rolls. Nothing is known, but presumably fish were for the use of those who caught them. (The fish ponds were created by the monks when monks of Reading Abbey resided here. They are now fished by Thatcham Fishing club)

Common of the Soil.

The Rolls and certain deeds of conveyance show that a **right of commoners to take gravel for personal use on the paths within, and leading to, his holding existing anciently**. The Court Leet prescribed where it was to be dug. It was not for sale

The existence of this right was denied by the ward at a court held in the year 1928, but at that time it was declared that it had in fact been enjoyed by one commoner for at least a period of more than 40 years. It is also a custom for water for drinking and for cattle etc. to be drawn from certain springs and ponds on the common, by the commoners. Apart from gravel and spring water, the evidence of the Court Rolls upholds the general principle that the Lord of the Manor is the owner of the Soil of the common. The Rolls and certain deeds of conveyance show that a right of

commoners is to take water from the springs providing it was for his house and beasts. (*The well in the Slade*)

Common of Turbary.

The right to dig turf or peat for fuel or for use in the Commoners' house - This right although widespread on moorland commons does not seem to have existed in Bucklebury.

Mr Humphrey Baker, MA Consultant to the Commons Preservation Soc. and considered a leading authority on the subject of common rights, in his pamphlet "commons, their nature, Function and Preservation) 1952 describes the nature of Rights of Common in general as they exist in this country. By applying these special customs of the Manor of Bucklebury as revealed, in the Rolls of the Court Leet it is possible to set down the Common Rights, of Bucklebury Commons as follows.

Author unknown.

Ferning (bracken)

"Ferning" was the cutting of bracken on the common. Old common law stated that it should not be cut until 1st September. Each householder staked out their patch. The bracken was left to dry before being carted home. It was made into ricks which were then thatched with rushes cut from the bogs. The bracken was used for animal bedding in the winter. It was also used to make pig sties Fern bushes were woven between stakes to form the walls and again thatched with rushes.

Harry Copas Oct 1992. Bucklebury of Yesteryear. Bucklebury Parish magazine.

Shelia Kent oral history.

Bowl Turning.

This was another trade carried out on the common. Bowls were turned from elm on a foot peddled lath. The last bowl turner was called George Lailey and his lath and tools are in MERL. Reading. They made all their own tools and worked in huts. The bowls were sold.

(After the second World war the bowls became famous and people came to Bucklebury to buy them, often cycling and visiting the tea shops at the Blade Bone. The bowls were sold in Harrods, London). (*Family reminiscences, Wynne Frankum*)

Strepping

After the oak tree had been felled in the autumn, the boughs were cut off and then all the bark removed. It was taken to the tannery in Stanford Dingley (Harry Copas)

Acorning.

In the autumn acorns for pigs could be gathered up but not beaten or shaken down. The children collected the acorns to feed the pigs (Bucklebury school log book (1874-1909.)

So the commoners relied heavily on the resources of the common and it was for this reason that John Morton and others went to such lengths to save it.

Wynne Frankum 30/01/18