

[3] AN APPEAL TO THE HOUSE OF COMMONS,

Desiring their Answer; Whether the Common-  
People shall have the quiet enjoyment of the Com-  
mons and Waste Lands: Or whether they shall be  
under the will of Lords of Mannors still

SIRS,

THE cause of this our Presentment before you, is, An Appeal to you, desiring you to demonstrate to us, and the whole Land, the equity, or not equity, of our cause; And that you would either cast us by just reason under the feet of those we call Task-Masters, or Lords of Mannors, or else to deliver us out of their Tyrannical hands: In whose hands, by way of Arrest, we are for the present, for a Trespass to them, as they say, In digging upon the Common-Land. The settling whereof, according to Equity and Reason, wil quiet the mindes of the oppressed people; it will be a keeping of our Nationall [4] Covenant; it will be peace to your selves, and make *England* the most flourishing, and strongest Land in the world; and the first of Nations that shall begin to give up their Crown and Scepter, their Dominion and Government into the hands of Jesus Christ.

The cause is this, we, amongst others of the common people, that have been ever friends to the Parliament, as we are assured our enemies wil witness to it, have plowed and dig'd upon *Georges-Hill* in *Surrey*, to sow corn for the succour of man, offering no offence to any, but do carry our selves in love and peace towards all, having no intent to meddle with any mans inclosures, or propriety, til it be freely given to us by themselves, but only to improve the Commons and waste Lands to our best advantage, for the relief of our selves and others, being moved thereunto by the Reason hereafter following,

not expecting any to be much offended, in regard the cause is so just and upright.

Yet notwithstanding, there be three men<sup>1</sup> (called by the people *Lords of Manors*) viz. *Thomas Lord Wenman*, *Ralph Verny* Knight, and *Richard Winwood* Esquire, have arrested us<sup>2</sup> for a trespass in digging upon the Commons, and upon the Arrest we made our appearance in *Kingstone* Court<sup>3</sup>, where we understood we were arrested for meddling with other mens Rights; and secondly, they were encouraged to arrest us upon your Act of Parliament (as they tell us) to maintain the old Laws<sup>4</sup>; we desired to plead our own cause, the Court denied us and to fee a Lawyer we cannot, for divers reasons, as we may shew hereafter.

Now Sirs, our case is this, for we appeal to you, for you are the only men that we are to deal withall in this business; Whether the common people, after all their taxes, free-quarter, and loss of blood to recover *England* from under the *Norman* yoaik, shal have the freedom to improve the Comons, and waste Lands free to themselves, as freely their own, as the Inclosures are the propriety of the elder brothers? Or whether the Lords of Manors shall have them, according to their old Custom from the Kings Will and Grant, and so remain [5] Task-Masters still over us, which was the peoples slavery under Conquest.

We have made our appeal to you, to settle this matter in the Equity and Reason of it, and to pass the sentence of freedom to us, you being the men with whom we have to do in this business, in whose hands there is power to settle it, for no Court can end this controversie but your Court of Parliament, as the case of this Nation now stands.

Therefore we intreat you to read over this following Declaration, wherein we have declared our Reason, that the Commons and waste

<sup>1</sup> The property belonged to Francis Drake of Walton-upon-Thames. See the fuller account of the matter in *A Watch-word to the City of London*, below, p. 319, n. 5. See the account of this trial in the Introduction, pp. 17 f.

<sup>2</sup> The names on the title page are Winstanley, John Barker, and Thomas Star. In *A Watch-word to the City of London* the name of Henry Bickerstaffe appears in place of John Barker's.

<sup>3</sup> See below, p. 319, n. 4.

<sup>4</sup> On February 17, 1649, Parliament passed two acts authorizing justices of the peace and other officers of courts to continue until new commissions were issued, and permitting actions, etc., in the name of the Keepers of the Liberty of England, in place of the King.

lands is the common peoples, and that in equity you ought to let them quietly enjoy them, as the elder brothers quietly enjoy their inclosures. The profit of this business to the Nation, the quietting of the hearts of the poor oppressed that are groaning under burthens and straights, and the peace of your own hearts, to see the peace of the Nation settled in his plat-form, will much countervail the spending of so much time.

Sirs, you know, that the Land of *England* is the land of our Nativity, both yours and ours, and all of us by the righteous Law of our Creation, ought to have food and rayment freely by our righteous labouring of the earth, without working for hire, or paying rent one to another.

But since the fall of man from that righteous Law, The Nations of the world have rise up in variance one against another, and fought against, murdered, and stoln the land of their Nativity one from another, and by their power of their conquests, have stil set up some to rule in tyranny over others, and thereby have enslaved the conquered, which is a burden the whole Creation hath, and yet does groane under. The teeth of all Nations hath been set on edge by this sour grape, the covetous murdering sword.

*England*, you know, hath been conquered and enslaved divers times, and the best Laws that *England* hath, (viz. *Magna Charta*) were got by our Forefathers importunate petitioning unto the Kings, that stil were their Task-masters; and yet these best laws are yoaiks and manicles, tying one sort of [6] people to be slaves to another; Clergy and Gentry have got their freedom, but the common people stil are, and have been left servants to work for them, like the *Israelites* under the *Egyptian* Task-masters.

The last enslaving yoaik that *England* groaned under, (and yet is not freed from) was the *Norman*, as you know; and since *William* the Conqueror came in, about six hundred years ago, all the Kings that stil succeeded, did confirm the old laws, or else make new ones, to uphold that *Norman* conquest over us; and the most favouring laws that we have, doth stil binde the hands of the enslaved *English* from enjoying the freedom of their creation.

You of the Gentry, as wel as we of the Comonalty, all groaned under the burden of the bad Government, and burdening laws under the late King *Charls*, who was the last successor of *William* the Con-

queror: you and we cried for a Parliament, and a Parliament was called, and wars, you know, presently begun, between the King, that represented *William* the Conqueror, and the body of the *English* people that were enslaved.

We looked upon you to be our chief Council, to agitate business for us, though you were summoned by the Kings Writ, and chosen by the Free holders, that are the successors of *William* the Conquerors souldiers; you saw the danger so great, that without a war *England* was like to be more enslaved, therefore you called upon us to assist you with plate, taxes, freequarter, and our persons; and you promised us, in the name of the Almighty, to make us a free people; thereupon you and we took the National Covenant with joynt consent, to endeavour the freedom, peace and safety of the people of *England*.

And you and we joynd purse and person together in this common cause; and *Wil.* the Conquerors successor, which was *Charls*, was cast out; and thereby we have recovered our selves from under that *Norman* yoak; and now unless you and we be meerly besotted with covetousness, pride, and slavish fear of men, it is, and will be our wisdom to cast out all those [7] enslaving laws, which was the Tyrannical power that the Kings prest us down by: O shut not your eyes against the light, darken not knowledg, by dispute about particular mens priviledges, when universal freedom is brought to be tried before you, dispute no further when truth appears, but be silent, and practise it.

Stop not your ears against the secret mourning of the oppressed, under these expressions, lest the Lord see it, and be offended, and shut his ears against your cries, and work a deliverance for his waiting people some other way then by you.

The maine thing that you should look upon is the Land, which calls upon her children to be freed from the entanglement of the *Norman* Task-masters, for one third part lies waste and barren, and her children starve for want, in regard the Lords of Manors will not suffer the poor to manure it.

When *William* the Conqueror came in, he took the land from the *English*, both the Enclosures from the Gentry, and the Commons and waste lands from the common people, and gave our land to his *Norman* souldiers.

Therefore seeing we have with joynt consent of purse and person conquered his successor, *Charls*, and the power now is in your hand,

the Nations Representative; O let the first thing you do, be this, to set the land free. Let the Gentry have their inclosures free from all *Norman* enslaving intanglements whatsoever, and let the common people have their Commons and waste lands set free to them, from all *Norman* enslaving Lords of Mannors, that so both elder and younger brother, as we spring successively one from another, may live free and quiet one by, and with another, not burthening one another in this land of our Nativity.

And this thing you are bound to see done, or at least to endeavor it, before another Representative succeed you; otherwise you cannot discharge your trust to God and man, for these Reasons,

First, if you free not the Land from entanglement of all [8] *Norman* yoaks, or rather bondages, so that the people, one as well as another may enjoy the benefit of their creation, that is, to have the land free to work upon, that they may eate their bread in righteousness; that is to say, let the Freeholders have their freedom to work quietly in their Inclosures, and let the common people have their Commons and waste lands quiet to themselves. If you establish not this, seeing power now is in your hand, you will be the first that break Covenant with Almighty God.

For you swore in your National Covenant to endeavour a Reformation according to the Word of God, which Reformation is to restore us to that Primative freedom in the earth, in which the earth was first made and given to the sons of men, and that is to be a common treasury of livelihood to all, without working for hire, or paying rent to any, for this is the Reformation according to the Word of God before the fall of man, in which there is no respect of persons.

And seeing in particular you swore to endeavour the freedom, peace and safety of this people of *England*, shutting out no sort from freedom; therefore you cannot say that the Gentry and Clergy were only comprehended, but without exception, all sorts of people in the land are to have freedom, seeing all sorts have assisted you in person and purse, and the common people more especially, seeing their estates were weakest, and their misery in the wars the greatest.

Therefore let the Gentry and Freeholders have their inclosures freed from all entanglements of Fines, Heriots, and other burdens, and let the common people have their Commons and waste lands freed from entanglements of the *Norman* Lords of Mannors, and

pluck up all *Norman* Tyranny by the roots, and so keep your Covenant, that you, and all sorts of people may live in peace one among another.

Secondly, if this freedom be not granted quietly, you will pull the blood and cries of the poor oppressed upon your heads; First, because you have taken their money in taxes, and freequarter from them, whereby they are made worse able to live then before the wars. Secondly, because in your low [9] estate, when you called upon us to come and help a bleeding dying Nation, and we did come with purse and person, and under-went great hardship, and you stil promised us freedom in the end, if in case you and we prevailed over the *Norman* successor, and we have prevailed.

And if now, while the price is in your hand, you should stil leave us under the *Norman* Lords of Manors, and will not quietly suffer us to plant our selves upon the Commons, and waste land, which is ours by the law of our Creation, and which is ours now by conquest from under our oppressor, for which we have paid taxes, given free-quarter, and adventured our lives; the Common-land now is as freely the common peoples, as you can say the Inclosures are your propriety.

If you deny this freedom, then you justly pull the blood and cries of the poor oppressed upon you, and are Covenant-breakers, and will be proved double hypocrites; First, to Almighty God, in breaking Covenant with him, for in his Name you made the Covenant. Secondly, to men, in breaking Covenant with them, for the matter of the Covenant was the freedom, peace, and safety of the people of *England*, taking in all sorts of people.

Thirdly, if you do not set us free from the *Norman* yoake, now after you have taken our Taxes and Free-quarter from us, whereby we have dearly bought our Freedom, and you thereupon promised freedom, and you have power now to give it, for if you speak the word the *Norman* yoaks will be broke, and all sorts will rejoyce in freedom and righteousness; but if you will not, you give a just occasion to the common people of *England*, never to trust the fair words of a Parliament any more, as you were alwayes very slow in trusting the King, when he swore by the word of a King, because you found that subtilty and Self lay under, and no reality.

And truly the hearts of people are much falling from you, for your breach of Promises when you have power to keep them, and for your

neglect of giving them their freedom, and removing burthens; and what danger may ensue by that to [10] your selves, and the Nations, you know how to judg; and for our parts we are sorry to hear the muttering of the people against you.

O that there were a heart in you to consider of these things, and act righteousness, how sweetly might you and the people live together: If you grant this freedom we speak of, you gain the hearts of the Nation; if you neglect this, you will fall as fast in their affections as ever you rise: I speak what I see, and do you observe; slight not that love that speaks feelingly, from the sence of the Nations burdens.

Fourthly, If still you should establish the old *Norman* laws, and confirm Lords of Manors in their ancient Custom, and oppressing power over the Common-people, you would now at length, after the wars with King *Charls* are over, take part with such (as is known very well) as have been either flat enemies, or ambidexters all along the wars, and will cast such as have been your true friends, at the feet of the Nations enemies, to be still oppressed by their cruelty. Surely if these Lords and Free-holders have their Inclosures established to them in peace, is not that freedom enough? Must they needs have the Common-land likewise? As *Ahab*, that was restlesse till he had *Naboths* Vineyard, and so in the midst of their abundance, yet will eat the bread out of the poores mouthes. O, the land mourns in her children, under the hard hearted covetousnesse of these men.

Fifthly, If you establish the old *Norman* laws, That Lords of Manors shall still have the Commons and waste lands, then you are the maintainers of the old *Norman* Murder and Theft still; for Lords of Manors came to be Tyrants over the poor enslaved English, by the Murder and Theft of *William* the Conquerour, and downwards to this day they have held title to their Royalties therefrom, and from the will of the King; for when he had conquered, he turned the English out, and gave their land to his *Norman* souldiers.

Sixthly, If you establish the old *Norman* laws, and this especially, That the Lords of Manors shall still be Lords of the [11] Common land, and the Common people be still enslaved to them, then you pull the guilt of King *Charles* his blood upon your own heads; for then it will appear to the view of all men, That you cut off the Kings head, that you might establish your selves in his Chair of Government, and that your aym was not to throw down Tyranny, but the Tyrant.

But alas, the Kings blood was not our burthen, it was those oppressing *Norman* laws, whereby he enslaved us, that we groaned under.

Let it not be said in the ears of posterity, That the Gentry of England assembled in Parliament, proved Covenant-breakers, Oaths, Protestations, and promise-breakers to God, and the Common people, after their own turn was served; and killed the King for his power and government, as a thief kills a true man for his money. I do not say you have done so, but for shame dally no longer, but cut off the bad laws, with the Kings head, and let the poor oppressed go free, as well as the Gentry and Clergy, and you will finde more peace. Let the Common land be set free, break the *Norman* yোক of Lords of Manors, and pull not the cryes and blood of the poor oppressed upon you.

Seventhly, Know this, That if ever you, or any Parliament of England, do England good, you must make all your laws in the light of equity and reason, respecting the freedom of all sorts of people; but if you respect some sort of people, to wit, the Gentry, and Clergy, and give freedom to them; for they, by vertue of your Act of Parliament, establishing the old *Norman* laws, do arrest and trouble me and others, for digging upon the Commons, whereas by vertue of the Victory over the King, in regard I have of my estate given free quarter and taxes for Englands liberty, as they have done, I have as much right to the Common land as they; therefore I say, if the Gentry and Clergy must have their *Norman* power established to them, and the Common people, that are more considerable for number and necessities, be left still under the yোক, you will be proved the foolish builders.

Surely if you found out the Court of Wards<sup>5</sup> to be a burden, [12] and freed Lords of Mannors, and Gentry from paying Fines to the King; and freed their children from the slavery of falling Ward; Let the common People be set free too from paying homage to Lords of Manors; and let all sorts have freedome by vertue of this Conquest over the *Norman* successor. And seeing you took away the will of the King from enslaving Lords of Mannors, Take away the will of Lords of Mannors from enslaving the Common People.

Thus sirs, we have made our Appeal to you, as the only men that must, and can give sentence of freedome in this controversie, and that you will not leave us in the cruell hands of Lords of Mannors, the

<sup>5</sup> The Court of Wards and Liveries had been abolished on February 24, 1646.

successors of the *Norman* Task-masters; For there are but three wayes that Lords of Manors can lay claime to the Common land, and yet all three are too weak to build a just title upon:

First, if they can prove, that the Earth was made by Almighty God peculiarly for them, and not for others equall with them; then we have trespassed in digging upon their rights; but the Earth was made as free for us as for them; therefore they have trespassed against us their fellow-creatures, in troubling us by their tyrannicall Arrest, and hindering us from our righteous labor.

Secondly, if they say, that others sold or gave them the title to the Commons, by way of Inheritance; They are to prove by what Authority any other had from the pure Law of our Creation, to give away or sell the Earth from the use of any of their fellow creatures, it being the common storehouse of livelihood for all, without respect of persons.

He that sels the Earth, and he that buyes, doth remove the land mark from the third person, because the land that is bought and sold, belongs to the third man, as well as to the other two that buys and sels; and they two persons that buys and sels, and leaves the land that is bought for an inheritance to their children, excluding others, they murder the third man, because they steal away his livelihood from him; for after a man hath bought the land, and paid money for it to another, [13] he saith, this is my land, I have paid for it; But the third man comes in, and saith, the land is mine, equall with you by the law of Creation; And so he that is the buyer, he begins to draw his sword, and to fight; and if he conquer, he rejoyces, and sayes, the land is now mine indeed, I have bought, and I have conquered. But thou covetous person, so long as there is another man in the world besides thee, and him whom thou hast killed, the Earth belongs to him as well as to thee; And this is the case of the Nations of the world, and thus propriety came in, and hath been left as an Inheritance to Children; which is the burden the Creation groans under.

Here we see who are thieves and murderers; even the buyers and sellers of land, with her fruits, these are they that take away another mans right from him; and that overthrowes righteous propriety, to uphold particular propriety, which covetousnes the God of this world hath set up.

But thirdly, if Lords of Manors say, as it is truth, that they hold title to the Commons by custome, from the Kings will, as they do,

this is as bad as the other; for we know the King came in by conquest, and gave the land to these forefathers, to be task-masters over the conquered *English*. But if you say, that these later Kings were chosen by the people, it is possible it might be so, but surely it was when his greatness over-awed them, or else they would never have chosen him to enslave them, and to set task-masters over them.

But seeing the Common People have joyned person and purse with you, to recover your selves from under the tyranny of Kings, and have prevailed; the Common people now have more truer title to the common lands, then the Lords of Manors, for they held title by Conquest and sword of the King (we now the common people have recovered the land again by conquest and sword in casting out the King) so that the title of Lords of Manors is broke.

[14] Therefore now the Common people have more true title to the Common land, then Lords of Manors have, in regard they have recovered themselves out of slavery by taxes, free quarter, and conquest, yet we shut them not out, but let them take part with us as fellow creatures, and we with them, and so honour our Creator in the work of his own hands.

Thus we have declared our Cause without flattery to you; if you leave us in the hands of oppression, and under the power of the old tyrannicall laws, know this, that we suffer in pursute of our Nationall Covenant, endeavouring a Reformation in our place and calling, according to the word of God, and you shall be left without excuse.

*Set the Land free from Oppression, And righteousnesse will be the Laws, Government, and strength of that People.*

[15] THESE ARE SOME OF THE NORMAN  
LAWS WHICH WILLIAM THE CON-  
QUEROR BROUGHT INTO ENGLAND

FIRST, he turned the *English* out of their Lands, and placed his *Norman* Souldiers therein, and made those that had the greatest portion, Lords, and Barons, and gave them a Royalty to the Commons, to hold from his Will, as a custome, whereby the common people should not plant themselves any where in the Land, upon any Common-land, but some Lord of Manor or other should know of it, and hinder them, as these three that have arrested us, *viz. Wenman, Verny, and Winwood*, Lord, Knight, and Esquire, the three Estates of the *Norman* Gentry, will not suffer us to dig quietly upon *Georges Hill*, but seek to drive us off, having no more claim thereunto but an ancient Custom, which they hold from the Kings Will, whereby they have, and stil would tyrannize over the people: And this is the rise and standing of Lords of Manors.

[19; i. e., 16] Secondly, another *Norman* Law is this, *William* the Conqueror caused the Laws to be written in the *Norman* and *French* tongue, and then appointed his own *Norman* people to expound and interpret those Laws, and appointed the *English* people to pay them a Fee for their paines, and from hence came in the trade of Lawyers; he commanded likewise that no man should plead his own cause, but those Lawyers should do it for them.

Thirdly, *William* the Conqueror broke that good and quiet course of ending controversies in a neighbourhood, and commanded the people to come up to *Westminster* to the four Terms every year to have their Causes tried.

Fourthly, *William* the Conqueror brought in the paying of Tithes

to the Clergy, in thankfulness to the Pope, and Clergies good services in preaching for him, and so to perswade the people to embrace him.

These are some of the *Norman* Laws and Burthens, which if removed, it would be much ease and quiet to this Nation.

*FINIS.*