The provision of housing and power relations in rural England, 1834-1914

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Abstract

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by Martin Ayres

The aim of this thesis is to analyse the impact of the ownership and management of housing on the experience of power relations in Victorian and Edwardian rural society. While the existing historiography focuses on the physical quality of the housing stock this thesis explores the part that control over housing played in social relationships, including those between cottage owners and their tenants, landowners and smaller proprietors, and farmers and their labourers. These issues are examined at a local level through a study of the contrasting counties of Dorset and Leicestershire. The former is a predominantly agricultural county in southern England that was dominated by large landed estates, while the latter is a semi-industrialised county of the East Midlands. An extensive range of primary source material has been examined to explore four key aspects of this subject. The first is the pattern of house ownership, which is discussed through a quantitative analysis of valuation list material to draw out spatial contrasts and changes over time. This data is also used to scrutinise the open and close parish model of rural society. Secondly, the importance of the survival of archaic cottage tenures for the 'independence' of cottage tenants is assessed, along with their impact on the power of the landed classes. The third aspect is the provision and management of estate housing, including an evaluation of the extent to which this can be interpreted as a reflection of landlord paternalism. Finally, an analysis is made of the supply of housing by local government in order to examine the relationships between local elites and the poor, and between central and local government. Overall, therefore, this thesis highlights the need to integrate the study of the ownership and management of housing into the wider history of social relations in the English countryside.

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Abbreviations

AHEW	*The Agrarian History of England and Wales*
DCRL	Dorset County Reference Library
DCRO	Dorset County Record Office
EcHR	*Economic History Review*
JRASE	*Journal of the Royal Agricultural Society of England*
LGB	Local Government Board
LUC	*Labourers Union Chronicle*
NA	National Archives (formerly Public Record Office)
PDNHAS	*Proceedings of the Dorset Natural History and Archaeological Society*
PLB	Poor Law Board
PLC	Poor Law Commissioners
RDC	Rural District Council
ROLLR	Record Office for Leicestershire, Leicester and Rutland
SC	Select Committee

Chapter One

Introduction: Housing and power relations in the nineteenth-century countryside

It is striking that most historical studies of housing have focussed on the slums that were generated in Britain's transition to an urban and industrial nation. Indeed, some historians have argued that 'there was no real public health problem in pre-industrial England'.[1] Such statements chime with the idyllic image that is popularly associated with life in the English countryside. The widely reproduced paintings of Helen Allingham, created at the turn of the twentieth century, illustrate picturesque thatched cottages set in a beautiful countryside. When a collection of Allingham's paintings was published in 1909 an accompanying text argued that country cottages, with 'blue smoke curling against the green, and a bower of roses round the door' represented 'the typical English home', only found if you were prepared to 'leave the cities behind you'.[2] At a time of concern over national efficiency the country cottage became symbolic of a robust Englishness, uncorrupted by the grime and squalor of the city. Remarkably, as Karen Sayer has recently argued, the country cottage remains 'a marker for the differences we place between urban and rural' and in its idealised form is part of 'the myth we buy to escape the city'.[3] Indeed, the place of the cottage within the rural idyll is not only based on an association between rural life and physical well-being, but also because it is part of a broader imagery of rural 'harmony and consensus'.[4] As Raymond Williams remarked, 'The emphases on obligation, on charity, on the open door to the needy neighbour', associated with the countryside, are often contrasted 'with the capitalist thrust' of the city.[5] Under this framework urban slums were not only the result of demographic pressures, but also represented new economic and social relations brought about by urbanisation. It is, therefore, unsurprising that most historians of housing have focussed on the urban environment and that most rural historians have not prioritised the study of housing.

It would, of course, be wrong to suggest that historians have completely neglected the study of rural housing, or wholly accepted the accuracy of the idyllic image of country cottages. In 1969 John Woodforde published *The Truth About Cottages* that gave details of the low quality of much of the rural housing stock through history, drawing on evidence

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NB. The place of publication is London unless stated otherwise.

[1] D. Fraser, *The Evolution of the British Welfare State* (1973; 1984 ed.), p. 56.

[2] H. Allingham and S. Dick, *The Cottage Homes of England* (1909; 1984 ed.), pp. 7-8.

[3] K. Sayer, *Country Cottages: a Cultural History* (Manchester, 2000), p. 197.

[4] J. Murdoch and A.C. Pratt, 'From the power of topography to the topography of power: a discourse on strange ruralities', in P. Cloke and J. Little (eds), *Contested Countryside Cultures: Otherness, Marginalisation and Rurality* (1997), p. 57.

[5] R. Williams, *The Country and the City* (1973; St Albans, 1975 ed.), p. 49.

from printed primary source material, including parliamentary reports. However, it was primarily a book about English vernacular architecture and regional variations in cottage designs and materials.[6] The first study of housing as a social issue to include a chapter on nineteenth-century rural conditions was Enid Gauldie's *Cruel Habitations*. Gauldie set the low standard of rural working-class housing in the context of the widespread poverty of the mid-nineteenth century and argued that there 'were rural slums of a horror not surpassed by the rookeries of London'.[7] Indeed, she perceptively noted that rural squalor not only encouraged migration to the towns, but also played an important role 'in conditioning the acceptance by the poor of the low standard of accommodation offered there'.[8]

However, as one reviewer has remarked, Gauldie's work was marked by a descriptive, rather than an analytical disposition and this approach was largely perpetuated in the few works on rural housing that have followed.[9] John Burnett's *Social History of Housing* and Gordon Mingay's article on 'The rural slum' both do much to describe the physical inadequacies of rural housing in this period and the impact of this on public health.[10] Both also stress the importance of the widespread poverty of agricultural labourers in this period which restricted the amount that they could afford to pay as rent, thereby providing little incentive for investment in the construction of high-quality cottages. Mingay has also made the most detailed discussion of the implementation of nineteenth-century sanitary and housing legislation, noting the relatively limited role that this played in improving housing conditions prior to 1914.[11] Other historians have focussed on attempts made at cottage improvement. Gillian Darley examined the creation of model estate villages, along with industrial and political communities, in her *Villages of Vision*.[12] Studies have also been made of cottage building on individual estates, including Michael Havinden's work on that belonging to Lord Wantage in Berkshire, and Susanna Wade Martin's study of the Earl of Leicester's Norfolk estate.[13] However, this approach has left unstudied the ownership and management of the overwhelming majority of the nineteenth-century rural housing stock. Indeed, both Burnett and Mingay's studies were intended to provide a broad over-view of

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[6] J. Woodforde, *The Truth about Cottages* (1969). See also R.J. Brown, *The English Country Cottage* (1979).
[7] E. Gauldie, *Cruel Habitations: a History of Working-Class Housing, 1780-1918* (New York, 1974), p. 21.
[8] Gauldie, *Cruel Habitations*, p. 28.
[9] R. Rodger, 'Bricks, bye-laws and back-to-backs: housing history and Victorian capitalism', *Journal of Historical Geography* 10 (1984), p. 292.
[10] G.E. Mingay, 'The rural slum', in S.M. Gaskell (ed.), *Slums* (Leicester, 1990), pp. 92-143; J. Burnett, *A Social History of Housing, 1815-1985* (1978; 1986 ed.), pp. 30-53, 121-39.
[11] Mingay, 'The rural slum', pp. 117-8, 121-3.
[12] G. Darley, *Villages of Vision* (1975). See also S.M. Gaskell, *Model Housing from the Great Exhibition to the Festival of Britain* (1987).
[13] M. Havinden, *Estate Villages Revisited* (Reading, 1999); S. Wade Martins, *A Great Estate at Work: the Holkham Estate and its Inhabitants in the Nineteenth Century* (Cambridge, 1980).

nineteenth-century rural housing, and were not based on in-depth research in manuscript archives.

Therefore, although considerable strides have been made in challenging the idyllic view of rural housing in terms of public health, much less has been written on the broader subject of house ownership and social relations in the English countryside, and it is this issue that this thesis aims to address. Its main focus is on the provision of housing for the labouring classes, although the ownership of housing by all ranks of society will be examined. In particular it seeks to explore the role that the provision of housing played in the power relations between individuals, social classes and institutions within rural society. It is based on an understanding of power not as an entity straightforwardly possessed by rural elites, but as something that can be exercised in order to maintain social position or to achieve specific aims. An important element in the exercise of power is access to resources, which Giddens has described as 'media through which power is exercised'.[14] These resources can include both material objects such as land and wealth, and abstract items such as information, social status and political position.[15] The importance of landownership as a key to power in nineteenth-century society is widely acknowledged as it underpinned both economic wealth and social status. However, this has contributed to the sidelining of the study of house ownership, despite the fact that housing was an important point of contact between landlords and tenants and was also a site of potential conflict. The degree of security of tenure, the placing of conditions on occupation through tenancy agreements and the extent to which housing was tied to employment were all factors of potential importance to rural social relations. Therefore housing can justly be seen as a resource that gave its owners the potential to exercise considerable power and influence within rural society.

The argument that the ownership of property was of importance to rural social relations is not a new one. It has been most clearly expressed by Dennis Mills, in his development of the open and close parish model of rural society, in which he has argued that social relations were heavily influenced by the concentration of landownership in any given parish. Mills claims that where a single individual, or a small oligarchy of landowners, owned most of the land in a parish this was conducive to a 'policy of social control'.[16] Most importantly, restrictions could be placed on the construction of new housing in order to prevent the residence of paupers, and thereby keep down the level of the poor rate. Moreover, landowners in these 'close' parishes could also exercise influence on a wider scale by, for example, preventing the construction of non-conformist chapels. By contrast,

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[14] Giddens cited in B. Short, 'The evolution of contrasting communities within rural England', in B. Short (ed.), *The English Rural Community: Image and Analysis* (Cambridge, 1992), p. 21.
[15] See G. Marshall, *Dictionary of Sociology* (1998), pp. 519-20.
[16] D.R. Mills, *Lord and Peasant in Nineteenth-Century Britain* (1980), p. 24.

where property ownership was more dispersed such control could not be exercised and Mills argues that these 'open' parishes were marked by independence from such 'enlightened despotism'.[17] These arguments will be examined in greater detail in the following chapters, but two key conceptual problems with such a model of property ownership and power relations should be noted. Firstly, the possession of material resources, such as land and housing, cannot be automatically equated with the possession of power. Indeed, Brian Short has argued that there is a need to establish a conceptual separation between power and landownership, stating that the relationship between the two 'should be seen as contingent'.[18] Thus, in terms of housing, house owners might fail to exercise the potential power that ownership gave them. Therefore, any study of the pattern of property ownership and power relations must leave considerable room for variations in behaviour and human agency.

Secondly, historians and sociologists have expressed considerable scepticism about the concept of social control. The term came into common usage following a series of essays published in the 1970s that interpreted much nineteenth-century social legislation as an attempt to stabilise the existing class system.[19] For example, the growth of education in the nineteenth century can be seen as an attempt to inculcate in the poor the values of the ruling elite. However, F.M.L. Thompson has criticised it as 'an alluring but poorly defined concept'.[20] He argued that there is little evidence that the actions of social elites were united by a concern to exercise control and that this model also underestimates the independence of mind of the working classes. In terms of education, the poor might take the benefit of learning to read, without being indoctrinated by the material with which they were taught.[21] Thus, Robert Morris has argued that the notion of social control implied 'a sense of coherent and co-ordinated action on the part of elites and a lack of autonomy and agency by subordinate groups which did not accord with the evidence'.[22] Indeed, other models claim that power has an essentially contested nature and Michel Foucault argued that 'there are no relations of power without resistances'.[23] It is therefore unwise to argue that cottage tenants were totally unable to contest the influence of their wealthier landlords.

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[17] Mills, *Lord and Peasant*, pp. 45, 48.
[18] Short, 'The evolution of contrasting communities', p. 40. Power is also described as a 'potential quality' of the possession of resources in H. Newby, C. Bell, D. Rose, and P. Saunders, *Property, Paternalism and Power: Class and Control in Rural England* (1978), p. 228.
[19] See A.P. Donaigrodzki (ed.), *Social Control in Nineteenth-Century Britain* (1977).
[20] F.M.L. Thompson, 'Social control in Victorian Britain', *EcHR* 2nd Ser. 34 (1981), pp. 189-208.
[21] Thompson, 'Social control', p. 193.
[22] R.J. Morris, 'Governance: two centuries of urban growth', in R.J. Morris and R.H. Trainor (eds), *Urban Governance: Britain and Beyond Since 1750* (Aldershot, 2000), p. 10.
[23] M. Foucault, in C. Gordon (ed.), *Power/Knowledge: Selected Interviews and Other Writings* (Hemel Hempstead, 1980), p. 142.

Nevertheless, provided these points are borne in mind, a study of the provision of housing remains a promising way in which to develop our understanding of power relations in the Victorian and Edwardian countryside. In particular it enables us to examine more closely the power of the landed elite within rural communities, during periods of both agricultural prosperity and depression. This is of considerable importance given the territorial dominance of the aristocracy and gentry, as revealed in the return of landowners of 1873. David Cannadine has produced an excellent study of the role of the aristocracy from the late nineteenth century, but his focus was firmly on the national stage.[24] Here, however, the focus is on the roots of their power at a local level. Studies of this have, understandably, concentrated on their accumulation of land, through processes of purchase, enclosure and farm amalgamation. However, we know little of whether the nineteenth century saw this elite accumulate cottage property or the effect of this on social relations. An area of particular neglect in the existing historiography, to be addressed in chapter three, is the extent to which customary tenures survived in this period and whether they provided security for cottage occupants. It is also important to establish whether the provision of estate housing was influenced by a paternalist outlook that sought to generate attachment to the estate system, especially after the onset of agricultural depression in the 1870s.

An analysis of the provision of housing also enables an investigation of the place of smaller property owners in rural society. Much of the existing historiography emphasises the decline of an independent yeomanry during the eighteenth and nineteenth centuries and the development of a tri-partite rural class system, consisting of what James Caird described as the 'three great interests connected with agriculture – the landlord, the tenant and the labourer'.[25] However, there is a strand in the existing historiography that recognises that small farmers, tradesmen and craftsmen remained a feature of rural society throughout the nineteenth century. Indeed, a chief strength of the open and close parish model is that it recognises this survival. Although disputing the wider validity of this model Reed and Wells have stated that we should 'no longer ignore the vigour and scale of small-scale trade, craft and agricultural activity'. They remark that 'the traditional tri-partite division of rural society... is totally inadequate'.[26] Because this group very often invested in housing, a study of house ownership is a useful way to assess the extent to which these smaller owners survived. It also enables us to examine whether there was substantial owner-occupation, if this was a base for independence from landowner influence, and whether this declined over the course of this period.

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[24] D. Cannadine, *The Decline and Fall of the British Aristocracy* (1990; 1992 ed.).
[25] Cited in A. Howkins, *Reshaping Rural England: a Social History, 1850-1925* (1991), p. 9.
[26] M. Reed and R. Wells, 'An agenda for modern English rural history?', in M. Reed and R. Wells (eds), *Class, Conflict and Protest in the English Countryside, 1700-1880* (1990), p. 216.

In a study of housing and rural power relations it is also important to consider the provision of housing by local government. The extent to which ratepayers funded housing for the poor can be seen as an important indicator of rural social relations. Research has shown that parish vestries frequently provided housing under the old poor law which has often been interpreted as a reflection of a relatively generous welfare system.[27] However, after 1834 the newly created Poor Law Commissioners in London sought to encourage the disposal of such property. An examination of the extent to which this was carried out, and the manner in which it was disposed of can, therefore, be seen as a marker of the influence of the poor within local government, and of the degree of empathy that ratepayers showed towards their circumstances. It also provides an opportunity to analyse the power relations between central and local government. Did rural ratepayers embrace the policy of the central poor law authorities, or did they seek to retain local influence? Similar issues can also be discussed in respect of the introduction of legislation to facilitate the construction of council housing from 1890. Once again it is important to examine the extent to which those serving in local government responded to the opportunity to provide housing for the poor, and their relationship with what is widely recognised as a more centralised state by this time.

Another important concern of this thesis is the spatial variation between patterns of property ownership and power relations. A particularly pertinent concern within debates over the open and close parish model is whether the parish or township is an appropriate unit of analysis for a discussion of power relations, especially as late as 1914. Some historians have highlighted the fact that the parish, which was essentially a unit of ecclesiastical or civil government, need not relate to a communal sense of place. Indeed, Alun Howkins has stressed the diverse geographical units around which communities centred in nineteenth-century England.[28] Criticism has also been made of the 'undue localism' of a focus on the parish. Throughout this period many rural workers lived in a different place from that in which they worked and the nineteenth century also saw migration grow in both scale and distance. The parish also lost status as a unit of local government from 1834, with the formation of boards of guardians. As one author has recently pointed out, the open and close model is at danger of seeing parishes as '*de jure* bounded territories whose attributes can be explained by focussing upon those processes and outcomes which can be discerned within them'.[29]

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[27] J. Broad, 'Housing the rural poor in southern England, 1650-1850', *Agricultural History Review* 48 (2000), pp. 151-70.
[28] A. Howkins, 'Types of rural communities', in E.J.T. Collins (ed.), *AHEW, Vol. VII, 1850-1914* (Cambridge, 2000), pp. 1297-1318.
[29] D. Spencer, 'Reformulating the "closed" parish thesis: associations, interests, and interaction', *Journal of Historical Geography* 26 (2000), p. 86. See also Short, 'The evolution of contrasting communities', p. 39.

Nevertheless, despite these criticisms there are reasons for continuing to use the parish as a unit of analysis in this study. The first is the practical point that a large proportion of source material concerning rural society is organised on a parish basis, from census returns and vestry minutes to estate accounts and valuation material. This in turn highlights the fact that the parish retained its function as the smallest unit of local government throughout this period. Elections to district-level government were organised on a parish basis, rates were collected by parish officers, and from 1894 parish councils became a more democratic forum for the discussion of local matters. Residence in a specific parish could bring entitlement to assistance from parish-based charities and the parish also retained a cultural significance where feasts were still celebrated and folklore re-told. This is not to ignore attachments to other spatial units such as a hamlet, a *pays*, or the hinterland of a market town, or indeed that the more itinerant members of rural society may have lacked any such attachment. However, it is valid to argue that, despite substantial change in rural society, the parish continued to play an important role in 'local life and identity' long after 1834.[30]

Introducing the case study counties

The aim of this thesis is to explore the issue of housing and power relations at a local level and to facilitate this Dorset and Leicestershire have been selected as case study counties. Dorset is a coastal county in central-southern England while Leicestershire is in the industrial east Midlands. They were not selected to be 'typical' counties, as it is widely recognised that the diversity of English topography and agriculture means that 'no county is a microcosm of England'.[31] Indeed, one of the reasons for examining two counties is to enable the testing of arguments across a relatively wide area and to ensure that the findings from one single county are not presented as true of the country as a whole. To achieve this Dorset and Leicestershire were in part chosen for their contrasting characteristics, although the selection was also influenced by the practicalities of historical research, including the author's proximity to source material. Nevertheless, a study of two counties that might not otherwise be selected has the added advantage of revealing similarities and contrasts that were not anticipated at the outset.

The most important contrast, in the context of this thesis, is the difference between their land-holding patterns. Dorset was one of the most aristocratic counties in England and

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[30] On the importance of the parish 'until at least the new poor law' see K.D.M. Snell, 'English rural societies and geographical marital endogamy, 1700-1837', *EcHR* 2nd Ser. 55 (2002), p. 265.
[31] J.S. Taylor, *Poverty, Migration, and Settlement in the Industrial Revolution: Sojourners' Narratives* (Palo Alto, 1989), p. 4.

John Bateman's analysis of the *Return of Landowners* of 1873 shows that 71 per cent of the land in the county was owned in estates of over 1,000 acres. This was the third largest proportion in England, behind only Northumberland and Rutland.[32] The dominance of estates of over 5,000 acres can be seen in Figure 1.1 which shows the location of the principal estates in the county. These are listed in Table 1.1, along with their acreage in 1883. Leicestershire was not without its own aristocratic elite, headed by the Duke of Rutland whose estate of over 30,000 acres in the north-east of the county was the largest in both case study counties. However, whereas twenty-two Dorset estates owned more than 5,000 acres, this was the case of only twelve in Leicestershire, listed in Table 1.2. The more localised impact of the largest landed estates can be seen in Figure 1.2. Indeed, only 50 per cent of Leicestershire's land was owned in estates of more than 1,000 acres. The reverse side of this was that Bateman's groups of the greater and lesser yeomen and small proprietors owned 46 per cent of the land in Leicestershire, but only 24 per cent of that in Dorset. The contrast in landownership patterns was an important one and its effects on housing and power relations in each of the counties will be analysed in much greater depth in the following chapters.

These two counties also had noticeably different agricultural economies, each with its own internal contrasts. Dorset is extremely varied in terms of geology and topography and can be divided into four principal agricultural *pays* (see Fig 1.3). A range of chalk hills and deep river valleys dominates the centre of the county which, in the nineteenth century, was mainly under a system of sheep and corn farming. The arable acreage increased during the prosperity of the mid-nineteenth century, although this process went into reverse during the depression in the prices of both wheat and wool after 1870.[33] This area was dominated by large landowners and it had many extensive farms of up to 2,000 acres which lifted the average farm size in the county 50 per cent above the English average in the early 1880s.[34] Neighbouring this district to the south-east is a large expanse of heathland, also owned predominantly by large landed estates. This supported rough grazing, small arable farms, and dairies on the pastures that are watered by the rivers that traverse the heath.[35] The latter were relatively profitable in the later nineteenth century, supplying milk to the growing towns of Weymouth and Bournemouth.[36]

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[32] See J. Bateman, *The Great Landowners of Great Britain and Ireland* (1883; Leicester, 1971 ed.) and tables in F.M.L. Thompson, *English Landed Society in the Nineteenth Century* (1963), pp. 32, 113.
[33] J.H. Bettey, *Man and the Land: Farming in Dorset, 1846-1996* (Dorchester, 1996), pp. 6-8, 17, 20-1, 25-6.
[34] W. Little, 'Report of Assistant Commissioner Mr Little with a summary of previous reports', *Royal Commission on Agricultural Interests* XV (1882), p. 27.
[35] Bettey, *Man and the Land*, pp. 8-9.
[36] D.E. Pell Smith, 'Dorset', *Reports by Investigators on Wages and Conditions of Employment in Agriculture*, Vol. 2 IX (1919), p. 76.

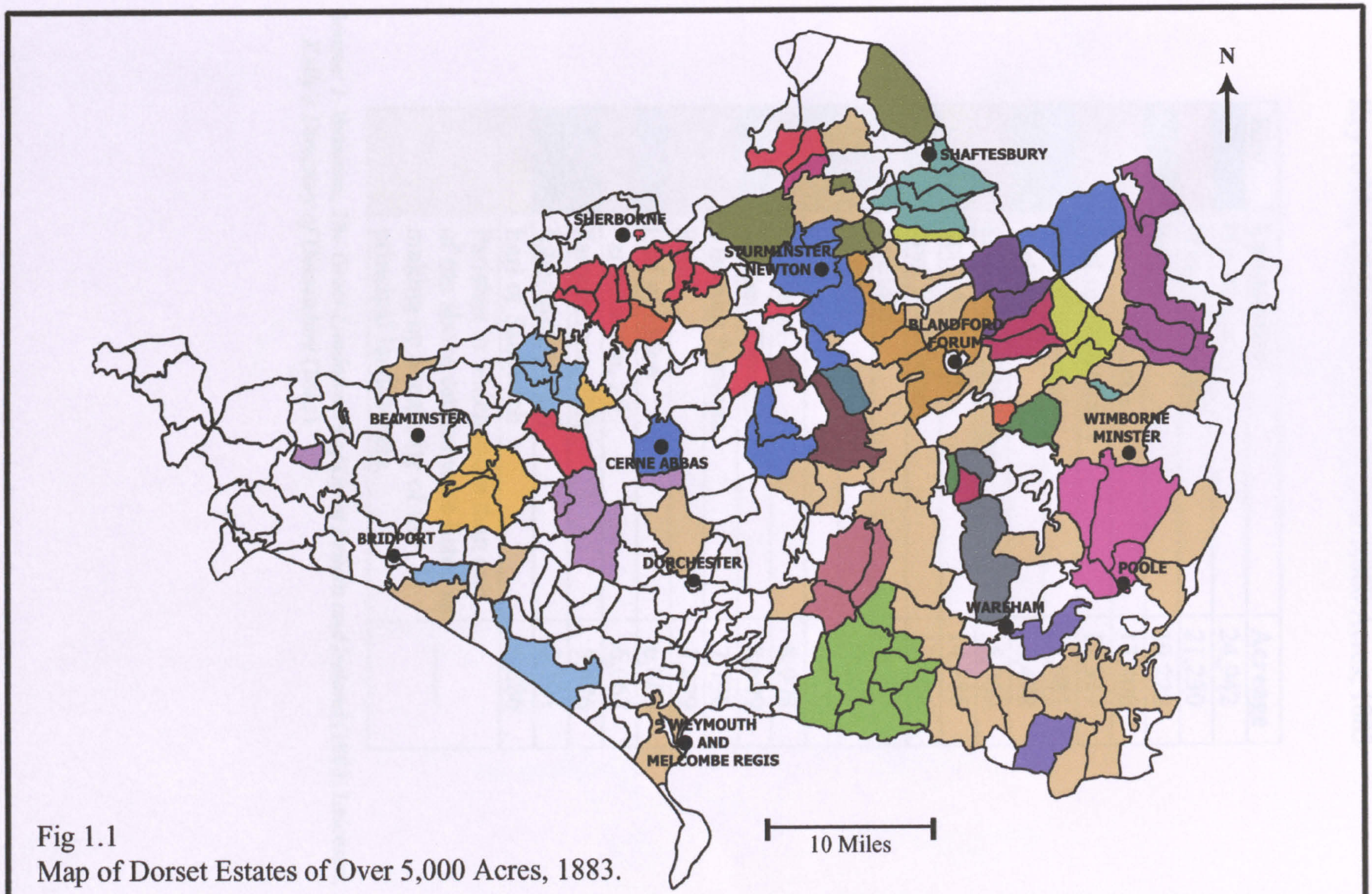


Fig 1.1
Map of Dorset Estates of Over 5,000 Acres, 1883.

Table 1.1
Key to Map of Dorset Estates of Over 5,000 Acres, 1883

Key	Landowner	Acreage
	Pitt Rivers	24,942
	Wingfield Digby	21,230
	Bankes	19,228
	Lord Wimborne	17,400
	Earl of Shaftesbury	17,317
	Earl of Ilchester	15,981
	Weld	15,478
	Sawbridge Erle Drax	15,069
	Lord Alington	14,756
	Lord Stalbridge	13,556
	Sheridan	11,468
	Hambro	9,622
	Glyn	9,620
	Frampton	8,998
	Mansell Pleydell	8,699
	Viscount Portman	7,798
	Bond	7,429
	Earl of Eldon	6,869
	Farquharson, J.J.	6,063
	Farquharson, H.R.	5,476
	Eggington (Drax)	5,301
	Earl of Sandwich	5,286
	Parishes in which more than one of the above estates were listed as making up a majority of the principal landowners.	____

Source: J. Bateman, *The Great Landowners of Great Britain and Ireland* (1883; Leicester, 1971)
Kelly's Directory of Dorsetshire (1885)

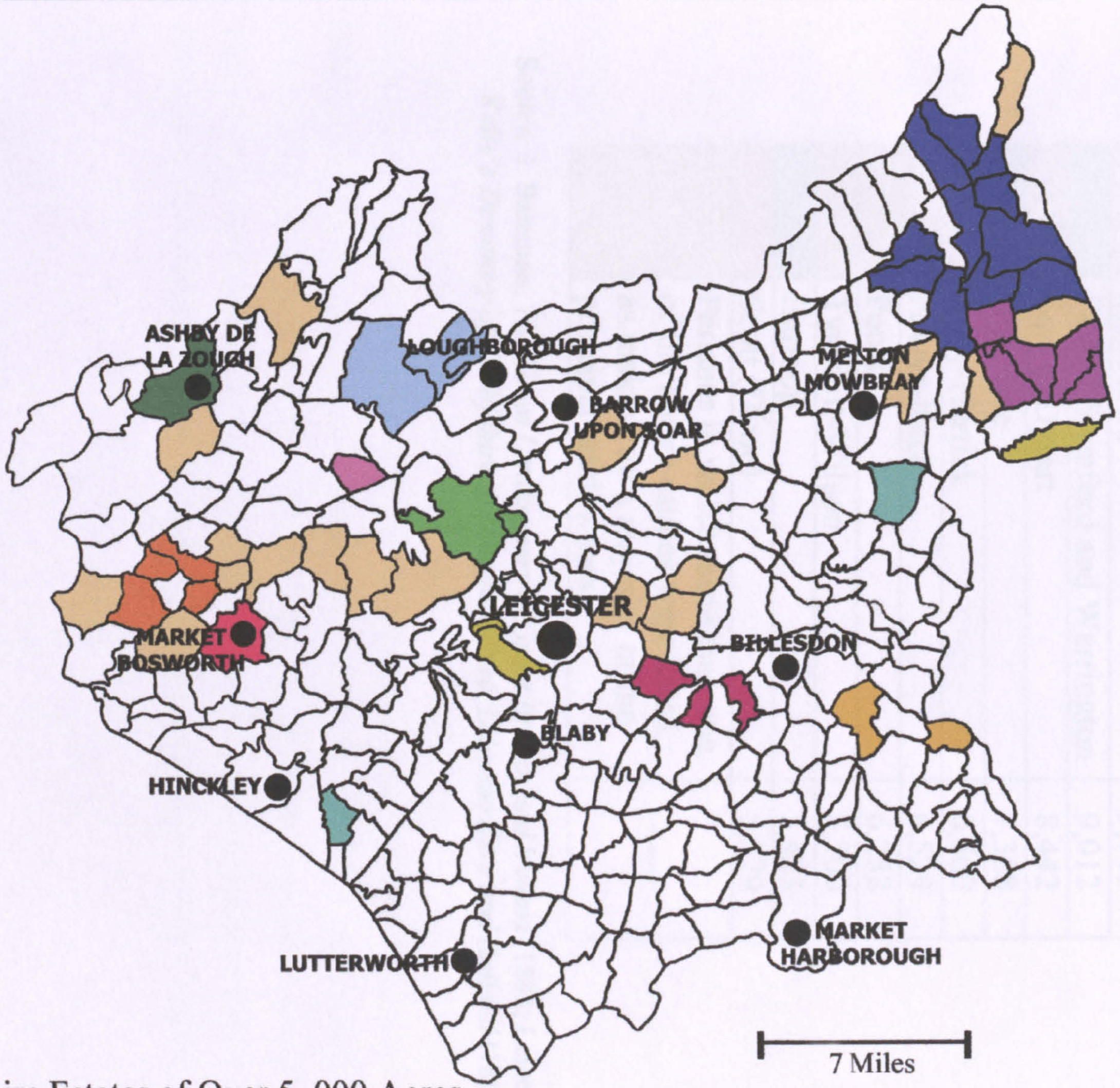


Fig 1.2
Map of Leicestershire Estates of Over 5, 000 Acres.

Table 1.2
Key to Map of Leicestershire Estates of Over 5,000 Acres, 1883

Key	Landowner	Acreage
	Duke of Rutland	30,952
	Lord Donington	10,174
	Earl Howe	9,755
	Earl of Stamford and Warrington	9,012
	Earl of Dysart	8,442
	De L'Isle	7,358
	Perry-Herrick	6,560
	Powys-Keck	6,529
	Pochin	6,252
	Tyrwhitt-Wilson	5,760
	Hartopp	5,423
	Scott (Dixie)	5,379
	Parishes in which more than one of the above estates were listed as making up a majority of the principal landowners.	——

Source: J. Bateman, *The Great Landowners of Great Britain and Ireland* (1883; Leicester, 1971)
Kelly's Directory of Derbyshire, Nottinghamshire, Leicestershire and Rutland (1888)

Dorset's other principal *pays*, the western clay vales and the Blackmoor Vale, in the north of the county, were both pastoral districts. In the north of the county were many small-scale, family-run dairy and grazing farms, which survived into the later nineteenth century. As on the heathland the dairies in these districts weathered the agricultural depression relatively well.[37] The smaller size of farms meant that the social divide between farmer and labourer was somewhat less in these areas than on the larger arable farms on the chalk. This was especially the case where the tradition of farmers leasing cattle to dairymen lasted longest, as this provided one of the few opportunities available for labourers to gain greater economic security.[38] However, even in the Blackmoor Vale much of the land belonged to the county's largest landowners by the 1870s. Only in the western vales, with their more scattered settlement pattern, were the largest estates almost absent, although even here there is evidence that the nineteenth century saw an increase in farm size and intensity of landownership.[39] Clearly, Dorset was a county of diverse agricultural regions and, although it is inevitable that this thesis will make generalisations about the county as a whole, every effort has been made to bear these variations in mind over the following chapters.

Leicestershire was marked by much less variety in its topography and agriculture, although most contemporary commentators do identify an important east/west divide (see Fig 1.4).[40] The east and south of the county was predominantly grazing land for sheep and cattle, and was described in 1866 as 'the great meat-producing district of Leicestershire'.[41] The demand for labour was low and it was thinly populated. Farms here were generally of a medium size, from 100 to 300 acres.[42] Although meat prices were not as badly affected as cereals during the depression, contemporary reports make clear that local graziers were affected by the poor weather of the mid-1870s.[43] The smaller dairy farms of between 20 and 70 acres in the north-east of the county around Melton Mowbray that produced Stilton cheese were less seriously affected. It was noted that this was an area where 'a capable and

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[37] Bettey, *Man and the Land*, p. 17.
[38] Bettey, *Man and the Land*, pp. 6-7; R.H. Rew, 'Report on the county of Dorset', *Royal Commission on Agriculture. England* XVII (1895), p. 7.
[39] B. Kerr, *Bound to the Soil: a Social History of Dorset 1750-1918* (1968: Tiverton, 1993 ed.), pp. 10, 51; J. Waymark, 'Landed estates in Dorset since 1870: their survival and influence', (Unpub. Ph. D. thesis, University of London, 1995), pp, 26, 107.
[40] For nineteenth-century descriptions of agriculture in Leicestershire see W.J. Moscrop, 'A report on the farming of Leicestershire', *JRASE* 2nd Ser. 2 (1866), pp. 291-2, 314 and J. Caird, *English Agriculture in 1850-51* (1852; 1968 ed.), pp. 213-9.
[41] Moscrop, 'Farming of Leicestershire', p. 292.
[42] Moscrop, 'Farming of Leicestershire', p. 292.
[43] Mr Druce, 'Report of Assistant Commissioner Mr. Druce', *Royal Commission on Agricultural Interests. East of England* XV (1882), p. 47.

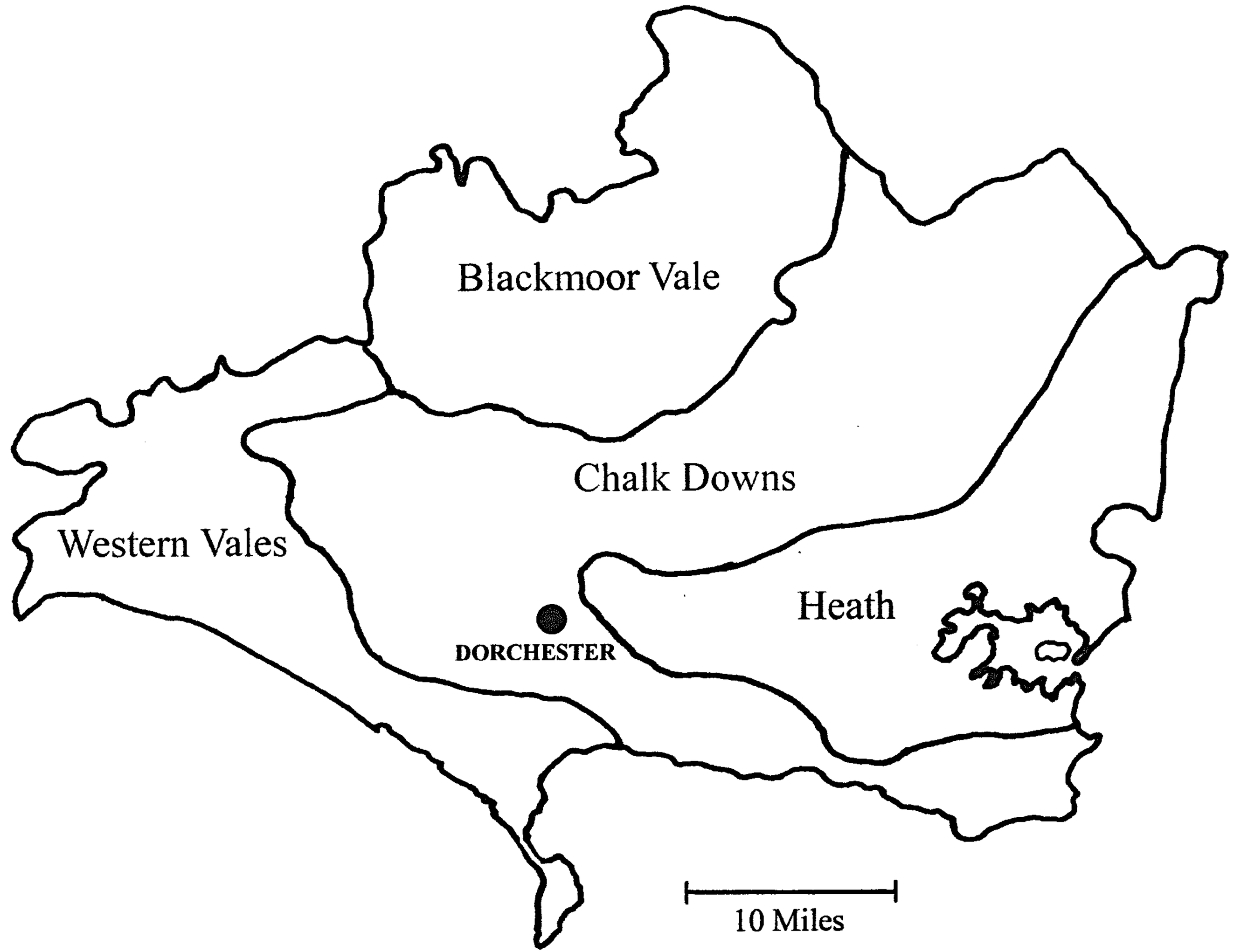
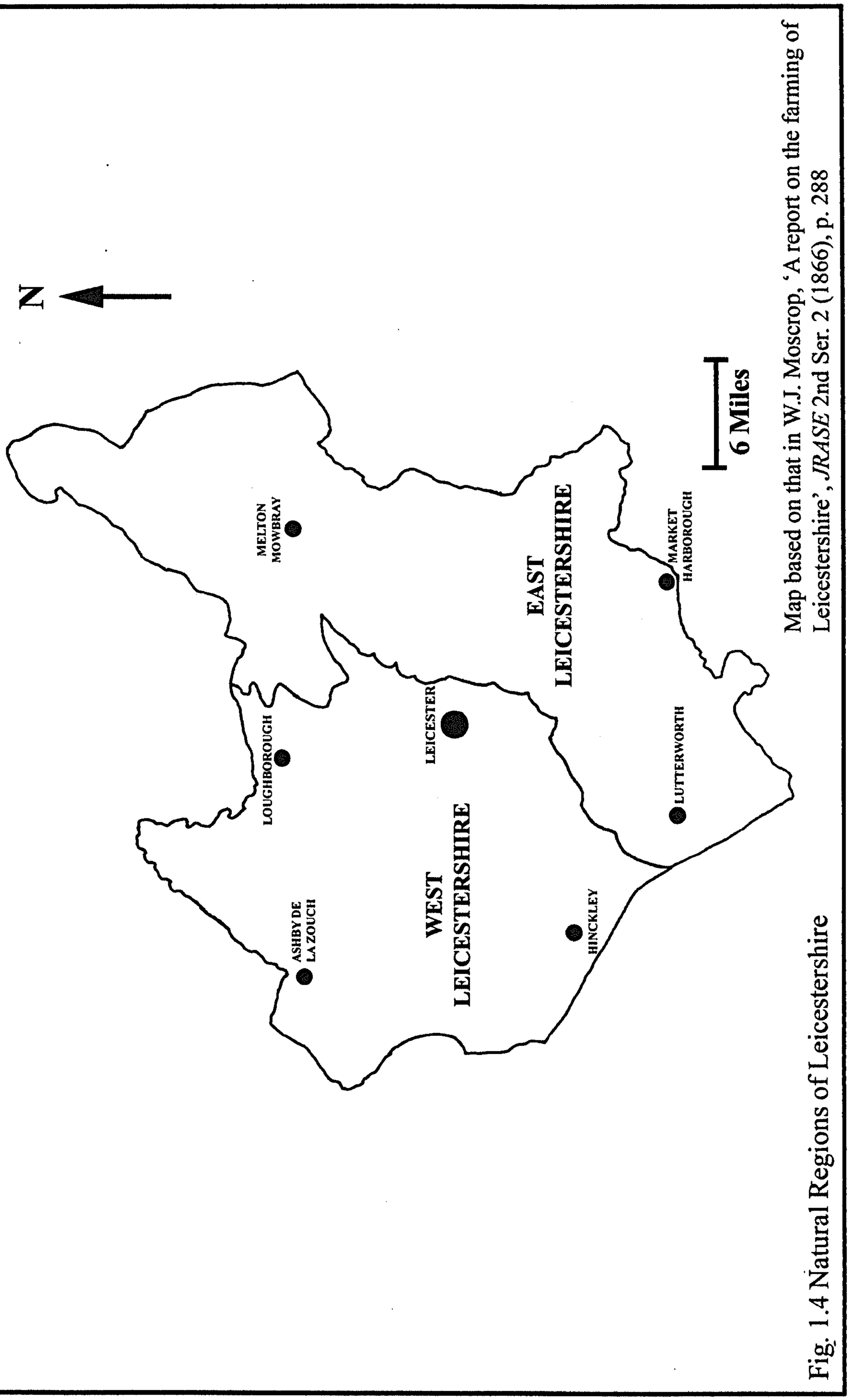


Fig. 1.3 Natural Regions of Dorset

Map based on that in C. Taylor, *Dorset* (1970), p. 23.



Map based on that in W.J. Moscrop, 'A report on the farming of Leicestershire', *JRASE* 2nd Ser. 2 (1866), p. 288

Fig. 1.4 Natural Regions of Leicestershire

steady man has a much better opportunity of improving his position and obtaining a little land, than he has in many parts of the country'.[44] In the west of the county farms were generally larger, although they were also rarely extensive, being generally between 150 and 500 acres.[45] In this district agriculture was more finely divided between arable and pasture, the latter being largely devoted to dairying. Once again, the contrasts within the county will be kept in mind throughout the following chapters.

A further reason for selecting these counties was because of the very different levels of industrial and manufacturing employment available in each. Dorset was a predominantly agricultural county, although its port and resort towns provided a variety of occupations, and rural industries were also significant local employers. Button and glove making provided domestic employment for women and children in rural districts in the earlier part of this period and in the vicinity of Bridport, in the west of the county, net-making employed many women and children into the later nineteenth century.[46] Extractive industries were also important local employers, including stone quarrying on the Isle of Portland and the Purbeck peninsula, which also saw extensive clay mining. Fishing also provided employment in coastal villages.

By contrast, Leicestershire was a far more industrialised county, although an east-west divide was also noticeable in this respect. The thinly populated east of the county was largely devoid of industry, although the mining and smelting of iron ore took place at Asfordby and Holwell, near Melton Mowbray.[47] West Leicestershire was far more industrialised. Extractive industries were important local employers, especially coal-mining in the neighbourhood of Ashby de la Zouch.[48] Lace-making also employed outworkers in villages around Loughborough, until at least the 1860s.[49] However, the dominant industry in this district was the manufacture of hosiery, particularly in the villages around the towns of Hinckley, Loughborough and Leicester. This was organised on a putting-out basis, with workers knitting woollen or cotton stockings on frames either in their own homes, leading to very cramped conditions, or in workshops. Middlemen, often known as bag hosiers, would travel from the centres of the industry to deliver the raw material and collect each week's

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[44] W.E. Bear, 'Report upon the Poor Law Union of Melton Mowbray (Leicestershire)', *Royal Commission on Labour: The Agricultural Labourer. England* XXXV (1893-4), p. 144.
[45] Moscrop 'Farming of Leicestershire', p. 314.
[46] M. Weinstock, *Old Dorset* (Newton Abbot, 1967), pp. 164-8, 170-2.
[47] W.G. Hoskins, *A Shell Guide: Leicestershire* (1970), pp. 26, 58. See also H.R. Haggard, *Rural England*, Vol. 2 (1902), p. 248.
[48] Although an important employer, the coal mining industry was highly concentrated in the north-east of the county. Therefore, due to time restrictions, miners' housing has not been studied in this thesis.
[49] W. White, *History, Gazetteer, and Directory of the Counties of Leicestershire and Rutland* (Sheffield, 1863 ed.), p. 390.

finished items.[50] The domestic system continued into the 1890s, although from the 1870s the industry became increasingly factory based. This transition did not, however, focus manufacture in the towns because hosiery firms built factories in villages to take advantage of a cheaper, non-unionised workforce. This process led to a decline in demand for labour, but many former hosiery workers moved into the manufacture of boots and shoes, which also developed as an industry with many village-based factories.[51] Thus, whereas Dorset has the image of an aristocratic and largely agricultural county, Everitt has argued that Leicestershire's 'most characteristic form of society in the nineteenth century was the semi-industrial village'.[52] Therefore, differences in landownership, agriculture and employment, both between and within these counties, provide an interesting context for the exploration of variations in the ownership and control of housing.

Time frame

The eighty-year period over which these themes are explored is bound by the dates of the introduction of the new poor law in 1834 and the outbreak of the First World War. These are somewhat artificial markers and they will be breached at times in order to discuss longer-term trends. However, they have been selected because they do mark events of considerable significance to power relations in rural England. The precise impact of the Poor Law Amendment Act of 1834 has been hotly contested. While some historians have emphasised its success in curtailing the extensive payment of outdoor relief to the able bodied others have stressed continuity in relief practice.[53] However, there is widespread acknowledgement that the introduction of the new poor law brought into focus social changes that had long been underway in rural society. There is substantial evidence that old notions of paternalism that were built around a belief in the moral economy and common rights were slowly eroded over the eighteenth century and that processes of enclosure and farm amalgamation increased the social divide between labourers and farmers in many areas. The Swing riots of 1830 generated considerable anxiety among elites about the instability of rural society and rural workhouses have been widely seen as 'an instrument of social discipline'.[54] Thus, Howkins has described the 1830s as marking 'the end of an era in

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[50] S. Barton and R. Murray, *Twisted Yarns: the Story of the Hosiery Industry in Hinckley* (Hinckley, 2001), pp. 17-18.
[51] On the impact of factory labour see F.A. Wells, *The British Hosiery Trade: its History and Organization* (1935), p. 188 and M. Palmer, 'The east Midlands framework knitters: the transition from domestic to factory production', *Knitting International* 97 (1990), p. 61.
[52] A. Everitt, *The Pattern of Rural Dissent: the Nineteenth Century* (Leicester, 1972), p. 50.
[53] For a recent summary of different interpretations of the new poor law see S. King, *Poverty and Welfare in England, 1700-1850* (Manchester, 2000), pp. 65-9, 230-1.
[54] A. Digby, *Pauper Palaces* (1978), p.209. See also K. Williams, *From Pauperism to Poverty* (1981), p. 87.

the popular memory of the rural poor' and 1834 can be seen as a useful starting point for a study of housing and power relations within this changed environment.[55]

There are also contrasting views about the extent to which society was altered by the experience of the First World War. However, whether one believes that it was a 'time bomb of total change' or an accelerator of existing evolutionary processes,[56] it clearly marked four years of disruption to many aspects of rural life, including the labour supply and the conduct of local government. Although Cannadine dates the decline of the British aristocracy from the 1880s he does argue that the war 'irrevocably weakened' their position in society, not only because of their relatively heavy casualties, but also because it undermined their air of mystique, and their own self-confidence.[57] The aftermath of the war saw increased democracy under the fourth Reform Act and a torrent of land sales between 1918 and 1921. The war also introduced the issue of 'Homes Fit for Heroes' into debates over the housing supply. Therefore, although there were many important continuities throughout this period, the disruption of the First World War clearly marks an important juncture for a study of housing and power relations in rural society.

The eighty years between these two points were ones of considerable change for the rural working classes and an understanding of their socio-economic conditions provides a vitally important backdrop to this study. The 1830s and 1840s were particularly bleak decades for the labouring classes of both Dorset and Leicestershire, largely as a result of large-scale population growth since the mid eighteenth-century.[58] The rural population of Dorset grew by 53.5 per cent between 1801 and 1851, and that of Leicestershire by 40.5 per cent.[59] In arable districts, such as the Dorset chalk-land, increased population led to extreme levels of winter unemployment. Population growth was also problematic in pastoral areas where demand for labour was lower than that in arable districts, leading to problems of structural unemployment. Indeed, the demand for labour in many Leicestershire parishes had declined following enclosure and a conversion of arable land to pasture in the eighteenth century.[60] A move away from flax and hemp cultivation in west Dorset also reduced demand

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[55] Howkins, *Reshaping Rural England*, p. 65. See also K.D.M. Snell, *Annals of the Labouring Poor: Social Change and Agrarian England, 1660-1900* (Cambridge, 1985; 1987 ed.), pp. 114-37.
[56] See J. Harris, *Private Lives, Public Spirit: Britain, 1870-1914* (Harmondsworth, 1994), p. 1.
[57] Cannadine, *Decline and Fall*, p. 83.
[58] This population growth can be related to long-term changes in the agricultural economy that removed incentives to delay marriage and contributed to larger completed family sizes. These factors included a decline in apprenticeship and living-in farm service, along with processes of enclosure and farm amalgamation. See Snell, *Annals of the Labouring Poor*, pp. 67-103, 138-269.
[59] These totals are derived from the sum of the population in parishes in rural poor law unions. It includes towns with a population below 2,500 but excludes those parishes that saw later boundary alterations as a result of suburban development.
[60] On the example of Kibworth Beauchamp see T. Williamson, 'Understanding enclosure', *Landscapes* 1 (2000), p. 74.

for labour.[61] Even in west-Leicestershire the framework-knitting industry, which had in the eighteenth century attracted workers from the county's pastoral parishes, failed to expand sufficiently to employ the increased population.

As E.L. Jones has argued, this 'surplus of labour ... depressed the average annual wage to distressingly low levels',[62] at a time when many families were increasingly reliant on their income from paid employment. As a result of enclosure the slow erosion of access to common land, for grazing and the collection of fuel and food, lessened the prospect of the labouring poor maintaining a life at least partly independent of wage labour.[63] It was calculated in the early 1830s that a Dorset labourer and his wife would need an annual income of £32 18s. (12s. 8d. per week) to cover the cost of their rent, fuel, food and clothing, and that this would increase by 2s. 6d. per week for each child.[64] However, average weekly male wages were only between 7s. and 8s. per week in Dorset and between 10s. and 12s. per week in Leicestershire.[65] Cash wages were higher in Leicestershire, partly because of the greater demand for labour in the industrial east-Midlands, but also because of the less-frequent payment of wages in kind than in Dorset.[66] Such low male wages formed the core of most families' income because, as Snell has argued, female labour was reduced to an 'increasingly insignificant role' in agriculture from the mid-eighteenth century. Furthermore, even where women could find employment their earnings were typically very low.[67] In 1832 the average earnings of women working in the lace and hosiery industries in Leicestershire and in button making and gloving in Dorset were only between 3s. and 4s. per week.[68] In 1843 a family from Stourpaine, in central Dorset, earned 8s. per week from the husband's wage as an agricultural labourer, two daughters working in button making earned 3s. 6d. per week and three sons earned a combined sum of 5s. per week in agriculture. Therefore, this

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[61] B. Kerr, 'The Dorset agricultural labourer, 1750-1850', *PDNHAS* 84 (1962), p. 173.
[62] E.L. Jones, 'The agricultural labour market in England, 1793-1872', *EcHR.* 2nd Ser. 17 (1964), p. 325.
[63] Snell, *Annals of the Labouring Poor,* pp. 209-15. See also J.M. Neeson, *Commoners: Common Right, Enclosure and Social Change in England, 1700-1820* (Cambridge, 1993), p. 9. However, recent research has questioned the extent to which labourers had access to common grazing rights prior to enclosure. See L. Shaw-Taylor, 'Labourers, cows, common rights and parliamentary enclosure: the evidence of contemporary comment c. 1760-1810', *Past and Present* 171 (2001), pp. 95-126.
[64] Okeden, 'Third report', p. 27a.
[65] Snell, *Annals of the Labouring Poor*, p. 130.
[66] On the payment of perquisites in Dorset see W. Stevenson, *General View of the Agriculture of the County of Dorset* (1815), p. 269. For data on both earnings and wages after 1850 see B. Afton and M. Turner, 'Wages', in E.J.T. Collins (ed.), *AHEW, Vol. VII, 1850-1914* (Cambridge, 2000), pp. 2000-3.
[67] Snell, *Annals of the Labouring Poor*, p. 51. For a recent discussion of this issue see N. Verdon, 'The rural labour market in the early nineteenth century: women's and children's employment, family income, and the 1834 Poor Law Report', *EcHR* 2nd Ser. 55 (2002), pp. 299-323.
[68] See replies to questions 11-13, *Report from His Majesty's Commission on the Administration and Practical Operation of the Poor Laws: Appendix BI, Answers to Rural Queries, Part I,* XXX (1834), pp. 137a-145a (Dorset), and pp. 279a-288a (Leicestershire).

family, of nine children in total, earned only 16s. 6d. per week, 3s. 8d. below the amount required for a family with only three children.[69]

In Leicestershire this poverty was underpinned by what David Levine has described as 'an almost complete, unrelieved depression' in the hosiery industry in the decades after 1815.[70] This was partly the result of changes in fashion and increased foreign competition, but was compounded by the population growth of the period. Prior to 1815 wages averaged between 10s. and 14s. per week, but by 1845 earnings had fallen to between 4s. 6d. and 5s. 6d. per week.[71] This low level of income was also the result of a number of abuses by the hosiery manufacturers who made deductions from the knitters' gross earnings for frame rents and, if working in a workshop, for needles, candles and coal. Such deductions often removed 40 per cent of men's gross earnings.[72] Unsurprisingly, by 1845 the knitters were described as 'deeply impoverished' and concern over their condition resulted in the appointment of the Royal Commission into the Condition of the Framework Knitters. [73] This gathered extensive evidence of their extreme poverty and Snell and Ell have recently described the abuses suffered by the knitters as amongst 'the worst excesses of petty-fogging industrial capitalism ever found in Britain'.[74]

Thus, by the 1830s low wages left many families living in poverty and at least partly reliant on parish relief. This meant that few could afford to maintain their own home and most were the tenants of either private landlords or the parish authorities. Indeed, the combination of low wages and high population growth meant that this period saw nothing short of a housing crisis. Low wages meant that little could be paid as rent, typically only between 1s. and 2s. per week, and consequently there was little incentive for investors to fund high-quality housing.[75] As John Burnett has remarked the market was 'almost by definition, an uneconomic one' as a 'modest' cottage costing around £60 to build would 'not even repay capital cost in fifteen years, to say nothing of interest or repairs'.[76] A large proportion of the increased population was therefore housed by the subdivision of existing

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[69] Cited in Bettey, *Man and the Land*, p. 13.
[70] D. Levine, *Family Formation in an Age of Nascent Capitalism* (1977), p. 21.
[71] Levine, *Family Formation*, p. 22.
[72] Levine, *Family Formation*, pp. 23-5.
[73] *Report from the Commissioner Appointed to Inquire into the Condition of the Framework Knitters* XV (1845). For a description of the wages and living conditions of hosiery workers in many Leicestershire villages see W. Felkin, *An Account of the Machine Wrought Hosiery Trade* (1845), pp. 18-19.
[74] K.D.M. Snell and P.S. Ell, *Rival Jerusalems: the Geography of Victorian Religion* (Cambridge, 2000), p. 217.
[75] For an overview of cottage rents at this time see the replies to question 18, *Report from His Majesty's Commission on the Administration and Practical Operation of the Poor Laws: Appendix BI, Answers to Rural Queries, Part II*, XXXI (1834), pp. 137b-145b (Dorset), and pp. 279b-288b (Leicestershire).
[76] Burnett, *Social History of Housing*, pp. 35-6.

cottages and redundant farmhouses, whose land had been engrossed into larger farms.[77] Robert Taylor has found structural evidence of this in Cambridgeshire and has estimated that the conversion of a three-room plan cottage to three cottages in the mid-nineteenth century could cost as little as £12. As Taylor remarks, this 'was inexpensive compared with new building work, and would have given a quicker return on capital'.[78]

This obviously had a detrimental effect on the living standards of cottage tenants. It was reported from central Dorset in 1846 that 'the great inadequacy of the number and size of houses to the number of the population, and the consequently crowded state of their habitations … must be to the last degree detrimental to the health of the inhabitants'.[79] An illustration of the interior of one such cottage can be seen in Figure 1.5.[80] Such conditions were reported from across the county and similar reports were also made from Leicestershire. In April 1830 William Cobbett described the housing of Leicestershire's villages as 'hovels, made of mud and straw'.[81] In 1842 the medical officer of the Wymondham district of the Melton Mowbray union stated that fevers were the result of the 'unventilated and crowded manner in which the poor are compelled to sleep'.[82] In 1845 some of the houses of the framework-knitters of Earl Shilton were described as being 'very bad indeed, destitute of all comforts, with no conveniences to them, … disgusting beyond all comparison'.[83] The existence of such conditions starkly reflects the extreme poverty of the labouring classes and also raises important questions about rural social relations in this period. Indeed, the central place of housing in the experience of poverty is a key reason why it is important to develop a better understanding of its ownership and management at this time.

This extreme poverty lifted somewhat from the 1850s and there was also some improvement in housing conditions in these counties. This was underpinned by the decline in rural population, following large-scale migration to the towns and the colonies, which eased the problem of surplus labour along with the pressure on the housing stock.[84] The rural population of Dorset fell by 17.0 per cent between 1851 and 1901, and that of the

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[77] See B. Kerr, 'Dorset cottages', *PDNHAS* 86 (1964), p. 188; W. G. Hoskins, *Leicestershire: an Illustrated Essay on the History of the Landscape* (1957), p. 99.
[78] R. Taylor, 'Population explosions and housing, 1550-1850', *Vernacular Architecture* 23 (1992), p. 27.
[79] *The Times*, 25th June 1846, p. 3.
[80] See page 24, below.
[81] W. Cobbett, *Rural Rides* (1853; 1912 ed.), Vol. 2, p. 266.
[82] Cited in E. Senior, 'On the causes of disease affecting the labouring classes in the counties of Leicester, Lincoln, Nottingham and Rutland', *Sanitary Condition of the Labouring Population: Local Reports for England and Wales in Conjunction with the Chadwick Inquiry* HL XXVII (1842), pp. 159, 161.
[83] Evidence of Mr. W. Walker of Earl Shilton, Leicestershire to the *Royal Commission into the Condition of the Framework Knitters*, p. 293.
[84] On the impact of declining rural population on wages see Jones, 'Agricultural labour market in England', pp. 328-38.

southern and eastern unions of Leicestershire by 13.0 per cent.[85] Indeed, Haggard reported complaints of labour shortage in both counties in 1901-2.[86] By contrast the population of western Leicestershire increased in this period by 24.2 per cent, but industrial expansion meant that this was no longer linked to the extreme poverty of the 1840s. The movement towards factory labour in villages from the late 1870s not only increased male wages, but also increased female employment so that family incomes rose significantly.[87] The industrial competition for labour also intensified the upward pressure on agricultural wages from wider out-migration. Thus, farm wages in Leicestershire, which had stabilised around 13s. per week between 1860 and 1880, rose steadily to 15s. by 1892 and over 16s. by 1907.[88] The lack of industry in Dorset, and the continued payment of wages in kind, contributed to a less impressive rise in income there. Wages had increased to 10s. per week by the 1850s and stayed at that level until the agricultural trade union agitation of the early 1870s encouraged a rise to 12s. in some districts. However reports of wages of 10s. in the 1890s suggests this gain was often lost and by 1907 average wages were still only 12s. per week. The increased level of cash wages was important because it occurred at a time when food prices were low, leading to an increase in purchasing power.[89] However, Snell has remarked that many Dorset labourers remained undernourished and poorly housed.[90] Indeed, in 1913 Rowntree and Kendall estimated that a family of three children required a weekly income of 20s. 6d. per week to survive on the poverty line and, outside of the hosiery villages of west-Leicestershire, this remained out of reach for many agricultural labourers and their families.[91]

Unsurprisingly, therefore, the effect of improved wages on housing varied across the two counties. The higher wages of Leicestershire's manufacturing villages enabled the payment of higher rents, which in turn encouraged investment in housing. The archetypal development of this period is the district of South Wigston, south of Leicester. This was commenced in the early 1880s by the speculator Orson Wright, and 600 identical brick cottages had been built by 1890.[92] Indeed terraces of such improved dwellings can still be

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[85] These figures have been calculated from the 1851 and 1901 census returns. All 'urban districts' of more than 2,500 population have been excluded from these figures, as have those villages that had undergone substantial boundary alterations due to suburban development by 1901. The Leicesterhire figure includes the rural parishes of the Belvoir, Billesdon, Hallaton, Lutterworth, Market Harborough and Melton Mowbray rural districts.
[86] Haggard, *Rural England*, Vol. 1, p. 259 (Dorset) and Vol. 2, p. 267 (Leicestershire).
[87] Barton and Murray, *Twisted Yarns*, pp. 43-6. On the importance of female labour see Wells, *British Hosiery Trade*, pp. 189-91.
[88] Afton and Turner, 'Wages', pp. 2000-2001.
[89] R. Perren, *Agriculture in Depression, 1870-1940* (Cambridge, 1995), pp. 23-4.
[90] Snell, *Annals of the Labouring Poor*, p. 376.
[91] B.S. Rowntree and M. Kendall, *How the Labourer Lives: a Study of the Rural Labour Problem* (1913), pp. 28-30. Carters and shepherds were typically paid higher wages and also frequently received rent-free accommodation.
[92] Hoskins, *Leicestershire*, p. 84.

seen in many villages across central and western Leicestershire. However, in east Leicestershire, and across most of Dorset, it is likely that increased incomes were spent more on improving diet and clothing than on increased rents. Reduced pressure on the existing housing stock also prevented rents from rising far. By 1913 both the Land Enquiry Committee and Rowntree and Kendall gave average rents as between 2s. and 2s. 6d. per week which was recognised as being well below that required to enable the construction of high quality housing to be let on a profitable basis.[93] Therefore, in the early twentieth century many people remained in occupation of housing that was considered to be sub-standard. Although the worst squalor of the 1830s and 1840s had largely gone by this date, problems of damp, lack of ventilation and overcrowding, as well as a lack of sanitation, continued to be reported throughout this period.[94] Some poor-quality housing in the Leicestershire village of Cossington can be seen in Figure 1.6. The continued low standard of housing raises questions over the role of landowners and smaller property owners in the early twentieth century, and the extent to which council housing was discussed as a way of providing improved housing before 1914. Therefore, control over the housing supply remained an important issue for the remaining residents of rural districts.

Approach and Methodology

The issue of housing and power relations is explored in this thesis through the analysis of a broad range of primary source material. The majority derives from locally generated archive collections, including estate papers, vestry minutes, manorial records, council minutes, and newspaper reports. Parliamentary reports and correspondence with central government have also been studied. Wherever possible, qualitative source material has been supplemented by a quantitative analysis of data. For example, the statistical method of correlation is employed in chapter two to examine relationships between the intensity of property ownership and other measures, such as population size. Although a statistical analysis cannot offer concrete proof of a relationship between different factors, it is useful as a test of arguments derived from more obviously subjective source material. Alongside this a large amount of fieldwork has also been undertaken in the two case study counties because, as W.G. Hoskins remarked, one should not 'fall into the delusion that all history

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[93] Land Enquiry Committee, *The Land: the Report of the Land Enquiry Committee, Vol. I: Rural* (1913), pp. 46, 116-8; Rowntree and Kendall, *How the Labourer Lives*, p. 28.
[94] For such complaints re. Leicestershire see Bear, 'Report upon the Poor Law Union of Melton Mowbray, pp. 139-40 and Land Enquiry Committee, *The Land*, pp. 93-7. On Dorset see Rew, 'Report on the county of Dorset', pp. 16, 31 and *The Land*, p. 84.

Dilapidated Cottages



Source: *Illustrated London News*, September 5 1846, pp. 156-7.

Fig. 1.5 This view of the 'interior of a Dorset labourer's cottage' was printed in the *Illustrated London News* in 1846 at a time of national interest in the condition of the Dorsetshire labourer. Despite the 'wide fissures' in the walls and ceiling the accompanying report states that it represented a 'nearer approach to comfort' than many in the county at that time.



Source: W. Scarff, *Leicestershire and Rutland at the Opening of the Twentieth Century* (Brighton, 1902).

Fig. 1.6 View of cottages at Cossington, north east of Leicester, at the turn of the twentieth century. These single-storey dwellings with their dilapidated roofs reflect the continued poor quality of much rural housing at this date.

can be found in books and documents'.[95] This was made to examine the housing in villages that had different property-owning structures in the nineteenth century. It proved extremely useful in developing a sense of place when writing about many of the settlements mentioned in the text, as well as re-enforcing the sense of diversity within the two counties.

The arguments in this thesis are, therefore, driven largely by the findings of this empirical research which have been used alongside the conceptual understanding of power relations outlined above to examine the ownership and management of housing. Although this work has not been built around a specific body of social theory, ideas have been taken from writing on power and society to ask questions of the evidence. As Rodney Lowe has argued 'By opening horizons and suggesting new relationships' social theory 'can give meaning to evidence which might otherwise be overlooked'.[96] In this thesis theoretical writing that discusses the contested nature of power has been particularly helpful in highlighting the ambiguities of power relations and drawing attention to cases in which cottage tenants and smaller property owners provided resistance to the power and influence of large landowners.[97] Such activity typically had nothing to do with challenging the broader social hierarchy, but it could be very important in shaping the everyday lives of the individuals concerned. The conceptual separation of the potential power brought by the possession of resources and the actions that are taken to make that power manifest is another important insight gained from social theory.[98] Concepts of 'open' and 'close' parishes, social control, and paternalism have also been scrutinised in the light of the evidence to analyse how useful they are in describing aspects of rural power relations. However, this work is essentially part of a long-established tradition of historiography in which 'an inferential learning about new phenomena by impression and likelihood deduction', from a wide range sources, plays an extremely important part.[99] Despite post-modernists' sustained critique of empirical research it is clear that there are still aspects of past experience that can be illuminated by such an approach.

The choice of housing and power relations as the subject for this thesis was also motivated by the fact that it enables us to reflect on the historic context of some present-day concerns. An analysis of the provision of housing in a period when few rural workers could afford their own dwellings and in which there was a decline in the level of housing owned

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[95] W.G. Hoskins, *Local History in England* (1959), p. 2.
[96] R. Lowe, *The Welfare State in Britain Since 1945* (Basingstoke, 1998), p. 5.
[97] For a useful collection of Michel Foucault's writings on power and resistance see C. Gordon (ed.), *Power/Knowledge: Selected Interviews and Other Writings* (Hemel Hempstead, 1980). See also P. Rabinow (ed.), *The Foucault Reader: an Introduction to Foucault's Thought* (1984; 1991 ed.).
[98] On the potential quality of power relations see Newby, Bell, Rose and Saunders, *Property, Paternalism and Power*, pp. 221-3, 228. See also Marshall, *Dictionary of Sociology*, pp. 519-20.
[99] K.D.M. Snell, 'Settlement, poor law and the rural historian: new approaches and opportunities', *Rural History* 3 (1992), p. 166.

by local government appears highly pertinent. Attachment to the rural idyll remains strong, and there is no reason to believe that any amount of academic studies about rural social problems will erode the deeply ingrained cultural attraction to rural life. However, because this attraction is in part based on an idealisation of the past experience of cottage occupants, increased knowledge of the social tensions historically surrounding rural housing may in turn help to draw attention to the darker side of the modern idyll. The provision of housing by landed estates also remains an important issue in many localities. The extent to which these estates have survived varies widely, but in a county such as Dorset where ten of the twelve largest estates recorded in 1873 survive today, their continued influence should not be underestimated.[100] In many instances surviving high-quality estate housing serves to reinforce the image of landed paternalism and an examination of their historic role is therefore of considerable modern relevance. Although it would be wrong to argue that we can draw direct lessons from the past, the examination of current concerns in a historic context can add to our understanding of our own times.

The following chapters therefore explore four key aspects of the provision of housing and power relations in this eighty-year period. Each is designed to investigate an under-researched or disputed area of the existing historiography through the innovative use of primary source material. Chapter two analyses debate over the validity of the open and close parish model by focussing specifically on the issue of house ownership between the 1830s and 1914. The following chapter examines the tenurial basis of property ownership in the two counties. It explores the relative importance of archaic tenures and the manorial framework to the control and management of housing in Dorset and Leicestershire. Chapter four examines the housing provision made by the landed estates of the two counties, and analyses the extent to which notions of paternalism can be seen to have informed not only the standard of estate housing, but also the way in which it was managed. Finally, chapter five explores the provision of housing by rural local government. It opens with an analysis of the provision made by parish vestries into the mid-nineteenth century and then examines local debates over the construction of council housing after 1890. Overall, therefore, this thesis addresses a number of ways in which housing played an important part in relationships between owners and tenants, larger and smaller property owners, ratepayers and the poor, farmers and labourers, and central and local government. Its aim is to highlight the importance of housing to the experience of power relations in rural society, encouraging its study to be integrated more firmly into the broader social history of rural England.

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[100] Waymark, 'Landed estates in Dorset', pp. 17-19.

Chapter Two

The pattern of rural house ownership in Victorian and Edwardian England: a new perspective on the open and close parish model

Within the existing historiography debates over property ownership and power relations in the English countryside have focussed on the ownership of land. As established in the previous chapter, this is most clearly seen in the open and close parish model of rural society, as formulated by Dennis Mills.[1] Mills' initial work on the subject was inspired by the striking differences he noticed in the population size and employment structure of neighbouring parishes in Leicestershire. As a historical geographer he felt that this challenged the established view that differences in the development of rural society and culture were determined by variations in geology and agriculture, and instead prioritised landownership and 'the differential operation of the Poor Laws'.[2] Building on concepts developed by the Victorians, Mills has argued that in 'close' parishes, where landownership was concentrated in few hands, landowners had the power to restrict the amount of available housing in order to limit the size of population and keep down the level of the poor rates. Mills has also claimed that control of the existing housing stock formed 'part of the social control exerted by the landed classes', which also included patronage of the village school and reading room.[3] By contrast, open parishes, with a fragmented pattern of landownership, were places where 'small independent owners and entrepreneurs were important and even modestly powerful'.[4] Indeed, cottage building might even be to their advantage if their rental income outweighed their share of higher poor rates.[5] Although Mills has striven to avoid a crude dichotomy, arguing for a sliding scale approach to open and close divisions, he has made the bold claim that this 'is a model with predictive powers'; the prediction being that 'marked differences in the social distribution of landownership will give rise to marked differences in population density, occupations and other features of rural economy and society'.[6]

Most of the research that has been carried out to date has focussed on the role of the laws of settlement in encouraging landowners to curb the amount of accommodation

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[1] Mills first developed his model in his doctoral thesis: D.R. Mills, 'Landownership and rural population, with special reference to Leicestershire in the mid-19th century' (Unpub. Ph.D. thesis, University of Leicester, 1963). These arguments were more fully developed in D.R. Mills, *Lord and Peasant in Nineteenth-Century Britain* (1980).

[2] D.R. Mills, 'The development of rural settlement around Lincoln, with special reference to the eighteenth and nineteenth centuries', in D.R. Mills (ed.), *English Rural Communities: the Impact of a Specialised Economy* (1973), p. 95.

[3] Mills, *Lord and Peasant*, pp. 125-8.

[4] Mills, *Lord and Peasant*, p. 16.

[5] R.C. Allen, *Enclosure and the Yeoman* (Oxford, 1992), p. 50.

[6] Mills, *Lord and Peasant*, p. 78.

available to the rural poor. Indeed, the terminology of open and close parishes was first introduced in the context of debates over reform of these laws in the 1840s. Settlement legislation was key to the organisation of poor relief on a parish basis, as it set down the criteria by which it was determined which parish had the responsibility to relieve individual paupers. Prior to 1834 the principal criteria, known as 'heads' of settlement, were annual hiring, serving an apprenticeship, renting property valued at or above £10 per annum, the possession of immovable property valued at over £30, the payment of local taxes, and serving an annual public office.[7] The introduction of the new poor law in 1834 saw the removal of annual service and holding a parish office as heads of settlement, but these alterations were not retrospective and the parish remained the principal unit of settlement and relief until 1865.[8] Although a settlement could not be acquired by residence alone, residence clearly offered the potential to acquire a settlement via these other routes. Given the widespread poverty of the rural labouring population at this time, any population increase could be seen as a potential burden on the poor rates. This was of particular concern to landowners because they not only paid rates on the property they occupied, but the level of poor rate was also taken into consideration when setting farm rents.[9] Landowners, therefore, had a strong incentive to restrict the amount of accommodation in 'close' parishes in order to prevent rising poor rates eating into their profits.

However, the opinions of historians have varied widely as to how extensively landowners actively controlled the housing supply in individual parishes and the extent to which this affected the nature of social relations. The strongest critic of this approach has been Sarah Banks. Banks argued that Mills was mistaken in adopting the language of a nineteenth-century 'propaganda campaign' to reform the settlement laws as a model of rural society.[10] She has been especially critical of the parliamentary reports on settlement and removal compiled in the years between 1847 and 1865. Banks has argued that their authors pursued evidence that portrayed this legislation in a negative light, put words into the mouths of witnesses and failed to gather statistical data to aid their arguments.[11] Having employed a statistical method known as cluster analysis to data on landownership, population growth, poor relief and occupational structure from a group of Norfolk parishes, Banks found that these measures did not co-vary in a way that revealed distinctive groups of

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[7] For a full list of the heads of settlement see K.D.M. Snell, 'Settlement, poor law and the rural historian: new approaches and opportunities', *Rural History* 3 (1992), p. 150.
[8] J.S. Taylor, *Poverty, Migration, and Settlement in the Industrial Revolution: Sojourners' Narratives* (Palo Alto, 1989), pp. 24-5.
[9] See S.G. & E.O.A. Checkland (eds), *The Poor Law Report of 1834* (1834; Harmondsworth, 1974), p. 138.
[10] S. Banks, 'Nineteenth-century scandal or twentieth-century model? A new look at "open" and "close" parishes', *EcHR* 2nd Ser. 41 (1988), p. 51.
[11] S. Banks, 'Open and close parishes in nineteenth-century England' (Unpub. Ph.D. thesis, University of Reading, 1982), pp. 115-36.

parishes that could be described as 'open' or 'close'.[12] Examining parishes in both Norfolk and Berkshire she found little correlation between landownership and poor law expenditure and concluded that 'the direct quantifiable influence of large landowners on the demographic and economic affairs of parishes was not major'.[13] Such views have proved influential and other historians have also expressed strong scepticism about any 'predictive' model based on landownership.[14] Most recently David Spencer has raised a number of conceptual objections to what he sees as an unduly localised and static model.[15]

Nevertheless, the open and close parish model has long proved attractive to historians and belief in a relationship between property ownership and the exercise of power in rural parishes remains widespread. Holderness was an early contributor on the subject, arguing that landownership was a key determinant of the local labour supply in many areas.[16] David Levine's work on Bottesford and Shepshed, two Leicestershire parishes with contrasting patterns of landownership, found differences not only in the level of poor relief but also in the range of employment available, which he argued influenced family formation in the early nineteenth century.[17] R.C. Allen has also argued that differences in the housing supply between parishes 'reflected the incentives created by the Poor Law and the associated laws of settlement'.[18] He carried out regression analysis with data on landownership and population from 690 south Midlands parishes, which found that population density and poor relief per acre rose with the number of landowners.[19] B.K. Song has also published research suggesting that Banks' criticisms may not be universally applicable. His cluster analysis of all parishes in Oxfordshire, found that landownership did co-vary with indicators of poor relief, population density and agricultural employment.[20] Therefore, we are left with conflicting accounts of the extent to which landownership affected the housing supply and other aspects of rural society.

This chapter will contribute to these debates by focussing on the relationship between landownership and the housing supply. The first section will examine the literary

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[12] Banks 'Open and close parishes', pp. 282-96.
[13] Banks 'Open and close parishes', pp. 242, 278.
[14] See W.A. Armstrong, 'Labour I: rural population growth, systems of employment and incomes', in G.E. Mingay (ed.), *AHEW, Vol. VI, 1750-1850* (Cambridge, 1989), p. 664; M. Reed, 'Class and conflict in rural England: some reflections on a debate', in M. Reed and R. Wells (eds), *Class, Conflict and Protest in the English Countryside, 1700-1880* (London, 1990), p. 25; A. Howkins, 'Types of rural communities', in E.J.T. Collins (ed.), *AHEW, Vol. VII, 1850-1914* (Cambridge, 2000), p. 1307.
[15] D. Spencer, 'Reformulating the "closed" parish thesis: associations, interests, and interaction', *Journal of Historical Geography* 26 (2000), pp. 83-98.
[16] B.A. Holderness, ' "Open" and "close" parishes in England in the eighteenth and nineteenth centuries', *Agricultural History Review* 20 (1972), pp. 126-39.
[17] D. Levine, *Family Formation in an Age of Nascent Capitalism* (1977), pp. 29-30.
[18] Allen, *Enclosure and the Yeoman*, p. 49.
[19] Allen, *Enclosure and the Yeoman*, pp. 49, 53.
[20] B.K. Song, 'Landed interest, local government, and the labour market in England, 1750-1850', *EcHR* 2nd Ser. 51 (1998), p. 476.

evidence for the existence of open and close parishes, addressing the core issue of the impact of the settlement laws on the housing supply. This will not only utilise the well-known parliamentary reports on settlement and removal, but will also draw on local evidence from estate papers, correspondence, newspapers and census reports from both case study counties. All of these sources have their limitations, but many escape the criticisms levelled by Banks at the parliamentary reports. In the second section some of the conclusions drawn from this analysis will be tested against quantitative data on patterns of property ownership for a sample of parishes from the 1830s and 1840s, and 1909. This will examine correlations between landownership, house ownership and population, and will assess the extent to which landowners had control over housing in parishes where they were the principal proprietors. It will also investigate the stability, or otherwise, of patterns of property ownership, another issue sidelined in the existing historiography. Particular attention will be given to an examination of small-scale property holdings and the extent to which they survived in these two counties over the course of the nineteenth century. The extent of owner-occupation will also be discussed, a feature associated with independence from landlord interference. In addressing these detailed issues of property ownership this chapter will be exploring matters of key importance to the wider issues of power and influence within rural communities that will be developed further in later chapters.

Literary evidence of open and close parishes

The parliamentary reports of this period record considerable evidence that landowners were actively reducing the amount of cottage accommodation in many parishes in order to lessen the burden of poor rates. The *Poor Law Report* of 1834 argued that where 'a parish is in the hands of only one proprietor, or of proprietors so few in number as to be able to act, ... they may pull down every cottage as it becomes vacant, and prevent the building of new ones'. This practice was believed to 'account for the frequent occurrence in the most pauperized districts of small parishes with very low or almost nominal rates'.[21] The alleged effects of such activity on 'open' parishes were described in S.C. Denison's report on Norfolk of 1843.[22] Denison described the 'open' parish of Castle Acre, which was 'in the hands of a considerable number of proprietors', but surrounded by others 'owned by one or two (or very few) proprietors'. These owners restricted the supply of housing so that 'the labourers are forced to quit them, and come to reside in Castle Acre'.[23] Such activity was

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[21] Checklands (eds), *The Poor Law Report of 1834*, p. 248.
[22] S.C. Denison, 'On the counties of Suffolk, Norfolk and Lincoln', *Reports of the Special Poor Law Commissioners on the Employment of Women and Children in Agriculture* (1843), pp. 215-80.
[23] Denison, 'Suffolk, Norfolk and Lincoln', pp. 221-2.

frequently associated with overcrowding and high house rents. It was also believed to have contributed to the development of agricultural gangs that went out from Castle Acre to work in the surrounding parishes. This was an extreme example of the frequently reported experience in this period of labourers walking miles to and from work every day because of a lack of available accommodation.[24] The demolition of cottages by landowners was therefore seen to have wide ramifications and it was a potent and enduring image, feeding into wider debates about the paternalist duties of landowners.[25]

These views were strengthened following a reform of the settlement law in 1846 that introduced the concept of irremovability. This made certain groups exempt from removal back to their legal settlement when they applied for relief. These included widows during the first year following the death of their husbands, those suffering from temporary sickness and, most importantly, those continuously resident in a parish for five years. This was introduced in the context of Corn Law repeal as a concession to the agricultural interest, Peel having 'depicted the hardship of sending back' industrial workers to a rural parish of settlement 'in a time of manufacturing distress'.[26] Although this Act was seen as a relief to the agricultural interest, it was also claimed to have encouraged the restriction of accommodation in 'close' parishes by giving landowners an incentive to prevent labourers achieving a five-year continuous residence.[27] 'Open' parishes complained vociferously of increased poor rates due to the residence of many irremovable poor.[28] Such complaints contributed to the introduction of Bodkin's Act in 1847, which transferred the costs of the irremovable poor to the common fund of each poor law union, in theory easing the strain on those parishes with large numbers of irremovable poor.[29]

However, claims about the ill effects of the settlement laws on the housing supply continued to be a prominent feature of the series of parliamentary reports issued between 1850 and 1864.[30] In part this was because Bodkin's Act proved to be only a partial remedy to the problems of irremovability. This was because each parish contributed to the common fund of the union on the basis of an 'average' of their expenditure on poor relief over the preceding three years. Thus the potential remained for landowners in 'close' parishes to restrict accommodation and ensure low averages, thereby passing the burden of relief onto

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[24] Checklands (eds), *The Poor Law Report of 1834*, p. 249.
[25] See D. Roberts, *Paternalism in Early Victorian England* (1979), p. 37.
[26] Sir Robert Peel, cited in M. Caplan, 'The new poor law and the struggle for union chargeability', *International Review of Social History* 23 (1978), p. 270.
[27] R. Pashley, *Pauperism and the Poor Laws* (1852), pp. 278, 287.
[28] Such claims are a prominent feature of the *Reports from the Select Committee on Settlement and Poor Removal* XI (1847).
[29] This Act was renewed annually until 1865. See S. and B. Webb, *English Poor Law History, Part II: The Last Hundred Years* (1929), pp. 422-4.
[30] See especially *Reports to the Poor Law Board on Settlement and Removal* (1850).

the union funds to which 'open' parishes, with high averages, contributed most greatly. This was partly remedied in 1861 when a system of union rating was introduced, so that each parish contributed to the common fund on the basis of its rateable value.[31] However, the broader system of settlement and parish relief remained in effect until 1865. That year saw the introduction of union chargeability, which finally placed the costs of all poor relief on each union's common fund, and transferred most powers over settlement and removal to the boards of guardians. Thus, any incentive to restrict housing in specific parishes under the settlement law was removed as 'for most practical purposes' a pauper could 'be said to be settled in a union'.[32]

The Act was assisted in its passage by an extremely influential report on rural housing conditions by Dr Hunter, who had been engaged by the Medical Department of the Privy Council. This painted a disturbing picture of rural housing conditions, describing extensive overcrowding and structural disrepair.[33] Much of this was attributed to the failure of landowners to supply decent dwellings, and he also argued that a system of demolition was being pursued. This was backed up by a study of the 1861 census reports, which contained notes explaining changes in population in many parishes. Hunter found that it was 'either incredible or alarming' that 'strings of parishes are here presented as owing their depopulation to the destruction of houses'.[34] He identified 821 parishes across the country in which the number of inhabited houses declined between 1851 and 1861 in the face of an increasing population.[35] C.P. Villiers, President of the Poor Law Board, who was piloting the Union Chargeability Bill through the Commons, seized upon this evidence. He declared that 'the pulling down of cottages had been proved by the Commons Select Committee in 1847, by the Poor Law Board Commission in 1851, and by Dr. Hunter in 1864, and no doubt it still existed'.[36] Indeed, Hunter's report has been influential ever since. It was extensively cited by Karl Marx and a number of historians have also accepted this report as evidence of the negative impact of the settlement laws on the housing supply.[37]

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[31] This Act also reduced the period of residence required for irremovability to three years. See Caplan 'The new poor law', p. 285.
[32] W.A. Holdsworth, *The Handy Book of Parish Law* (1872 ed.; Devizes, 1995), p. 103.
[33] Dr H.J. Hunter, 'Inquiry on the state of the dwellings of rural labourers', Appendix 6 of the *Seventh Annual Report of the Medical Officer of the Privy Council*, XXVI (1865).
[34] Hunter, 'Inquiry on the state of dwellings', p. 126.
[35] The parishes are listed in *Return of Names of 821 Agricultural Parishes* XLVIII (1865).
[36] Cited in Caplan, 'The new poor law', pp. 292-3.
[37] K. Marx, *Capital* (1886; 1972 ed.), p. 807. W. Hasbach, *A History of the English Agricultural Labourer* (1908), p. 400; R. Samuel, 'Village labour', in R. Samuel (ed.), *Village Life and Labour* (1975), pp. 14-15; J. Burnett, *A Social History of Housing 1815-1985* (1986), p. 128; G.E. Mingay, 'The rural slum', in S.M. Gaskell (ed.), *Slums* (1990), p. 115.

Sarah Banks has, however, been critical of Hunter, arguing that he employed emotive language that was heavily influenced by earlier parliamentary reports.[38] Indeed, although Banks concedes that the reports of this period provide evidence of actions taken by individual landowners in order to restrict settlement, she has argued that these were 'magnified out of all proportion into a scandal'.[39] Banks' critique is certainly important in highlighting the context in which the reports were drawn up. Landowners and the agricultural interest were heavily criticised during the debates over the repeal of the Corn Laws in the mid-1840s and representatives of the industrial interest seized upon accusations of cottage demolition as evidence of the failure of rural paternalism. There was also a bureaucratic motive for exaggerating the impact of the settlement laws. By the 1840s the central poor law authorities were experiencing considerable frustration that the new poor law had failed to provide a remedy for rural pauperism, and considerable blame was placed on the working of the settlement laws.[40] Therefore, Banks' scepticism may be justified and it is important to scrutinise evidence of the existence of 'open' and 'close' parishes in more detail for each of the case study counties.

Local evidence 1 - Leicestershire

Dennis Mills made extensive use of evidence from the county of Leicestershire in his construction of the open and close model. This was largely based on a comparison of data on landownership from the 1832 Land Tax returns, population data from the census returns and other statistics on poor relief and industrial employment. Mills found a correlation between density of landownership in 1832 and population density in 1851 across Leicestershire, and there was also a correlation between high poor rates and fragmented landownership in a majority of districts.[41] Mills therefore concluded that there is 'good reason to believe that the control of population through housing was widely practised'.[42] Having also found relationships between landownership, religious nonconformity and industrial employment Mills categorized the county's parishes as either 'open' or 'close', on the basis of the concentration of landownership. However, in acknowledgement of the fact that this produced something of a crude dichotomy Mills developed sub-groups of parishes. Thus 'close' parishes could be divided into 'squire's' parishes where one resident owner owned

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[38] Banks, 'Open and close parishes', pp. 170-1.
[39] Banks, 'Open and close parishes', p. 175.
[40] This is clearly seen in the *Ninth Annual Report of the Poor Law Commissioners* (1843), pp. 34-56. See also Banks, 'Open and close parishes', p. 120.
[41] Mills, 'Landownership and rural population', pp. 139, 192.
[42] Mills, 'Landownership and rural population', p. 213.

more than half the parish, and 'absentee' parishes where between two and four owners owned two-thirds or more of the land. In turn he separated 'open' parishes into those where property was heavily subdivided between forty or more owners, which Mills termed 'freeholder' parishes, and those where the distribution of landownership was less wide which he referred to as 'divided' parishes.[43]

In 1832 Mills found that there were 134 close parishes, thirty-nine of which were squires' parishes and ninety-five absentee parishes. As an example of the most close, Mills cited John Throsby who described the village of Cotesbach in 1790. It was then owned by Robert Marriott, LLD, and consisted of only eighteen dwellings. Throsby stated: 'The Doctor ... may give laws to all that breathe in this place ... for not only all the land owns him for its lord, but every dwelling also'.[44] Such archetypal 'close' parishes were, however, a small minority and Mills found a predominance of open parishes in the county, seventy-six of which he defined as freeholder and ninety-eight as divided parishes. Mills describes the village of Medbourne as typical of the most open villages. In 1863 it contained a chapel, a lodge of Foresters, four pubs, twenty-three shopkeepers and tradesmen, and fifteen farmers, seven of whom owned their own land. Unlike Cotesbach, Mills argued that these were communities 'in which self help and an independence of mind had places'.[45]

A number of literary sources confirm this picture of contrasts. One of the most systematic investigations of Leicestershire in this period was made by Richard Hall, who was the Assistant Poor Law Commissioner sent to the county in the mid-1830s in order to form its poor law unions. In two reports drawn up in 1836 Hall argued that Leicestershire's parishes 'should be divided into two classes, agricultural and manufacturing'. He noted that population in the latter was 'dense', but in the former was 'thin'. Hall stated that it was 'not easy to assign a reason for the prevalence of manufacture in some places ... and the total absence of it in others; unless it be, that in the former, landed property was much subdivided, and was therefore more readily procured for the purpose of building the habitations of the workmen'. [46] In his second report Hall argued that where landownership was 'much subdivided' 'small proprietors have been willing to part with their land to builders or have themselves built Cottages on it, to be tenanted by the Frame work knitters, neither of which would a Wealthy Landed Proprietor do; Great pains have been taken, in

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[43] Mills, 'Landownership and rural population', pp. 142-7; Mills, *Lord and Peasant*, pp. 77-8.
[44] Mills, *Lord and Peasant*, p. 27.
[45] Mills, *Lord and Peasant*, p. 135.
[46] R. Hall, 'Report on the counties of Leicester, Derby, Rutland, and part of Stafford', in *Second Annual Report of the Poor Law Commissioners* (1836), p. 433.

many parishes, to keep out the Manufacturers'.[47] Hall therefore saw stark contrasts between parishes with different patterns of landownership.

The reason given by Hall for the exclusion of framework knitters from landed estates was the proprietors' objection to the poverty and high poor rates that were associated with the hosiery industry. Hall reported that land had 'been suffered to lie uncultivated, in order to escape the payment of poor-rate', so heavy had the burden of rates become in some manufacturing parishes.[48] He argued that this was partly because few master hosiers lived in these villages, and in times of trade depression a hosier could, 'throw them by hundreds on the Parish, while he himself ... will not contribute one farthing towards their support'.[49] This dispensation to high and volatile poor rates clearly provided a strong incentive for landowners to prevent framework knitters from settling in parishes in which they were the dominant proprietors. Indeed, this argument had been made more than a quarter of a century before, in Pitt's 1809 report to the Board of Agriculture on Leicestershire.[50] Pitt remarked that 'upon the Duke of Rutland's extensive demesnes, poors' rates were low, as there were no stockingers, and care was taken that there should be none'.[51] It was widely believed that 'with the increased population, occasioned by manufactures, poors' rates increased also', due to the taking of apprentices, fluctuations in trade and frequent illness.[52] Commenting on Pitt's report William Marshall neatly remarked 'How nearly connected, and difficultly separable, are *poor rates* and *manufactures*'.[53]

Other evidence supports the view that landowners took action to prevent the industry developing in villages where they held sway. In January 1794 Thomas Babington of Rothley Temple, wrote to his attorney, explaining that 'The stipulation against Mr Pagett's building on the Woodgate Garden ... is to prevent an increase of Inhabitants, and consequently of Poor'.[54] There are signs that landowners were keen to buy out small freeholders that might offer opportunities for cottage building. In May 1837 William Martin, the steward to the sixth Earl of Stamford and Warrington, wrote to his employer encouraging the purchase of a cottage and eight acres at Groby, warning that 'if it should fall into the hands of some Leicester *Stockingmaker* [it] may be the cause of *great Burthens* to the Estate'. The result of

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[47] NA MH32/34. R. Hall, Report on 'the manufacture of stockings and the assessment of machinery', April 25 1836.
[48] Hall, 'Report on the counties of Leicester, Derby, Rutland', pp. 433, 435.
[49] NA MH32/34. Hall, 'Report on the manufacture of stockings'.
[50] W. Pitt, *General View of the Agriculture of the County of Leicester* (1809), cited in W. Marshall (ed.), *The Review and Abstract of the County Reports to the Board of Agriculture Vol 4:The Midlands* (1818; Newton Abbott, 1968). Mills' work was informed by both Hall's and Pitt's reports; Mills, 'Landownership and rural population', pp. 198, 209.
[51] Pitt, in Marshall (ed.), *Review and Abstract*, p. 203.
[52] Pitt, in Marshall (ed.), *Review and Abstract*, p. 203.
[53] Marshall, *Review and Abstract*, p. 205.
[54] ROLLR 44D 28/1158/6. Letter from Thomas Babington to his attorney, January 29 1794.

this was something to be prized: 'If this Property is purchased I think your Lordship will be then the *sole Proprietor of Groby*' with some small exceptions.[55] Although such evidence is hard to accumulate in large quantities these letters clearly show that landowners and their agents were eager to prevent speculative building in parishes where they held large quantities of land.

Mills did not, however, focus solely on the industrial areas of the county. Larger agricultural populations also carried the potential to be a burden on the poor rates and there is evidence that landowners restricted accommodation in more agricultural districts, such as the parishes in the Melton Mowbray union in the north-east of the county. Along with the evidence from the Duke of Rutland's estate, reports from the Dysart estate, centred on the parish of Buckminster on the Lincolnshire border, also suggest a concern to control building activity. In March 1848 it was recorded that 'The Surveyor … will attend the Sale of John Bartram's Estate at Sewstern and will purchase it … in order to prevent any one from Building more Houses on the same'.[56] Melton Mowbray itself was reported to function as an 'open' parish, becoming home to many labourers who were employed in neighbouring parishes but could not find accommodation there.[57] Evidence of open and close contrasts can therefore be found from across the county.

However, evidence of the actual demolition of cottages is more difficult to find. In February 1848 an editorial in the *Leicester Chronicle* made allegations about cottage demolition, arguing that 'not a cottage is allowed to stand in a village which a landlord can pull down'.[58] However, the names of only two villages were named as specific examples. These were Aylestone and Knighton, adjoining villages to the south of Leicester, owned principally by the Duke of Rutland and the Cradock family respectively. Furthermore, only at Aylestone, where the number of inhabited houses fell from 102 to 92 between 1841 and 1851, is there evidence of actual demolition.[59] The census reports offer further evidence of cottage destruction, but only on a limited scale, and not always in the most 'close' parishes.[60] In 1851 cottage demolition was reported at Market Bosworth, and Thorpe Acre,

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[55] Enville Hall archives, Staffordshire. Letter to Earl of Stamford and Warrington from his steward, William Martin, May 31 1837.
[56] Buckminster Estate Office, Weekly Report Book 10, Copy Casual Report to March 31 1848.
[57] E. Stanhope, 'Report on the counties of Lincoln, Nottingham and Leicester', in *First Report from the Commissioners on the Employment of Children, Young Persons and Women in Agriculture, Appendix Part 1, Reports from the Assistant Commissioners* XVII (1867-8), p. 330.
[58] *Leicester Chronicle*, February 12 1848, p. 3.
[59] The remarks attached to the census reports are reprinted in W.G. Hoskins and R.A. McKinley (eds), *The Victoria History of the County of Leicestershire,* Vol. 3 (1955), pp. 203-9. At Knighton there is no evidence of a sustained programme of demolition as the total number of inhabited houses grew from 79 in 1831 to 127 by 1861.
[60] See Hoskins and McKinley (eds), *Victoria History of the County of Leicestershire,* Vol. 3, pp. 204-7.

along with Aylestone, all of which were dominated by individual landowners.[61] In 1861 there are no further reports of demolition, although in 1871 it was recorded that cottages at Appleby and Leire had been demolished. While the former contained the seat of a substantial resident landowner, Leire had a more divided pattern of landownership. The 1861 census returns were drawn on by Dr Hunter who included nineteen Leicestershire townships in his list of parishes in which he alleged that population decline was due to demolition.[62] However, on closer scrutiny only twelve of these townships actually saw a decrease in inhabited houses in this decade, and these lost only thirty houses in total. Demolition in individual parishes was clearly on a small scale as five of these townships saw a decline of only one house, and the largest loss was of six dwellings. Therefore, although cottage demolition was a localised problem, it was usually on a small scale. Where Leicestershire's landowners were keen to exercise control over the housing supply, this was usually by the more subtle methods of purchase and prevention of new building.

Local evidence 2 - Dorset

Attempts by landowners to restrict the amount of available housing were also reported in Dorset. In 1834 it was reported that in the village of Moor Crichel, 'a regular system has been practised for above thirty years, and no increase of cottages allowed above the habitations required for the housing of the labourers of the parish'.[63] Similar cases were described in the mid-1840s as attention was drawn to the condition of agricultural labourers in the county because of the part that Dorset's MPs played in debates over the repeal of the Corn Laws.[64] A series of letters were written to *The Times* by the Revd Sidney Godolphin Osborne, rector of Durweston, near Blandford, who campaigned for an improvement in the conditions of agricultural labourers. Osborne claimed that landowners had not only refused to build cottages 'but they have perseveringly pursued the system of cottage destruction'.[65] He gave the example of Tarrant Crawford, which he described as a 'close parish', in which 'every living soul is at the mercy of the proprietor of the whole of it'. Its population declined

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[61] See W. White, *History, Gazetteer, and Directory of the Counties of Leicester and Rutland* (Sheffield, 1863 ed.), pp. 511, 683, 725.
[62] Hunter, 'Inquiry on the state of dwellings', p. 719. The parishes are listed in *Return of Names of 821 Agricultural Parishes* XLVIII (1865), p. 9.
[63] D.O.P. Okeden, 'Third Report', *Report from His Majesty's Commission on the Administration and Practical Operation of the Poor Laws: Appendix AI, Reports from Assistant Commissioners, Part I* XXVIII (1834), p. 21a.
[64] In 1846 both of Dorset's MPs, Henry Charles Sturt and the future seventh earl of Shaftesbury, resigned their seats as their electors did not share their support for repeal. The Commons also saw some heated discussions about agricultural conditions in the county. See report in *The Times*, May 12 1846.
[65] Letter from Revd S.G. Osborne, *The Times*, August 24 1846, p. 5.

by eleven between 1831 and 1841.[66] Osborne's claims were borne out by reports from a *Times* special correspondent who was sent to the county to investigate the living conditions of the 'Dorsetshire Labourer'.[67] He reported that 'large as has been the increase of population, it is in but few parishes that new houses for his accommodation have of late years been erected'.[68] The failure of Dorset's landowners to provide adequate accommodation became national news.

There is also evidence of cottage demolition in the county on a somewhat wider scale than in Leicestershire. In the 1851 census report a decrease of population in the parishes of Blandford St. Mary, Stourpaine, Moreton, and in the hamlet of Wyldecourt, was attributed to the demolition of cottages.[69] Ten years later the same was recorded in Burlestone, Castleton, and Wootton Fitzpaine.[70] Trade directories indicate that the six parishes listed were each dominated by one or two proprietors. In 1864 Dr Hunter listed twenty parishes in which he claimed the number of houses had declined between 1851 and 1861 in the face of population growth.[71] However, closer examination shows this to have been the case in only eleven of those named. In these, the number of inhabited houses fell by sixty, in the face of a population increase of 217. As in Leicestershire destruction was typically on a small scale, although in three parishes the decrease in housing was in double figures.[72] Again there appears to be a strong link to concentrated landownership. Trade directories list a single principal landowner in seven of these eleven parishes, and in only one was as many as four owners recorded. The largest number of references to cottage demolition was actually recorded in the census report for 1871, which listed this as a cause of population decline in sixteen parishes, two hamlets and the entire Cranborne sub-district.[73] Trade directories list a single principal proprietor in twelve of the sixteen parishes, and in only two were four or more landowners listed. We must be wary of attributing demolition at this late date to the avoidance of poor rates, given that the report was issued six years after the introduction of union chargeability and the wider process of rural population decline had begun. Nevertheless, there is evidence that demolition on the part of landowners was a significant influence on the housing supply in rural Dorset.

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[66] Letter from Revd S.G. Osborne, *The Times*, July 31 1846, p. 5.
[67] The decision of the paper to send a correspondent to Dorset is explained in *The Times*, June 18 1846, p. 5.
[78] *The Times*, June 18 1846, p. 5.
[69] See *Census for England and Wales 1851: Population Tables I, Vol. I, Number of Inhabitants in 1801, 1811, 1821, 1831, 1841 and 1851* LXXXV (1852-53).
[70] See *Census for England and Wales 1861: Population Tables I, Vol. I, Number and Distribution of People* L (1862).
[71] The parishes are listed in the *Return of Names of 821 Agricultural Parishes*, p. 5.
[72] Chardstock lost seventeen inhabited houses between 1851 and 1861; Chaldon Herring saw a decline of eleven, and Dewlish of ten.
[73] See *Census for England and Wales 1871, Vol. II, Area, Houses and Inhabitants (Registration or Union Counties)* LXVI – Part II (1872).

Indeed, the impact of such activity in the remote village of Hilton, in the central chalk uplands of the county, made the national press in the autumn of 1848. In September the village rector, Revd Andrew St John, wrote to Lord Morpeth, sponsor of the Public Health Act, 1848, to draw attention to the appalling condition of the parish. In the past eight months there had been over 100 severe cases of typhus, leading to sixteen deaths. St John believed that, along with widespread poverty, the cause of the outbreak lay in 'the ill-ventilated and crowded cottages'. He claimed that this was 'in some measure owing to several cottages belonging to the Lord of the Manor having been allowed to fall down, and the prospect is still more alarming … owing to his express determination to let down all other Cottages now in a state of dilapidation, of which from long neglect there are a great many'.[74] The publication of a letter on the case by the Revd Osborne in *The Times* drew a response from the Earl of Portarlington, who was lord of the manor, and owner of two-thirds of the parish. Portarlington defended his actions by explaining that the population had risen too greatly and declared that the estate could not afford 'the enormous outlay it would have required, or the additional burden thereby created'.[75] Mention of the 'additional burden' suggests a reluctance to incur any increase in poor rates and Revd St John also believed that 'We are overwhelmed with Poors-rates'.[76] The Assistant Poor Law Commissioner for the county, Grenville Piggott, visited the parish and argued that the situation was evidence of the 'evil resulting to the poor from the insufficiency of cottages' that was 'usually the greatest where the whole parishes belong to single individuals'.[77] The suffering experienced by the villagers of Hilton could, therefore, be seen as emblematic of the hardship that was believed to arise from the law of settlement.

While some parishes in the county were afflicted by demolition, others were believed to be suffering the wider consequences of such action. One such example was Fordington, near Dorchester. In 1854 an outbreak of cholera in the village threw the spotlight on housing conditions in the neighbourhood. As in Hilton the main campaigner for improvement in the village was the rector, Henry Moule. He published eight letters drawing attention to the squalor of the village that were addressed to Prince Albert who, as head of the Duchy of Cornwall, was the lord of the manor. Most of Moule's criticism was levelled at the Duchy authorities for not regulating building within the manor. However, neighbouring landowners were also criticised for their 'refusal to provide a sufficient number of cottages for the labourers on their estates, and sometimes in the reduction of the number of those previously

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[74] NA MH12 2726. Letter from Revd A. St John to Lord Morpeth, September 15 1848.
[75] Letter from the Earl of Portarlington to *The Times*, November 2 1848, p. 6.
[76] NA MH12 2726. Letter from Revd A. St John to Lord Morpeth, September 15 1848.
[77] NA MH12 2726. Report of Assistant Poor Law Commissioner Grenville Piggott, October 27 1848.

existing'.[78] A survey of the legal settlement of paupers in the parish confirms that many were immigrants to Fordington. Indeed, of 102 pauper cases only forty had their settlements in the village, the remainder belonging to thirty-four other parishes.[79] Being close to Dorchester it is likely that many were attracted by the employment opportunities available in the county town. However, the fact that one man had to walk five miles to work in his own parish of settlement suggests that not all immigration was voluntary.[80] Indeed, claims of evictions from 'close' parishes were frequent after the introduction of irremovability in 1846. In 1850 John Revans reported such activity in the Wimborne Union and claimed that most unions had a number of 'open' parishes from which 'labourers who are driven out from the other parishes … go as far as three miles and a half to work'.[81] Such arguments, alongside the evidence of Moule and Osborne provide strong evidence that landowners and their tenant farmers had acted on the incentives provided by the settlement law to limit the housing supply.

Indeed, these parliamentary reports also give an insight into the decisions about housing that were made in 'close' parishes. An example was Sutton Waldron, in the Shaftesbury union, where the largest farmer was the Revd Anthony Huxtable. He employed a number of labourers who were neither resident or settled in the parish and he found them to be good workmen. However, he also noted that they walked two and a half miles to and from work each day and that 'the farmer must pay for that walk'.[82] By 1847 Huxtable believed that he could get the landowner's permission to build, but felt that cottages had not been built earlier because 'The landlord has not only that objection in point of capital at present, but the objection to men becoming chargeable upon himself for ever'.[83] This provides direct evidence of the settlement law as a deterrent to rural house building.

However, it is important to place the law of settlement in a wider context and also be precise about its impact on the housing supply. Huxtable's evidence suggests that the inability of agricultural labourers to find housing in parishes in which they were employed was not necessarily an indicator of cottage demolition. This period of 'high farming' saw considerable investment in agricultural improvement, which could lead to sharp increases in the demand for labour in individual parishes. In Dorset investment in these decades was being channelled into the breaking up of the chalk downs for the expansion of arable

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[78] Rev. H. Moule, *Eight Letters to His Royal Highness The Prince Albert, as President of the Council of the Duchy of Cornwall*, Letter III, September 28 1854 (1855), p. 13.
[79] Moule, *Eight Letters*, p. 16.
[80] Moule, *Eight Letters*, p. 15.
[81] J. Revans, 'Report to the Poor Law Board on the operation of the law of settlement in Dorsetshire, Hampshire and Somersetshire', *Reports to the Poor Law Board* XXVII (1850), pp. 90-2, 123.
[82] *SC on Settlement and Poor Removal* (1847), p. 147, qq. 5622-3.
[83] *SC on Settlement and Poor Removal* (1847), p. 156, q. 5730.

cultivation, and in the Wimborne Union it was noted that labourers from open parishes 'go to well-farmed parishes, in which there are not a sufficient number of resident labourers to till the land'.[84] Indeed, Huxtable reported that the 'want of labourers is strongly felt in the neighbourhood where these large downs are'.[85] Therefore, in districts where such improvements took place, the link between the settlement laws and housing shortage was often through the disincentive given to new cottage building rather than the effects of demolition.

This source material also provides evidence that the settlement law was only one among a number of socio-economic factors that influenced landowners' housing policy. In terms of social attitudes Revd Osborne stated in 1847 that there was 'a very strong objection to population, independently of the mere fact of chargeability'. He believed that many landowners saw large rural populations as a 'nuisance'. Children, for example, 'get into woods, and palings are pulled down'. Osborne also described how labourers were widely perceived to be a criminal class, 'the most common crimes being fuel stealing, barn robbing, sheep and poultry stealing'.[86] Revd Moule of Fordington also argued that although there was no doubt that the settlement law was an influence on the restriction of the housing supply, this was not 'universally the motive, or the only object in view'. Moule mentioned one landowner who had, 'with the desire of freeing himself from some of the worst and most troublesome of his parishioners, and ... of improving his grounds, destroyed one side of the village street, and removed the obnoxious parties'.[87] Therefore, there is considerable evidence to support John Rule's statement that landowners sought to exclude those seen as 'the immoral, the undeserving or the socially undesirable' from their estates.[88] There is also evidence that these attitudes influenced many of Leicestershire's landowners. As late as August 1876, more than a decade after the introduction of union chargeability, Charles Packe discussed purchasing eight cottages near his estate in Great Glen, Leicestershire. He openly acknowledged that 'It is not a profitable investment; but the question is whether if ... some building company bought them, they might not become a thorn'.[89] This is clearly suggestive of wider concerns for social control.

In economic terms there were wider motives both for and against investment in cottage accommodation. Clearly, the low return that could be expected from renting cottages

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[84] Evidence of Mr Dowding, Relieving Officer of No. 1 District in the Wimborne Union in Revans 'Report to the Poor Law Board', p. 123.
[85] *SC on Settlement and Poor Removal* (1847), p. 151, q. 5672. A similar situation was experienced in other arable districts, such as north-east Norfolk. Denison, 'Suffolk, Norfolk and Lincoln', pp. 274, 77.
[86] *SC on Settlement and Poor Removal* (1847), p.165, q. 5870.
[87] Moule, *Eight Letters*, pp. 13-14.
[88] J. Rule, *The Labouring Classes in Early Industrial England, 1750-1850* (1986), p. 79.
[89] ROLLR DE 5047/144/1. Letter from Charles Packe to his brother William, August 26 1876.

to poorly paid agricultural labourers, was in itself a strong obstacle to new building. However, in some parishes landowners were encouraged by potential economic benefits to build cottages. Such was the case in some of Leicestershire's coal-mining villages, in which landowners had direct interests in the profitability of the mines.[90] In agricultural districts building was also encouraged by a concern over the damage done to farm productivity by labourers walking miles to and from work each day, as expressed by Revd Huxtable. These motives, possibly combined with a desire to uphold a paternalist vision of estate management, led many landowners to build cottages in this period. Tensions between different economic and social influences on the building activities of landowners will be investigated further in chapter four, but it is clear that the settlement law was not the sole driving force of their housing policy.

Despite the complexity of this evidence certain conclusions can be drawn from this analysis of literary source material. It is clear that many contemporaries saw open and close parish contrasts as a striking feature of the early-Victorian countryside. In west Leicestershire the link between population size and landownership was very strong because of the presence or absence of the hosiery industry in individual parishes. However, even in more agricultural districts such as Dorset and east-Leicestershire there were noticeable open and close parish types. The range of source material also proves that the settlement law was a significant influence on these contrasts, although it was clearly not the *only* influence on landowners' attitudes towards rural housing. It is also clear that the actual demolition of cottages, which was one of the most emotive elements of the argument to reform the settlement laws, was not always the cause of a lack of housing for the local workforce. There can be little doubt that localised destruction in the 1840s and 50s contributed to a housing shortage, especially in Dorset villages such as Hilton, but on the whole demolition was on a limited scale. What we cannot tell from this evidence is whether the examples of open and close parishes highlighted by contemporaries were representative of a wider relationship between property ownership and population, as suggested by Mills. Therefore, in the next section an analysis of quantitative data is employed to examine patterns of property ownership in order to test the extent of any such relationship.

Sources for a quantitative analysis of rural house ownership

Until now there has been no attempt by historians to carry out a quantitative study of the ownership of rural housing, and a considerable obstacle to this has been an apparent lack

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[90] For example, the principal owner of Bagworth parish was Viscount Maynard, who owned a colliery, a railway siding and 24 colliery houses in 1837. ROLLR QS 27/2/14. Bagworth Valuation, 1837.

of available source material. Sources used for the study of landownership in the nineteenth century, including Land Tax assessments and Tithe Surveys are often found wanting in respect of detailed information on housing. A more promising set of sources is parish rate books, which theoretically list the owners and occupiers of all rateable property. These have been put to excellent use by Martin Daunton in his studies of urban house ownership, and he has argued that 'it is possible to have confidence in the listings of both owners and occupiers, which are as complete as could reasonably be expected, allowing for vacancies'.[91] However, the use of such material in a rural context is by no means straightforward. Mid-nineteenth century rate books have survived for relatively few parishes, and many of those that have survived fail to accurately list all cottage property, partly due to the widespread practice of exempting poorer cottagers.[92]

Nevertheless, there are other sources related to the assessment of rateable property that provide a more accurate representation of property ownership. Rate books were typically based on documents known as valuation lists. These were required to list all land and buildings liable to be rated, along with the names of owners and occupiers and the property's value. In the mid-1830s official concern was expressed over the accuracy of these documents, which resulted in the introduction of the Parochial Assessments Act in 1836. This stipulated that wherever vestries and parish officers felt that a 'fair and correct' rate could not be made without a new valuation, application should be made to the Poor Law Commissioners to issue an order for re-valuation.[93] Each proposed valuation had to be approved by the Commissioners who attempted to ensure that professional surveyors were employed.[94] Despite this, doubts continued to be expressed over the quality of the valuations,[95] although there are reasons to believe that valuation lists were likely to list most rateable property. Keith Snell has argued that local interests would ensure this, not least because these assessments formed the basis of plural voting on vestries.[96] This view is supported by the evidence of a witness to the Select Committee on Rates of 1834, who stated 'If I am a rate payer in a parish, and discover that my neighbour has property which is not rated, it is to my interest to see that he is rated, because he is assisting me in paying the

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[91] M.J. Daunton, 'House-ownership from rate books', *Urban History Year Book* (1976), p. 21. See also M.J. Daunton, *House and Home in the Victorian City: Working-Class Housing 1850-1914* (1983), pp. 107-20.
[92] Daunton has remarked that prior to the introduction of compounding under the Poor Rate and Assessment Act of 1869, the payment of rates by smaller occupiers 'was more or less voluntary'. Daunton, *House and Home*, p. 203.
[93] Parochial Assessments Act, 1836 (6 & 7 W4 c. 96).
[94] R. Hyde, 'The Act to regulate parochial assessments 1836 and its contribution to the mapping of London', *Guildhall Studies in London History* 2 (1976), pp. 56-8.
[95] *Report of the Poor Law Commissioners on Local Taxation* XXI (1843), p. 52.
[96] Snell, 'Settlement, poor law and the rural historian', p. 163.

rate'.[97] Therefore, it is likely that professional valuers and local interests combined to produce increasingly accurate valuation lists.

A major obstacle to the use of valuation lists is that they exist for a relatively small proportion of parishes. By 1843 approximately 4,000 valuations had taken place under the 1836 Act.[98] However, this only represents around one third of the parishes in England and Wales. Moreover, as with rate books, their survival and deposit in county record offices has been largely by chance. Fortunately, however, a gathering of valuation lists was undertaken by the Quarter Sessions of both case study counties in the late 1830s. This arose from a desire to ensure that parishes contributed fairly towards the costs of county government.[99] Contributions were organised as a county rate, levied on an assessment of each parish's rateable value and paid out of the poor rates.[100] A steady increase in the costs of county government since the late eighteenth century led to the establishment of parliamentary inquiries and in 1834 it was reported that the valuations of most counties were out of date. Moves were then slowly made in both case study counties to update their assessments, partly to ensure that new urban and industrial development made its contribution to county funds.[101] Thus at the Midsummer sessions for Leicestershire of 1837 a return of 'the rack rent or Actual Rent for ... every description of Property' in each parish was requested and the overseers presented the returns for approval at special petty sessions held that autumn.[102] Progress on the matter was delayed in Dorset, but a return of parish valuation lists was finally made after Easter 1840.[103]

Therefore, the valuation lists in parish and county collections provide coverage of the majority of parishes in both counties in the first decade of this study. However, in order to examine patterns of house ownership, it is important to ensure that the valuations are as comprehensive as can reasonably be expected. As a test of their reliability the number of dwellings recorded in each parish has been compared with the total number of houses given in the 1831 and 1841 census returns. One would not expect the totals to agree precisely because of the discrepancy in dates between the two sources. However, the test revealed that

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[97] *Select Committee Report on County and Highway Rates* XIV (1834), p. x.
[98] Hyde 'The Act to regulate parochial assessments', p. 57; R.R. Oliver and R.J.P. Kain, 'Maps and the assessment of parish rates in nineteenth-century England and Wales', *Imago Mundi* 50 (1998), pp. 157-8.
[99] *Report of the PLC on Local Taxation* (1843), pp. 2, 14. See also *SC Report on County and Highway Rates* (1834), p. vii.
[100] See J. Steer, *Steer's Parish Law: Being A Digest of the Law Relating to Parishes, Churches and Chapels etc. and the Relief, Settlement and Removal of the Poor* (1830 ed.), pp. 389-90.
[101] *First Report of the Commissioners for Inquiring into County Rates and Other Matters Connected Herewith* XXXVI (1835), p. 8. *SC Report on County and Highway Rates* (1834), p. viii.
[102] ROLLR QS 6/2/2 Leicestershire Quarter Sessions Order Book, 1831-43. The returns for most of the parishes in all but one of the county's ancient hundreds survive. See ROLLR QS 27/2/1-280.
[103] DCRO QSM 1/17, Quarter Session Order Book, 1836-45. The returns cover the administrative county at that time, excluding the borough of Poole. See DCRO D/QFR: County and Police Rate Basis 2 (4 vols).

the valuations were not of a uniform standard and although a significant number of parishes recorded over 80 per cent of the houses listed in 1841, some included less than a quarter. Any analysis of property ownership therefore has to be confined to the most accurate valuation lists, which nevertheless still provide the best chance of analysing data on house ownership over a range of parishes.

It is also the aim of this chapter to assess the durability of patterns of property ownership. Mills has argued that the open and close model applies mainly to the period 1780-1850.[104] Indeed, if the settlement law was a primary motive for landowners to control the housing on their estates then we might expect that village differences would have lessened by the turn of the twentieth century, following the introduction of union chargeability in 1865.[105] It is difficult to test with quantitative data whether this changed landowners' attitudes to population on their estates, because by this time the tide of population growth had turned. Indeed, by the latter decades of the nineteenth century concern had switched away from the problems of surplus labour that were prevalent in the 1830s towards rural depopulation and labour shortage.[106] Nevertheless, open and close type differences were still remarked on in the latter decades of the nineteenth century, if not as frequently as during debates over reform of the settlement laws. In the 1890s William Little reported to the Royal Commission on Labour that although union chargeability had 'removed the great obstacle to cottage building by estate owners ... the effects of the old system are still observable in many districts'.[107] In 1899 J.L. Green wrote of differences between standards of cottage accommodation between open and close parishes.[108] Writers such as W.H. Hudson, Thomas Hardy, Flora Thompson and M.K. Ashby also remarked on open and close type contrasts, although they did not use the terms themselves.[109] Thus, it is important to test whether the relationships between landownership, housing and population posited in the open and close model were extant at this later date.

It is also important to explore whether there were changes to the pattern of property ownership over this period. One criticism levelled at Mills' work is that it provides only a

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[104] Mills, *Lord and Peasant*, p. 140; D.R. Mills and B. Short, 'Social change and social conflict in nineteenth-century England: the use of the open-closed village model', *Journal of Peasant Studies* 10 (1983), p. 253.
[105] On the decline of open/close differences see A. Howkins, *Reshaping Rural England: a Social History, 1850-1925* (1991), pp. 248-9.
[106] Concern over rural depopulation encouraged the establishment of the Royal Commission on Agriculture (1895) and can be seen in H.R. Haggard, *Rural England* (1902), 2 vols.
[107] William Little, 'General Report from the Senior Assistant Agricultural Commissioner', *Royal Commission on Labour* (1893-4), p. 92.
[108] J.L. Green, *English Country Cottages: Their Condition, Cost and Requirements* (1899), p. 52.
[109] M.K. Ashby, *Joseph Ashby of Tysoe, 1850-1919* (1961; 1974 ed.), p. 160; Thomas Hardy, *Tess of the D'Urbervilles* (1891; 1994 ed.), p. 363; W.H. Hudson, *A Shepherd's Life* (1910; 1981 ed.), pp. 197-8; F. Thompson, *Lark Rise to Candleford* (1945; 1973 ed.), p. 21.

static model of rural society.[110] Mills has himself acknowledged that the model was presented in this form to focus on 'inter-village contrasts', at the cost of obscuring 'the possibility of significant changes in these contrasts over time'.[111] Mills defended his position by arguing that the period from the 1830s to the 1870s was one 'of general stability in landownership', a picture recently supported by Snell and Ell's assessment of the landownership patterns recorded in the *Imperial Gazetteer*.[112] However, Beckett has argued that larger landowners were acquiring property to consolidate their estates and there is evidence of such accumulation within individual parishes.[113] For example, Lord Wantage slowly acquired the villages of Ardington and Lockinge in Berkshire from 1854. Indeed, despite the onset of agricultural depression cottages were still being purchased in the 1880s and 1890s, many of which were rebuilt as estate cottages.[114] This raises the question of whether there was a wider trend towards the concentration of house ownership in the years between the 1830s and the early twentieth century.

In order to analyse changes in the pattern of property ownership over the course of this period the results from an analysis of the valuations from the 1830s and 1840s will be compared with data from the early twentieth century. Fortunately, a more uniform set of valuations exist from this date, created under proposals for the taxation of land that were introduced by Lloyd George in the people's budget of 1909.[115] As Professor Short's authoritative introductions to this material have shown, its potential for the study of land and property ownership is impressive.[116] The material was compiled by establishing a complex web of civil servants and land valuers to record every property in the country and assess the value at which it could be taxed.[117] The original lists of property were derived from parish rate books for the year 1909-10, which were then transcribed into volumes known as valuation books. These form the principal set of documents used in this analysis, although in many cases information has also been checked against the other key volumes in this process, known as field books. These usually contain copies of the information in the valuation book along with descriptions of the properties made following their inspection by the appointed

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[110] Spencer, 'Reformulating the "closed" parish thesis', pp. 86, 92-3.
[111] Mills, *Lord and Peasant*, p. 139.
[112] See Mills, *Lord and Peasant*, p. 89; K.D.M. Snell and P.S. Ell, *Rival Jerusalems: The Geography of Victorian Religion* (Cambridge, 2000), p. 445.
[113] J.V. Beckett, 'The pattern of landownership in England and Wales, 1660-1880', *EcHR* 2nd Ser. 37 (1984), p. 16.
[114] M. Havinden, *Estate Villages Revisited* (Reading, 1999), pp. 131-52.
[115] B. Short, *Land and Society in Edwardian Britain* (Cambridge, 1997), pp. 15-6.
[116] See B. Short, *The Geography of England and Wales in 1910: an Evaluation of Lloyd George's 'Domesday' of Landownership*, (1989); Short, *Land and Society*.
[117] Short, *Land and Society*, p. 41.

valuers.[118] The boundaries of each property were also recorded on 25-inch Ordnance Survey maps, which provide another check on the data recorded in the valuation and field books.

As Short has pointed out, the use of these documents to assess patterns of property ownership is not entirely straightforward. In this chapter our main concern is with the accuracy of the valuation books. On the whole these documents have a far greater chance of recording all the property in a parish than the earlier valuations because any property omitted from the rate book was to be written into the back of the valuation book. The visits of valuation officers and the mapping of every hereditament meant that there were a number of checks on the inclusion of property. It is unfortunately less easy to verify the number of houses recorded against census data because the printed returns for the 1911 census record the number of 'families or separate occupiers' rather than the number of inhabited houses. However, if this figure is used alongside the number of houses recorded in the 1901 census, it provides a reasonable check on the data, ensuring that the sample parishes have a high accuracy rate. Where there are apparent discrepancies in the data these have been checked against the field books and maps, although in a small number of cases a degree of ambiguity remains.

A particular problem in comparing data from the earlier valuations with that from 1909 is the issue of parish boundaries. Firstly the latter valuations can contain discrepancies between civil parish boundaries and what Short refers to as the 'hereditament parish'. Where property in a single unit extended across adjoining parishes it was to be valued in that which contained the greatest proportion of the property.[119] This is especially problematic when the study of land is the focus, although the inclusion of acreages from the rate books, along with that recorded by the valuers, acts as a useful check. This can also affect the inclusion of tied cottages with a farm in one parish, although they physically lay outside of its boundaries. Once again the field books and maps provide a useful guide. Secondly, the late nineteenth century saw widespread changes to parish boundaries under the Divided Parishes Acts of 1876, 1879 and 1882 and the Local Government Acts of 1888 and 1894, and this affected a number of the sample of parishes analysed in the following section. Nevertheless with careful attention to maps and both sets of valuations every precaution has been taken to ensure the use of data within comparable boundaries at both dates. Only in a small number of cases, in which a small proportion of the houses in a parish were affected, has this not

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[118] Short, *Land and Society*, p. 212. Short rightly stresses that the range of information recorded in the field books varies from parish to parish.
[119] Short, *Land and Society*, p. 145.

been achieved.[120] This work confirms Short's belief that 'To continue to use the parish as the unit of study requires some effort and knowledge on the part of the researcher'.[121]

Therefore, it is clear that neither set of valuations can be taken as exact representations of the pattern of house ownership. However, historians are used to accepting that source material is imperfect and, despite the importance of the above concerns, this source material provides by far the best opportunity to explore changes in the pattern of property ownership in this period. Therefore, provided the data is handled with considerable care, and transparency is maintained in how it is analysed, the potential benefits of such an analysis can outweigh its shortcomings. As Brian Short has argued conclusions can be drawn from such source material 'providing trends are sufficiently pronounced and claims of full precision are avoided'.[122] It is with those words in mind that the following analysis is presented.

Methodology and selection of sample parishes

The range of parishes available to study in this way is clearly restricted to those for which accurate valuations from both periods have survived. A further restriction was placed on the number of parishes that could be selected because of the time-intensive nature of using the source material. Because this chapter requires information on both land and house ownership, and cottage occupation, a full transcription was made of each selected valuation list using a standard spreadsheet programme.[123] It soon became clear that the number of parishes surveyed in this detail would have to remain low, and a choice of twenty was selected from each county. Key statistics on land and house ownership in each parish, along with census data, were then entered into the statistics package SPSS for analysis. Although this is a small sample of the total number of parishes it is large enough to enable an examination of correlations between ownership patterns and other features of rural society. Indeed, while enabling us to analyse trends within the data, a small sample also enables us to

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[120] Boundary changes were more extensive in Dorset than in Leicestershire. The housing of only two of the sample Leicestershire parishes were affected in this period. These changes in Shackerstone and Woodhouse affected no more than two houses in each. Boundary changes affected housing in seven of the Dorset sample parishes. The largest changes were made in Bradpole, which lost a large number of houses to Bridport in 1894 and 1901. However, by comparing parish maps from 1838 and 1902 data has been collated to ensure comparability between the two dates. Similar modifications have also been made to data from West Lulworth and East Stoke. A lack of source material has meant that changes in other parishes have not led to adjustments of the valuation lists, but these affected a small proportion of the housing stock in each. The largest change occurred in Witchampton, which gained 9 cottages in 1886 (7 per cent of the housing stock in 1901). Changes affecting between two and four cottages took place in Blandford St Mary, Caundle Marsh and Holnest.

[121] Short, *Land and Society*, p. 264.

[122] Short, *Land and Society*, p. 264.

[123] Sampling of the property was felt to be impossible given the aim to compare specific parishes over time. Short, *Land and Society*, pp. 232-5.

examine local factors that appear to have influenced the development of rural parishes, both in line with, and contrary to, broader patterns. Therefore, although too much weight cannot be placed on conclusions drawn from an analysis of only forty parishes, every care has been taken to place this in a wider context. Ultimately the findings can be tested at a later date from a greater number of parishes drawn from a broader range of counties.

The sample parishes were selected on the basis of three principal criteria. Firstly that their valuations should cover at least 75 per cent of the housing recorded in the 1841 census, and of the separate households recorded in the 1911 census.[124] Secondly, the parishes were selected in order to ensure a wide range of property owning patterns and a reasonable geographical spread in order to test whether trends and correlations occurred across as broad a range of parishes as possible. Thirdly, the selection has also been influenced by the extent to which wider source material is available, including estate papers and vestry minutes, which provide a context for the trends brought out by the data. The selection of the Leicestershire sample was also guided by Dennis Mills' classification of parishes as open and close on the basis of the 1832 Land Tax returns.[125] Nine 'close' parishes and eleven 'open' parishes were chosen, in line with the overall balance within the county. Because this thesis set out with the aim of contrasting counties with different economic bases most of the open parishes were selected in the hosiery belt in the west of the county. Indeed, nine of the parishes are taken from the Hinckley union, in order to examine contrasting patterns of property ownership across a number of neighbouring parishes. This included the seven 'open' parishes of Barwell, Burbage, Higham on the Hill, Sapcote, Sharnford, Stoke Golding and Stoney Stanton, and the two 'close' parishes of Aston Flamville and Elmesthorpe. The three other 'open' parishes were Glenfield and Great Glen, which were selected from among those with a large manufacturing population, and Husbands Bosworth, which was a more agricultural parish. Seven other 'close' parishes were selected from the estates of a number of large landowners from across the county. Knipton was owned principally by the Duke of Rutland, Swithland by the Earl of Lanesborough, Sibson and Shackerstone by Earl Howe and Lady Loveless, Buckminster by the Earl of Dysart, Wanlip by the Palmer family and Stoughton by the Powys-Kecks. Also included is the 'divided' civil parish of Woodhouse that contained an estate village belonging to the Herrick family

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[124] Only two of the valuations used record less than 85 per cent of the total housing recorded in the 1841 and 1911 census returns. Both of these are from the earlier valuations. At Melbury Sampford in Dorset this arises from five out of six dwellings being recorded (83.3 per cent). At Sharnford in Leicestershire 103 dwellings were listed in 1837. This amounts to 75.7 per cent of the total houses in 1841, but 96.3 per cent of those recorded in 1831. Therefore, it is possible that most of the increase in dwellings between 1831 and 1841 took place after the valuation was made.

[125] Mills, 'Landownership and rural population', Appendix 4, pp. (A4)1–(A4)16.

and the more 'open' township of Woodhouse Eaves. The location of the parishes is shown in Figure 2.1.[126]

Within Dorset, fewer parishes met an acceptable level of accuracy. This was particularly noticeable in the Dorchester petty-sessional division, and this restricted the number of parishes selected from the central chalk belt of the county. The choice was also made without the benefit of a Mills-style parish categorization. However, applying Mills' criteria to the data from the selected parishes from the 1830s and 1840s shows that fourteen of these parishes could be classified as 'closed' and six as 'open'. The larger number of close parishes is in line with the greater presence of large landed estates in Dorset. The sample parishes are also taken from across Dorset's agricultural *pays* and have varying sized populations, to ensure that a broad range of settlements is included. The six parishes of Ashmore, Blandford St Mary, Evershot, Pentridge, Spetisbury and Witchampton, were in the arable chalk uplands of the county and all had concentrated patterns of landownership. East Stoke is the sole representative of a heathland parish, and it had a more fragmented pattern of landownership. Eight of the parishes are situated in the pastoral northern vales of the county, ranging from the 'close' parish of Melbury Sampford, dominated by the park of the Earl of Ilchester, to Haselbury Bryan, the parish with the most fragmented pattern of property ownership in the sample. The other parishes in the Vale (Holnest, Caundle Marsh, Manston, Hinton St. Mary, Fifehead Magdalen and Ibberton) were all partially owned by large landowners, although many also contained a number of smaller owners in the 1840s. Two parishes, Bradpole and Powerstock, come from the western vales of the county with a mixed agricultural economy, and Bradpole's inhabitants also found employment in the local rope and net manufactory. Langton Herring and West Lulworth are both coastal parishes that also supported a fishing industry and, finally, Langton Matravers, on the Purbeck peninsula, was home to a substantial quarrying community. The location of the parishes is shown in Figure 2.2.[127]

The quantitative data from the valuations and census reports, yields information on landownership, house ownership and population that can be used to assess the strength of the relationships between these factors. However, when measuring the concentration of land

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[126] ROLLR QS 27/2 The valuation lists are all dated 1837. The valuation books for 1909 are stored in the series DE 2072. See Bibliography for full details.

[127] The valuations are mainly taken from those made for the county rate re-valuation in 1840. See DCRO D:QFR County and Police Rate Basis 2 (4 vols). Parish valuations were used for five parishes, and deficiencies in the valuation lists of Hinton St Mary, Langton Matravers and Powerstock were countered by reference to their Tithe Surveys. The valuation books for 1909, with the exception of Witchampton, are stored in the DCRO series NG/V. Information for Witchampton was derived from the field books, NA IR 58/67818-20. See Bibliography for full details.

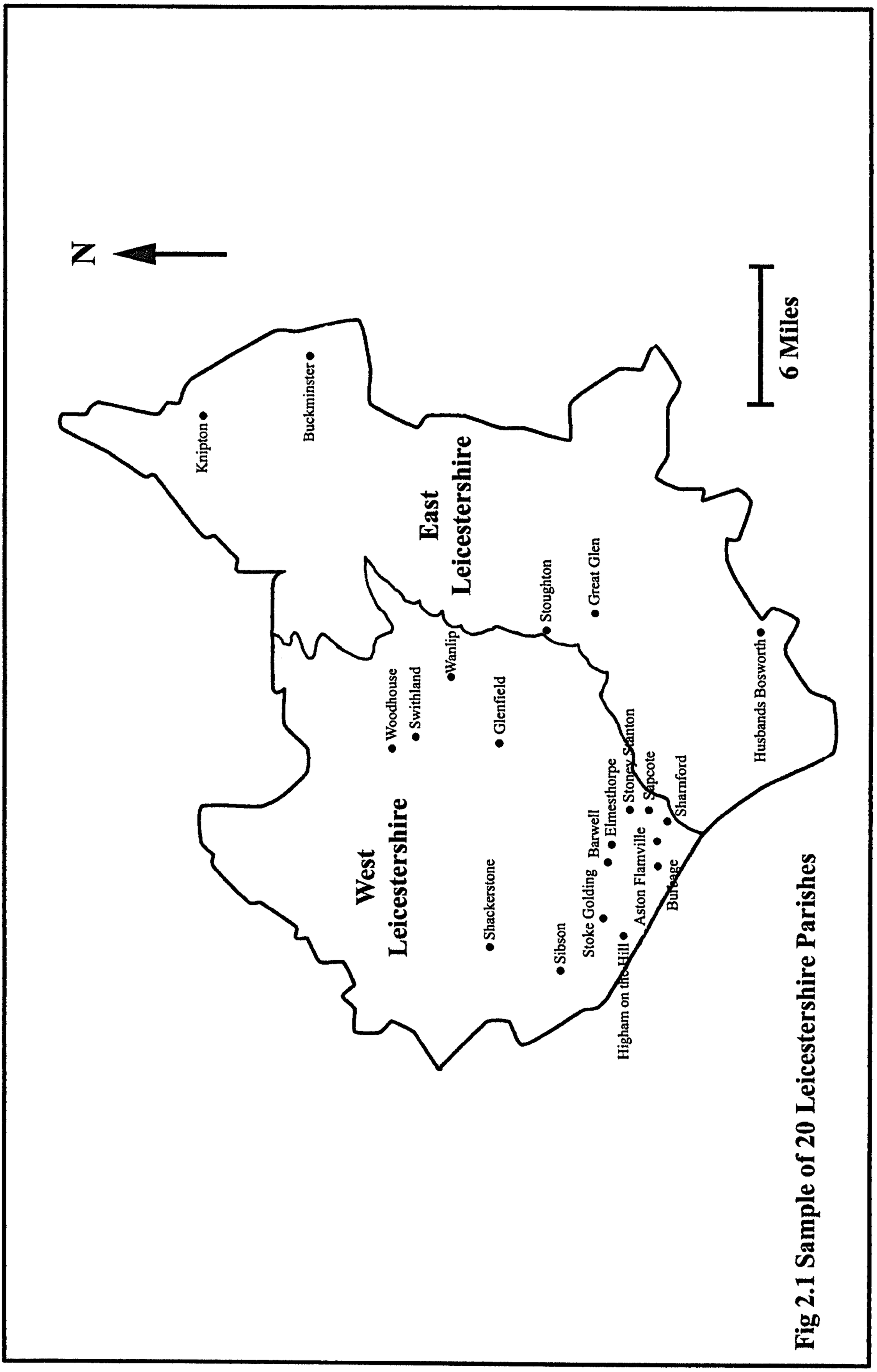


Fig 2.1 Sample of 20 Leicestershire Parishes

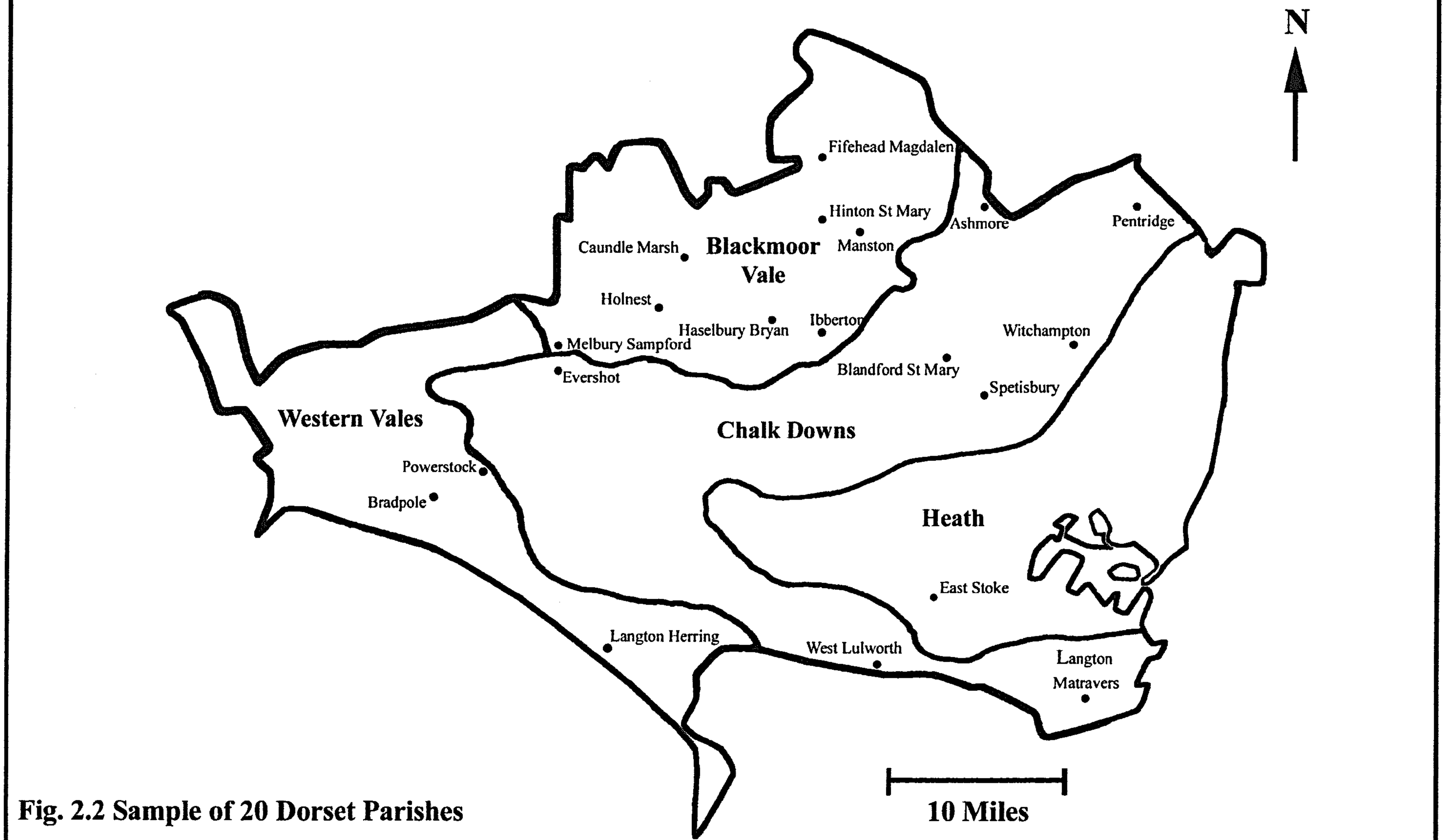


Fig. 2.2 Sample of 20 Dorset Parishes

and house ownership it is possible to take a number of different measures. For example, the concentration of landownership can be expressed as the number of landowners per acre, the percentage of land owned by the largest owner and the mean acreage owned. In order to maintain clarity in the following debate, two principal measures are used. The first is the number of landowners recorded in the valuation lists. This is because most contemporary definitions of open and close parishes are based on the absolute number of landowners in a parish. Secondly, the percentage of land owned by the largest owner is also utilised as an indicator of the influence of individual owners. The same measures are also used in respect of house ownership. These are employed along with other variables, such as measures of population, to examine the strength of correlation between them. Scatter plots have been included as a means of illustrating the strength of the most important relationships.

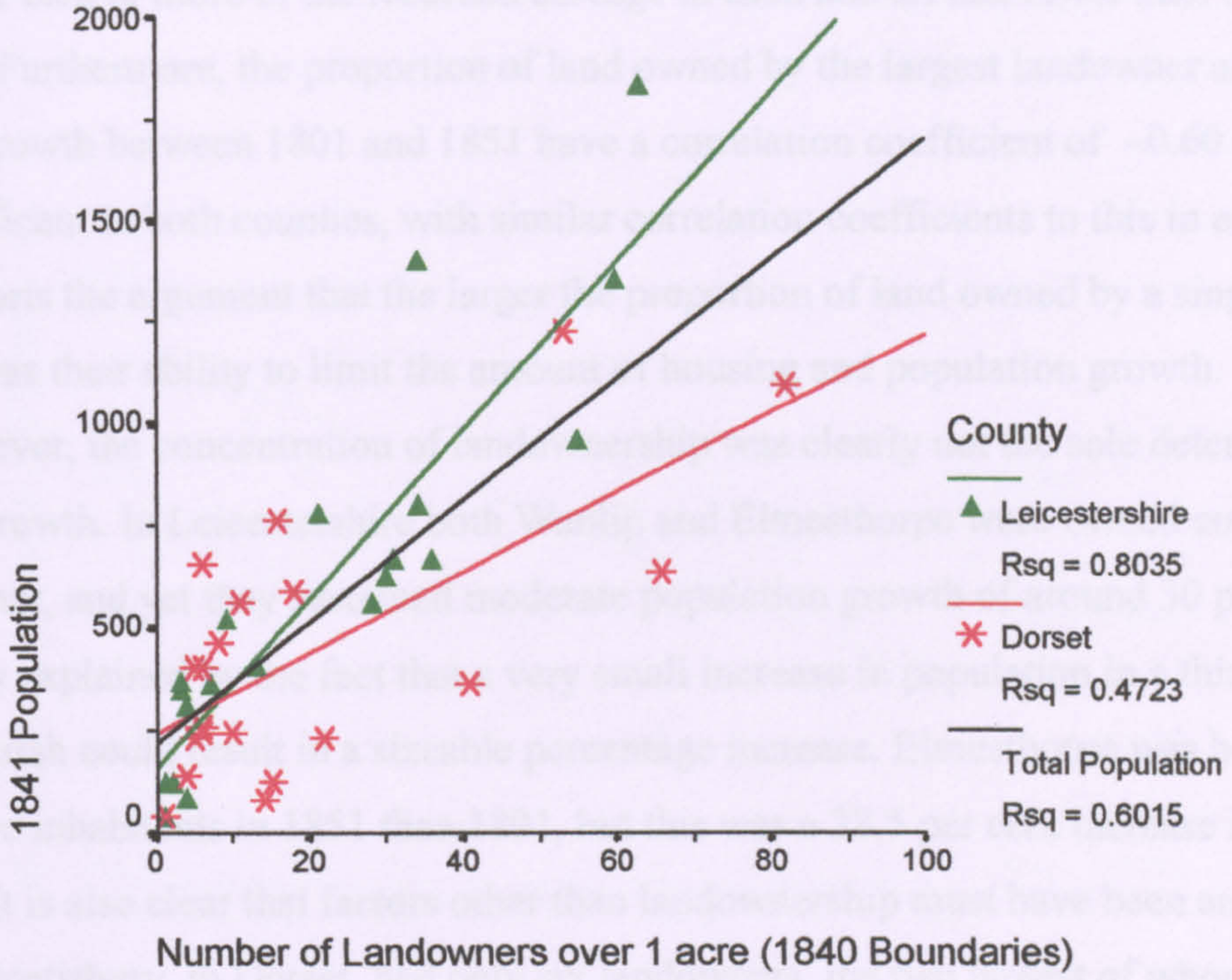
Landownership, house ownership and population

The claim that the owners of parishes in which land was concentrated in few hands limited the amount of housing available to restrict the size of population receives some support from these statistics. A test of the relationship between the number of landowners recorded in the valuations from c. 1840 and the population in 1841, across the forty sample parishes, yields a correlation coefficient of 0.78, confirming a strong link between the two factors (Fig. 2.3).[128] The coefficient of determination shows that 60 per cent of the variation in population is explained by landownership. However, it is possible that this relationship is a spurious one, governed by the influence of an external factor. The variable most likely to influence these criteria is the area of the parish; a larger parish might be expected to provide employment for more people, and include a number of different settlements that were potentially owned by more landowners. The extent of the influence of this third factor can be assessed through the method of partial correlation, which measures the relationship between the two original values, taking into account the influence of a third. The partial correlation coefficient between the number of landowners and population, controlling for acreage, is 0.71, indicating that acreage had little influence on the relationship.

A further test of the influence of the concentration of landownership is to assess its impact on population growth across the forty parishes. The early nineteenth century was a period of rural population expansion, but the open and close model would lead us to expect that parishes with more concentrated patterns of landownership would see lower population

[128] All coefficients are significant at the 0.01 level, unless stated otherwise.

Fig. 2.3 Number of landowners c. 1840 and population, 1841



growth, or even decline. Indeed, in the six sample parishes that lost population in the first half of the nineteenth century, or had a growth rate of less than 10 per cent, one person owned 78 per cent or more of the recorded acreage in each and all had fewer than ten landowners. Furthermore, the proportion of land owned by the largest landowner and population growth between 1801 and 1851 have a correlation coefficient of –0.60 (Fig. 2.4). This is significant in both counties, with similar correlation coefficients to this in each. This clearly supports the argument that the larger the proportion of land owned by a single owner, the greater was their ability to limit the amount of housing and population growth.

However, the concentration of landownership was clearly not the sole determinant of population growth. In Leicestershire both Wanlip and Elmesthorpe were owned entirely by a sole landowner, and yet they sustained moderate population growth of around 30 per cent. This is partly explained by the fact that a very small increase in population in a thinly populated parish could result in a sizeable percentage increase. Elmesthorpe was home to only ten more inhabitants in 1851 than 1801, but this was a 28.5 per cent increase in population. It is also clear that factors other than landownership must have been an influence on growth. Spetisbury, in Dorset, had only six landowners, the two largest of whom owned over 90 per cent of the land between them, and yet it saw its population double. This was far higher than in Powerstock, in west Dorset, which belonged to over eighty landowners, and yet saw a population increase of only 30 per cent. Therefore, although there was a relationship between landownership and population growth, in neither county was the pattern of landownership wholly predictive of the level of expansion.

In part this can be attributed to variations in the extent to which landowners were able to control the housing stock in parishes in which they were the dominant proprietors. In this period an increase in the number of inhabited houses frequently arose from the subdivision of existing dwellings. Therefore, if landowners wished to control population growth by restricting the supply of housing they not only had to control any building land in a parish, but also the existing housing stock. At a general level there is a very strong relationship between the concentration of landownership and house ownership across the sample parishes. The correlation coefficient for the percentage of land and the percentage of housing owned by the largest landowner in each is very high at 0.89 (Fig. 2.5). However, Table 2.1 lists ten of the forty sample parishes, in all of which the largest landowner owned a majority of the land, but their share of the housing stock was more than 20 per cent less than their share of the acreage. Eight of these parishes were in Dorset, including Blandford

Fig. 2.4 **Percentage of land owned by largest landowner c. 1840 and population growth, 1801-1851**

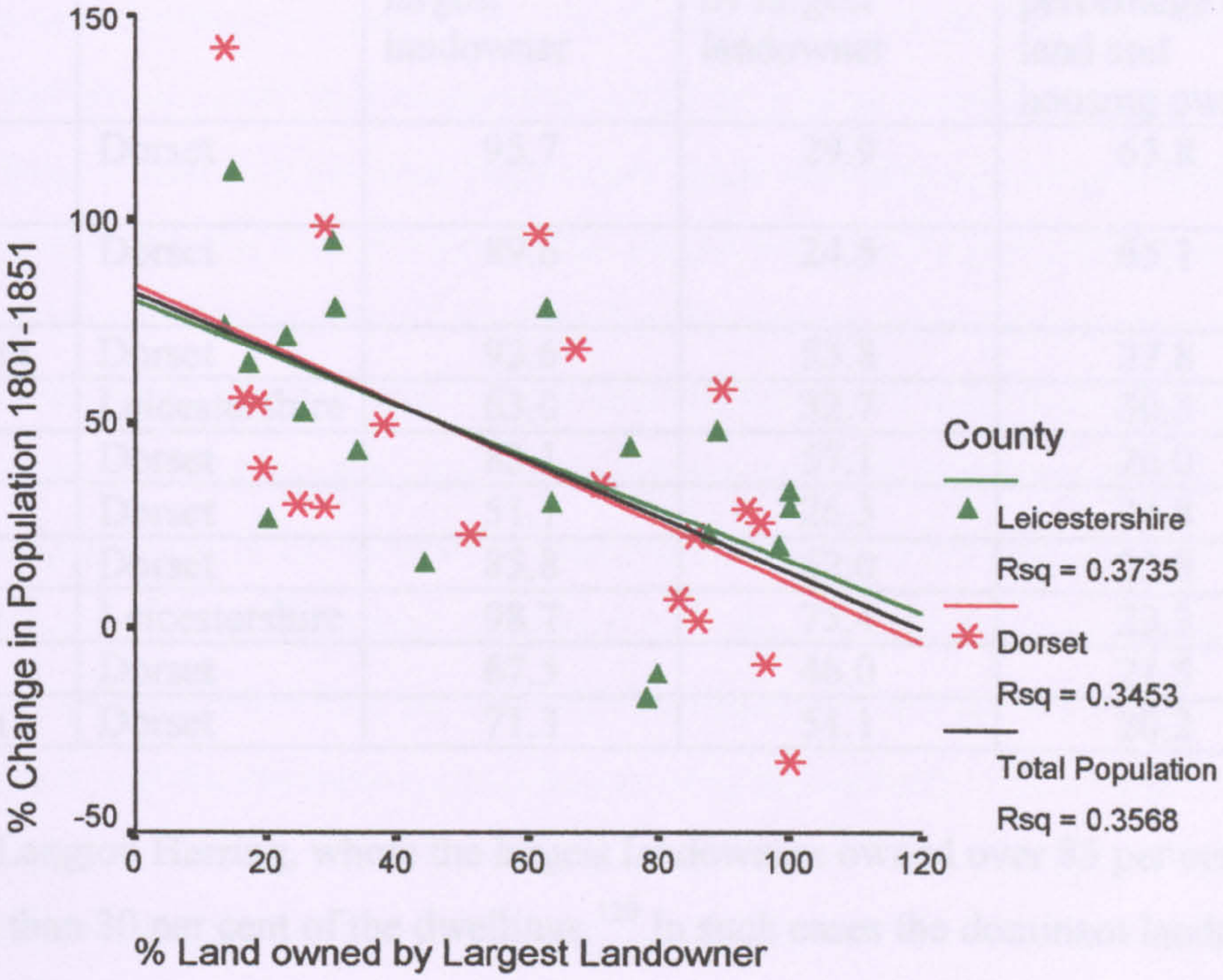


Fig. 2.5 **Percentage of land and percentage of housing owned by the largest landowner in each of the sample parishes, c. 1840**

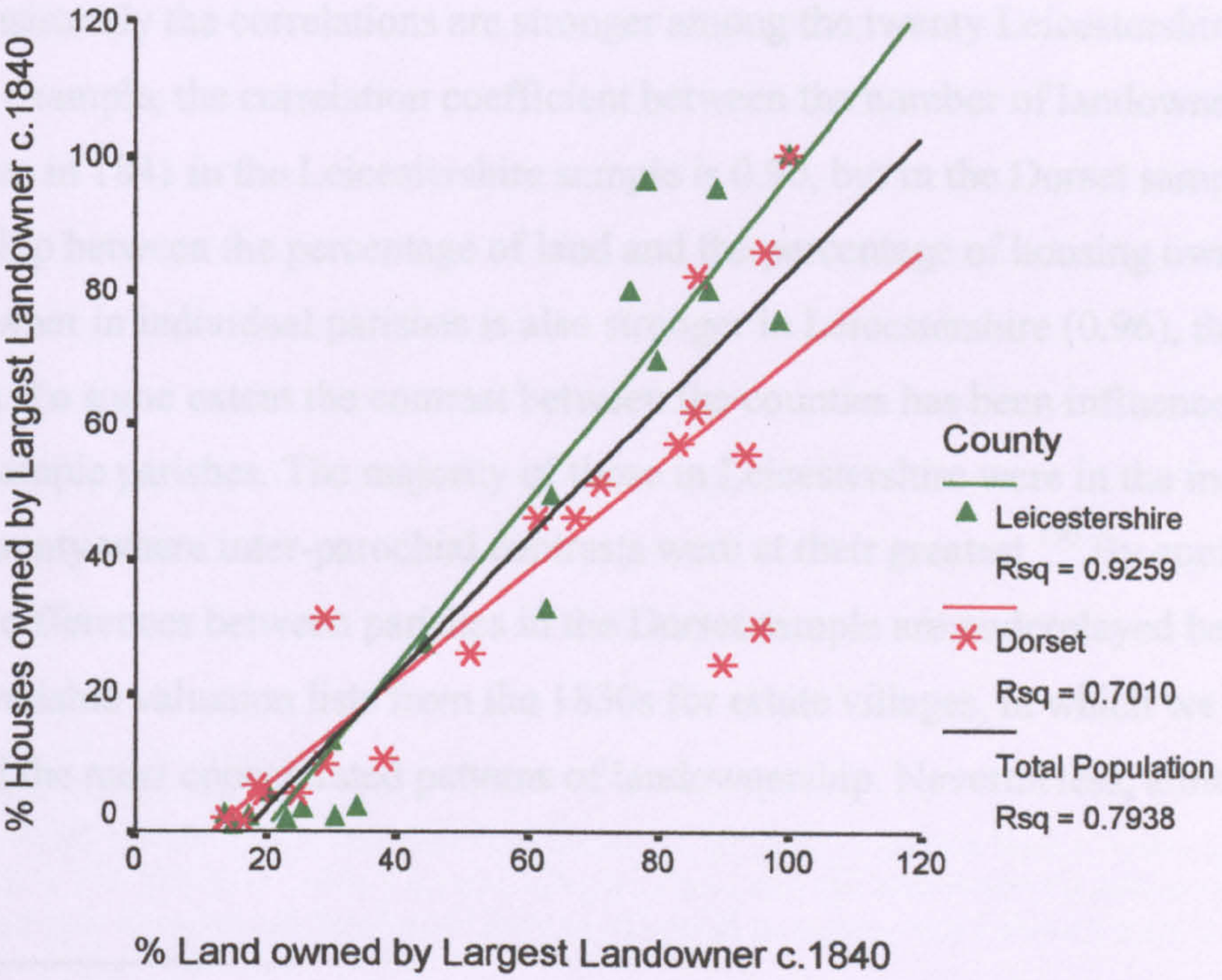


Table 2.1 Largest landowners' house- and land-ownership

Parish	County	Percentage of land owned by largest landowner	Percentage of housing owned by largest landowner	Difference between percentage of land and housing owned
Blandford St Mary	Dorset	95.7	29.9	65.8
Langton Herring	Dorset	89.6	24.5	65.1
West Lulworth	Dorset	93.6	55.8	37.8
Glenfield	Leicestershire	63.0	32.7	30.3
Pentridge	Dorset	83.1	57.1	26.0
Manston	Dorset	51.1	26.3	24.8
Evershot	Dorset	85.8	62.0	23.8
Shackerstone	Leicestershire	98.7	75.4	23.3
Ashmore	Dorset	67.5	46.0	21.5
Witchampton	Dorset	71.3	51.1	20.2

St Mary and Langton Herring, where the largest landowners owned over 85 per cent of the land, but less than 30 per cent of the dwellings.[129] In such cases the dominant landowner had very limited ability to restrict the amount of available housing or to regulate the choice of inhabitants, and 'closure' could only be partial.

However, the level of correlation between landownership and population was also affected by wider factors that are revealed in a comparison between the two case study counties. Consistently the correlations are stronger among the twenty Leicestershire parishes. For example, the correlation coefficient between the number of landowners and population size in 1841 in the Leicestershire sample is 0.90, but in the Dorset sample is 0.65. The relationship between the percentage of land and the percentage of housing owned by the largest landowner in individual parishes is also stronger in Leicestershire (0.96), than in Dorset (0.84). To some extent the contrast between the counties has been influenced by the selection of sample parishes. The majority of those in Leicestershire were in the industrial west of the county where inter-parochial contrasts were at their greatest.[130] By contrast it is possible that differences between parishes in the Dorset sample are underplayed because of the lack of available valuation lists from the 1830s for estate villages, in which we would expect to find the most concentrated patterns of landownership. Nevertheless, although it is

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[129] Another example of such a parish was Castle Acre in Norfolk. Sarah Banks found that although there were 63 owners of cottage property in the parish, 97 per cent of the land was owned by the Earl of Leicester. Banks, 'Open and close parishes', p. 317.

[130] On the different distribution of population in east and west Leicestershire see Hall, 'Report on the counties of Leicester, Derby, Rutland', p. 433.

possible that contrasts between the counties have been exaggerated by the sample, the fact that the correlations are consistently weaker in Dorset should not be ignored.

In Leicestershire two key factors combined to make the relationship between landownership and population a strong one. The first is the role of the hosiery industry. Although the sample of Leicestershire parishes could be said to overplay this factor, its presence did forge a clear link between fragmented landownership and large population growth in the county.[131] The five parishes in the sample with the largest populations all recorded approximately 60 per cent of resident families employed in trade and manufacture in the 1831 census. In all five the land was divided between more than thirty owners and in two between more than one hundred. Indeed, the proportion of families employed in this sector was strongly linked to the number of landowners, having a correlation coefficient of 0.79. In turn the percentage of families employed in trade and manufacture was itself a strong influence on population size, the two variables having a correlation coefficient of 0.83. Therefore, it was the interaction of landownership and industry that combined to produce the larger increases in population in 'open' parishes.[132] Indeed, Dennis Mills was careful to note that villages that saw the development of the hosiery industry were also in easy reach of the urban putting-out centres of Hinckley, Leicester and Loughborough.[133] Therefore, landownership was an influence on population growth, but other economic factors were of fundamental importance.

The second important factor is the impact of early enclosure and depopulation. W.G. Hoskins found that pre-parliamentary enclosure and depopulated parishes were significant features of the Leicestershire landscape, often linked to a transition to pastoral agriculture.[134] R.C. Allen has also argued that enclosure carried out prior to 1524 was associated with the concentration of property ownership and a reduction in population. In an analysis of the population of villages in the south Midlands in 1801 he found that there was even then a 'deserted village effect' on population size in parishes enclosed at such an early date.[135] Not all depopulation was due to enclosure, but many villages in Leicestershire have historically had a very low population. Within the sample parishes Elmesthorpe was depopulated 'soon after the battle of Bosworth Field' and in the 1830s it was sparsely populated and owned

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[131] Allen, *Enclosure and the Yeoman*, p. 253.
[132] The extent to which landownership was the causal factor can be questioned. See Banks, 'Open and close parishes', pp. 253-9, 270. However, Mills has convincingly argued that the landownership pattern of the early nineteenth-century was 'already well developed' prior to industrial growth in rural Leicestershire. Mills, 'Landownership and rural population', p. 248.
[133] Mills, 'Landownership and rural population', pp. 233-4, 246.
[134] W.G. Hoskins, *Leicestershire: an Illustrated Essay on the History of the Landscape* (1957), p. 87. See also J. Thirsk, 'Agrarian history, 1540-1950', in W.G. Hoskins (ed.), *The Victoria History of the County of Leicester*, Vol. 2 (1954), p. 200.
[135] Allen, *Enclosure and the Yeoman*, p. 54. See also Mills, 'Landownership and rural population', pp. 172-4.

entirely by Lady Byron.[136] This contrasted strongly with the adjoining densely populated industrial parish of Barwell with sixty landowners. Therefore, although the operation of the settlement laws may have been an influence on the perpetuation of parochial contrasts, this was not the decisive factor in the strong correlation between landownership and population levels in Leicestershire.

Of course the reverse side of this is that in counties such as Dorset where similar factors did not contribute to such stark contrasts, the link between landownership and population was weaker. The lack of industry in the majority of Dorset parishes meant that many of those with fragmented landownership supported relatively small populations, especially in the pastoral vales of the north and west of the county. Haselbury Bryan, in the Blackmoor Vale, had the second largest number of landowners in the sample but, although a quarter of its families were listed as working in trade or manufacture in 1831, it had only the fifth largest population. Early enclosure and depopulation were also less significant features of the county. The parish with the smallest population in the sample, Melbury Sampford, was possibly depopulated in the early sixteenth century when the Strangways family redeveloped Melbury House.[137] However, Dorset was little affected by early enclosure for conversion to pasture and although the county contains a large number of deserted village sites many were amalgamated with other parishes, consequently having little effect on absolute population size.[138] Along with these factors Table 2.1 also makes clear that the link between the concentration of landownership and house ownership was relatively weak in a number of Dorset parishes, lessening the chance for landowners' control of housing. These factors clearly contributed towards a less striking relationship between landownership and population in rural Dorset in the 1830s and 1840s and no contemporary writes of the differences between its parishes in the way that Hall described Leicestershire in 1836. Therefore, it was the interaction between landownership and other socio-economic factors that contributed to the relative strength of the relationship between its concentration and measures of population in different counties.

This is confirmed by an analysis of these relationships in the early twentieth century. The number of landowners of over one acre in 1909 and the population in 1911 across the forty sample parishes have a correlation coefficient of 0.69 (Fig. 2.6). This is weaker than the coefficient of 0.78 from the earlier valuations, but clearly shows that factors other than the settlement law were at play in maintaining this relationship long after the introduction of union chargeability. Indeed, as in 1841, the relationship is stronger in the Leicestershire

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[136] White, *History, Gazetteer, and Directory*, p. 654.
[137] R. Good, *The Lost Villages of Dorset* (1979; Wimborne, 1987 ed.), p. 31.
[138] C. Taylor, *Dorset* (1970), pp. 112-117.

Fig. 2.6 Number of landowners, 1909, and population, 1911



sample, with a correlation coefficient of 0.87, than in Dorset, where the coefficient of 0.52 was significant only at the 0.05 level. Wider factors had, however, undermined the links between property ownership and population growth that were evident in the first half of the nineteenth century. The number of landowners, the percentage of land and the percentage of houses belonging to the largest landowner, show no significant relationship with population change in the forty sample parishes between 1851 and 1901. This change in the relationship between landownership and population, and the continuation of contrasts between the counties, again have to be put in a broader context.

In Dorset, population decline was widespread in the last decades of the nineteenth century and the total population of the eighteen parishes in the sample that did not undergo large-scale boundary changes declined by 19 per cent between 1851 and 1901. Parishes with a large number of land and house owners, such as Haselbury Bryan and Powerstock, were affected along with those dominated by a single landowner, such as Evershot and Pentridge.[139] Therefore, the impact of the pattern of property ownership on population growth was limited and agricultural workers were clearly departing the land because of wider economic and social forces. In Leicestershire, however, the interaction of property ownership and industry continued to influence population size. In the twenty Leicestershire parishes population rose by almost 22 per cent in the period 1851-1901, although this was largely confined to the four industrial parishes of Barwell, Burbage, Stoney Stanton, and Glenfield. However, a decline in population did occur in ten of the Leicestershire parishes, many of which had concentrated patterns of property ownership, such as Swithland, Knipton and Buckminster. Therefore, the combination of industrial employment in a number of 'open' parishes, and population decline in many 'close' parishes, can largely be seen as the explanation for the stronger correlation between landownership and population in the Leicestershire sample. This confirms that landownership and the settlement laws were not the sole influence on the housing supply and levels of population growth.[140] Indeed, the weakening of the relationship between landownership and population over this period supports Mills' claim that the open and close parish model has greatest resonance in the period prior to 1850, when population increase was at its greatest. And yet the durability of the relationship between landownership and the population size of individual parishes shows that it was a significant factor in parish development, even though it has to be seen in the context of other socio-economic factors that varied on a local and regional basis.

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[139] The decline in population in these parishes between 1851 and 1911 was as follows: Haselbury Bryan –23 per cent; Powerstock –36 per cent; Evershot –46 per cent; Pentridge –40 per cent.

[140] Although not widely acknowledged by their critics, both Mills and Holderness recognised that there were regional variations in the impact of landownership. Mills, *Lord and Peasant*, p. 64; Holderness, ' "Open" and "close" parishes', pp. 134-6.

Changes in the pattern of property ownership

Despite the durability of the relationship between landownership and population size, investigation is still required to establish whether this was underpinned by stability in the pattern of property ownership. Comparing measures of land and house ownership in the 1830s and in 1909 there is considerable evidence that the structure of property ownership was enduring at a parish level. The total number of landowners in each parish in the 1830s has a correlation coefficient of 0.87 with the same factor in 1909 (Fig. 2.7), and the total number of house owners at both dates also has a strong correlation coefficient of 0.82 (Fig. 2.8). Thus the degree of fragmentation of property ownership recorded in the earlier valuations shows a strong similarity to that in 1909. The dominance of individual landowners within parishes also shows a substantial degree of continuity. The percentage of land owned by the single largest owner in the 1830s and in 1909 has a correlation coefficient of 0.81 (Fig. 2.9), and the percentage of housing owned by the largest landowner at both dates has a correlation of 0.80 (Fig. 2.10). This suggests that the pattern of property ownership was enduring over this period, giving Mills' categorization of parishes considerable support.

However, within this broad framework of continuity a number of important changes are also apparent. The most striking trend is an intensification of rural house-ownership, shown in a broad range of measures. There was an increase in the ownership of housing by the largest landowner in twenty-seven of the forty parishes, in two more it remained stable at 100 per cent and in seven others the decline was under 5 per cent (within the margin of error in this analysis). The total number of house owners also fell in twenty-five of the forty sample parishes, leading to an increase in the mean number of houses owned from 3.25 in c. 1840 to 4.13 by 1909. To analyse the impact of this change at parish level it is useful to group the sample parishes according to the pattern of property ownership in c.1840 and examine how this had changed by 1909. Therefore Table 2.2 divides the parishes into four groups according to the percentage of housing owned by the largest landowner at both dates. This variable had a strong correlation with population size and growth in the early nineteenth century, and clearly affected the level of influence that large landowners could exercise within individual parishes.

Fig. 2.7 Number of landowners in c. 1840 and 1909

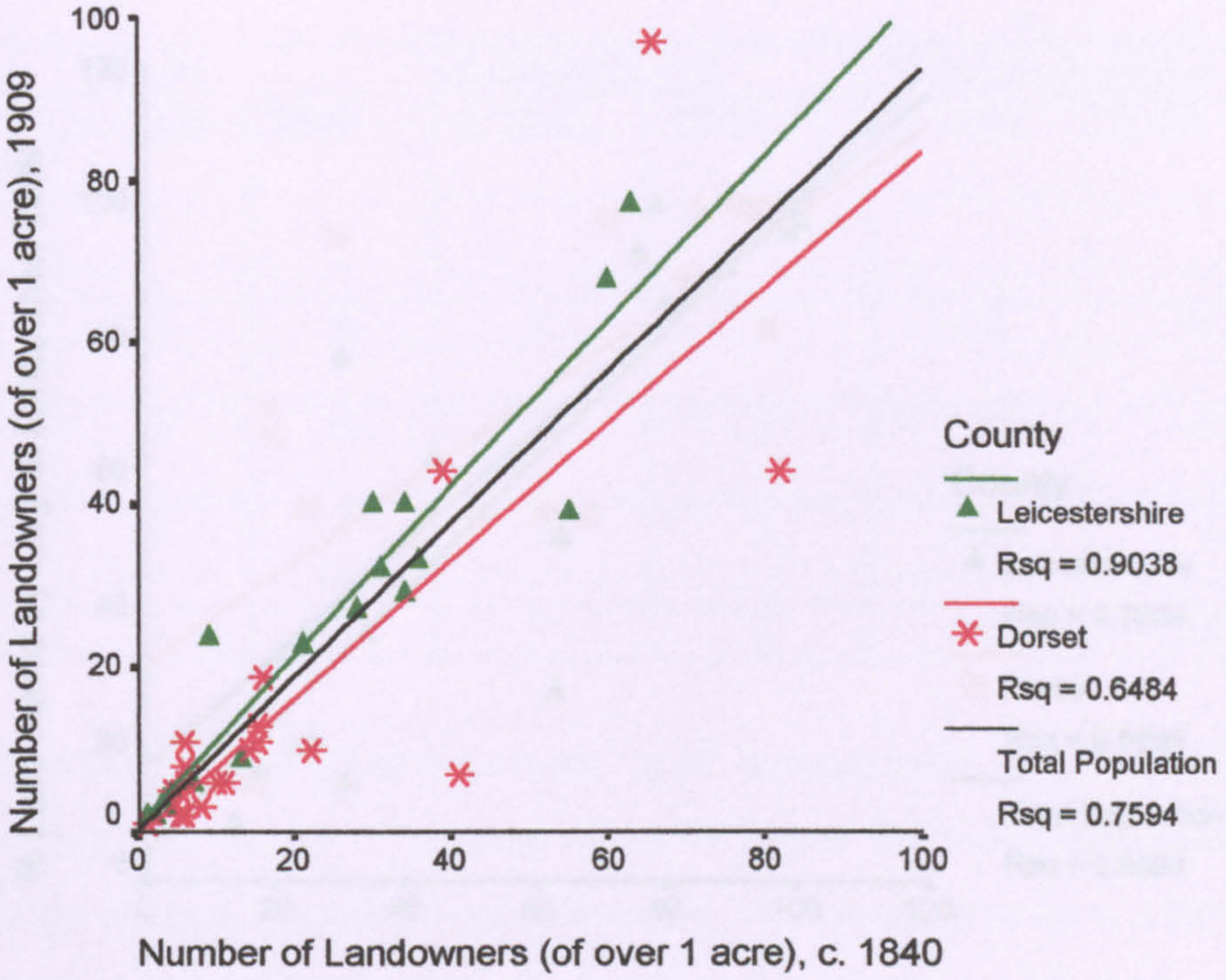


Fig. 2.8 Number of house owners in c. 1840 and 1909

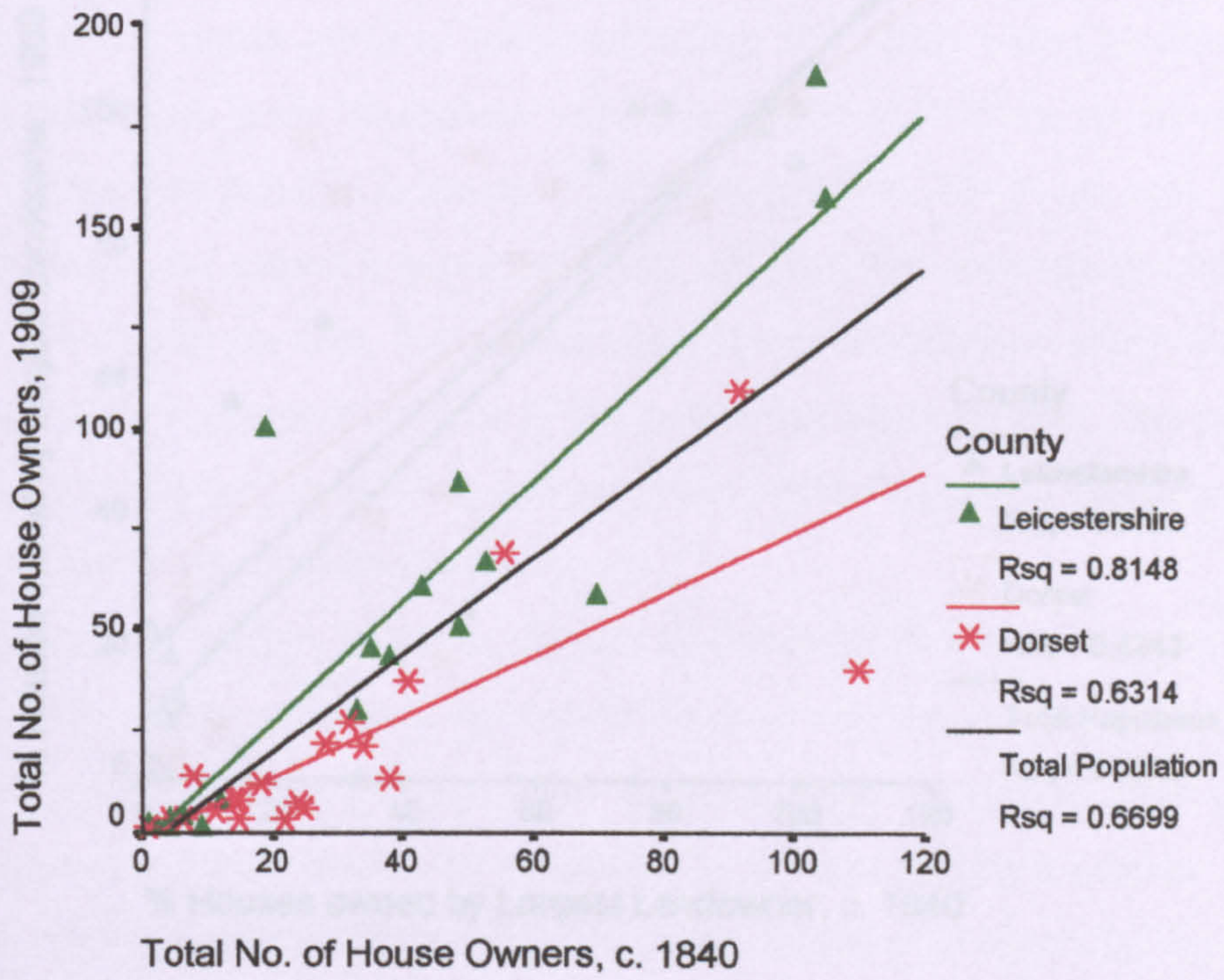


Fig. 2.9 **Percentage of land owned by the largest landowner in each parish, c. 1840 and 1909**

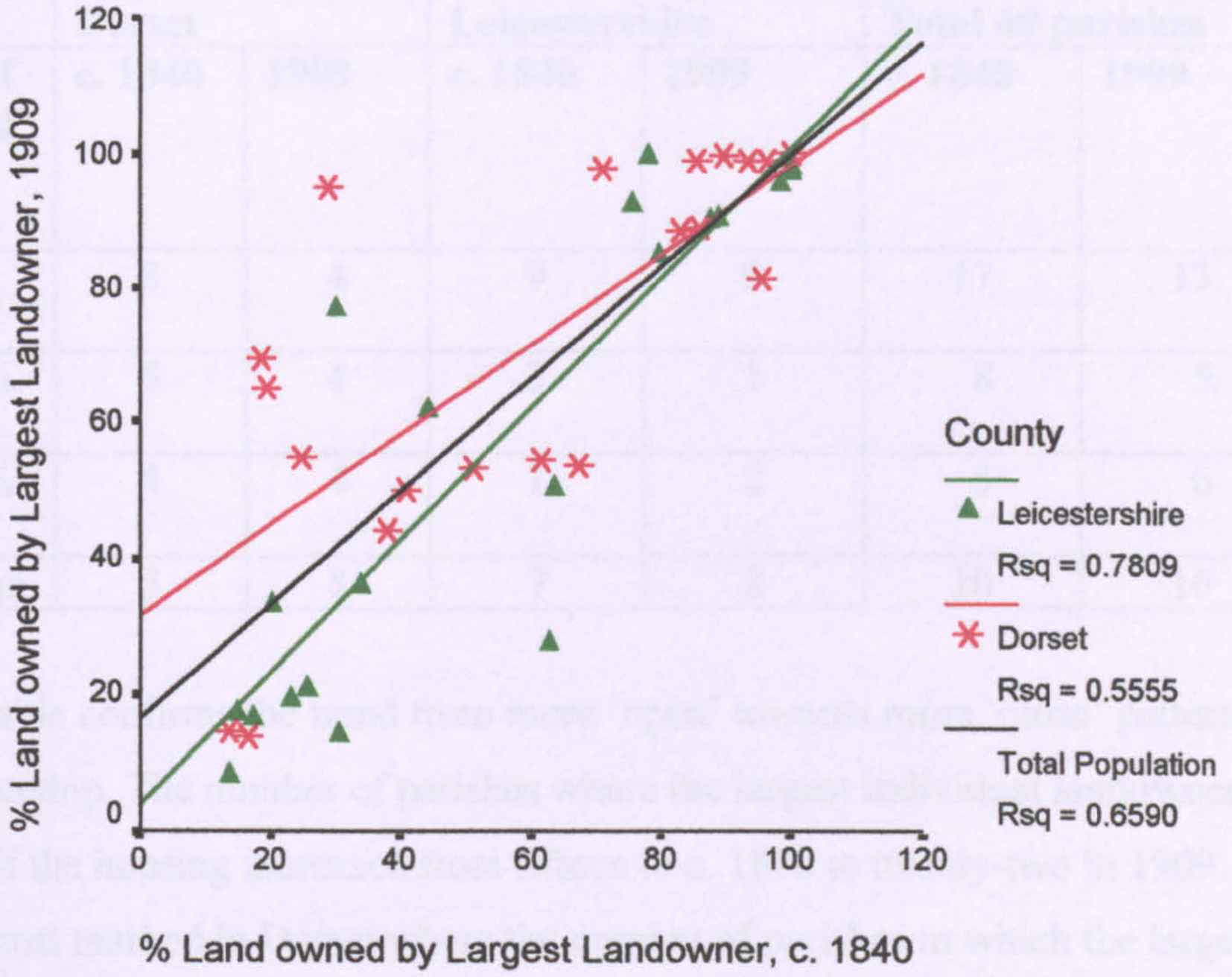


Fig. 2.10 **Percentage of housing owned by the largest landowner in each parish, c. 1840 and 1909**

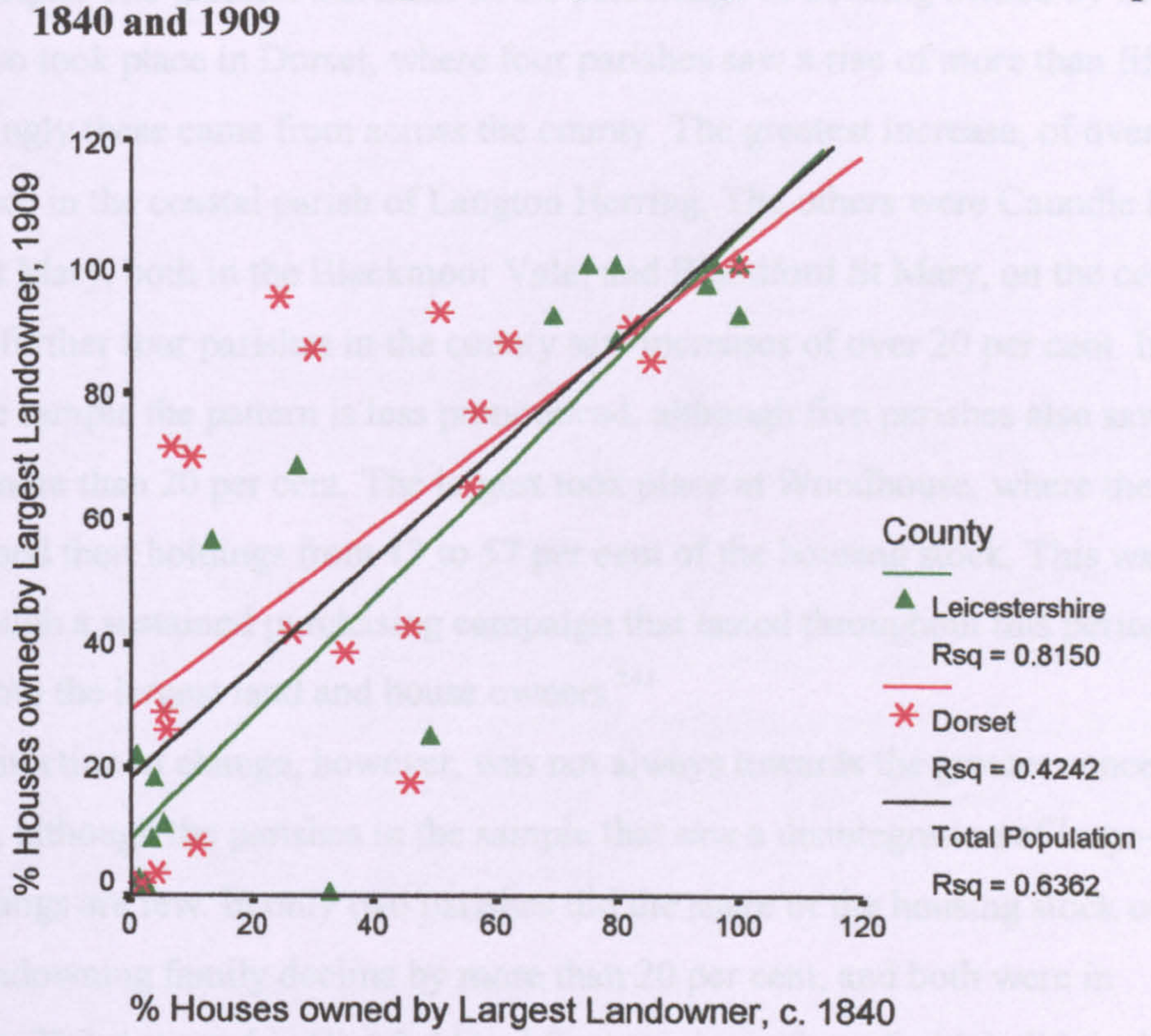


Table 2.2 Parishes grouped by percentage of housing owned by largest landowner, c.1840 and 1909/10

	Dorset		Leicestershire		Total 40 parishes	
Percentage of houses owned by largest landowner	**c. 1840**	**1909**	**c. 1840**	**1909**	**c. 1840**	**1909**
Less than 25%	8	4	9	9	17	13
Between 25% and 50%	5	4	3	1	8	5
Between 50% and 75%	4	4	1	2	5	6
75% and over	3	8	7	8	10	16

This table confirms the trend from more 'open' towards more 'close' patterns of property ownership. The number of parishes where the largest individual landowner owned more than half the housing increased from fifteen in c. 1840 to twenty-two in 1909. This change was most marked in Dorset where the number of parishes in which the largest landowner owned more than 75 per cent of the housing stock rose from 15 per cent to 40 per cent of the sample. The greatest increases in the percentage of housing owned by the largest landowner also took place in Dorset, where four parishes saw a rise of more than fifty per cent. Interestingly these came from across the county. The greatest increase, of over 70 per cent, took place in the coastal parish of Langton Herring. The others were Caundle Marsh and Hinton St Mary, both in the Blackmoor Vale, and Blandford St Mary, on the central chalk belt. A further four parishes in the county saw increases of over 20 per cent. In the Leicestershire sample the pattern is less pronounced, although five parishes also saw increases of more than 20 per cent. The largest took place at Woodhouse, where the Herrick family increased their holdings from 13 to 57 per cent of the housing stock. This was achieved through a sustained purchasing campaign that lasted throughout this period and made them both the largest land and house owners.[141]

The direction of change, however, was not always towards the greater concentration of ownership, although the parishes in the sample that saw a disintegration of large-scale property holdings are few. In only two parishes did the share of the housing stock owned by the largest landowning family decline by more than 20 per cent, and both were in Leicestershire. This occurred in Glenfield and Sapcote, in neither of which did the largest landowner in 1837 own a majority of the housing stock. There were more sizeable reversals in parishes outside of those in the sample. Perhaps the clearest example was at Aylestone,

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[141] See catalogue of Herrick estate deeds, ROLLR DG/9.

near Leicester, which in 1837 belonged principally to the Duke of Rutland, but was auctioned in 1869 to a large number of owners and subsequently developed as a suburb of Leicester. However, such examples are far from numerous in this period. Nationally there was a rapid up-turn in the sale of estates between 1909 and 1914 and, as David Cannadine has remarked, this marked an important reversal to the trend of accumulation over the preceding centuries.[142] The pattern of landownership at Powerstock, in west-Dorset, was affected by the sale of the estate of the Earl of Sandwich in 1912.[143] There were other examples, including the sale of the Duke of Bedford's Dorset estate in 1913.[144] However, although obviously of intense local importance the impact of land sales on the wider trend towards the intensification of house-ownership over this period was limited in these two counties.[145]

In terms of the open and close parish model, this evidence of changing patterns of property ownership raises serious doubts over the wisdom of applying fixed open or close labels to all parishes. Such doubts are strengthened by the existence of parishes in which a large landowner held a significant, but not dominant, share of the housing supply. Such was the case at Great Glen, in Leicestershire, in which the Packe family established an estate during the nineteenth century. By 1878 they were the largest land and house owners in the parish, owning 37 per cent of the land and 20 per cent of the housing stock.[146] However, there were thirty-seven other house owners and the village also contained a Wesleyan chapel, and a hosiery factory.[147] Therefore, although the largest landowners in such parishes were figures of considerable influence, and had control over the housing of a significant proportion of the community, the division of the rest of the property between many other owners meant that there were strict limits on their control. Given that such parishes contain a microcosm of 'open' and 'close' contrasts, it is difficult to classify them in a meaningful way.

Despite this, the sample also includes seven parishes that remained firmly outside of the estate system throughout this period, which could be termed 'open' parishes. In these the largest landowner owned less than ten per cent of the housing stock at the date of both sets of valuations. Five of these were in Leicestershire: Barwell, Burbage, Sharnford and Stoke Golding were in the manufacturing district around Hinckley, and Husbands Bosworth was a

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[142] D. Cannadine, *The Decline and Fall of the British Aristocracy* (1990), pp. 89, 110.
[143] DCRO D795/1. Sale catalogue of Sandwich Estate (1912).
[144] J. Waymark, 'Landed estates in Dorset since 1870: their survival and influence' (Unpub. PhD thesis, University of London, 1995), pp. 19, 79.
[145] Waymark has found evidence that a number of new estates were being built up in Dorset from the late nineteenth century. Waymark, 'Landed estates in Dorset', pp. 107-117.
[146] ROLLR DE 849/34. Rate assessment of the parish of Great Glen, August 1878.
[147] *Kelly's Directory of Derbyshire, Nottinghamshire, Leicestershire and Rutland* (1888), p. 524.

more agricultural parish in the south of the county. Haselbury Bryan and Bradpole were the two Dorset examples, both in the vale districts of the county. All of these parishes had thirty-eight house owners or more at both dates and thirty or more landowners. The mean number of properties owned across these seven parishes was 2.68 in c. 1840, increasing to 3.18 by 1909. Although this does not take into account the possibility that individuals owned housing across a number of parishes, it is clear that the average unit of ownership within these parishes was relatively small. Indeed, in the earlier valuations 52.6 per cent of owners in these parishes owned a single dwelling, falling to 47.3 per cent in 1909. This picture is confirmed by Table 2.3, which shows that a large majority of owners held fewer than five properties at both dates, although a small shift in the number of larger property owners by 1909 had a disproportionate effect on the percentage of properties owned in the different categories. In c. 1840 only 11 per cent of dwellings were owned in units of more than ten, but by 1909 this had shifted to 27 per cent. This is a significant shift in these most 'open' of parishes, although it is clear that the majority of house owners at both dates were not large-scale investors. Indeed, only 2 per cent of owners in the 1830s and 5.3 per cent in 1909 owned more than ten dwellings. This pattern is in stark contrast to the concentrated ownership of a landed estate.

Table 2.3 Size of property holdings in seven most open parishes, c. 1840 and 1909

Size of Holding	c. 1840		1909	
	Percentage of owners	Percentage of houses owned in this category	Percentage of owners	Percentage of houses owned in this category
1 house	52.6	19.6	47.3	14.9
2 - 5 houses	34.8	39.6	36.4	32.5
6 – 10 houses	10.6	29.6	11.1	25.5
11 houses and over	2.0	11.2	5.3	27.1

It is Mills' argument that the independence of the inhabitants of such villages was underpinned not only by the dispersal of property ownership, but also through high levels of owner-occupation.[148] This is another aspect of the debate where quantitative data has so far been conspicuous by its absence.[149] The definition of an owner-occupier employed here is simply that the name in the occupier column of the valuation list matches that in the owner column. In calculating rates of owner-occupation care has been taken to exclude any doubtful cases and to avoid double counting. There are also problems of comparability

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[148] Mills, *Lord and Peasant*, pp. 47, 77.

[149] For a discussion of owner-occupation in an urban context see M. Swenarton and S. Taylor, 'The scale and nature of the growth of owner-occupation in Britain between the wars', *EcHR* 2nd Ser. 38 (1985), pp. 373-92.

between the two sets of data. The 1909 valuation books typically contain the addresses of owners, making it easier to exclude those that appear to be owner-occupiers but clearly lived elsewhere. There are also complications with female owners. Typically the listed occupier of the property is the male 'head of household', although his wife, mother or sister may own the property and also be resident in that household. It is therefore impossible to tell whether many female property owners should be classified as owner-occupiers. Once again, with the 1909 material the listing of addresses allows us to determine many cases more accurately. However, these problems only affect a small proportion of the total recorded cases and to some extent balance each other out. Therefore, although the figures given for both periods should not be seen as precise measures, they do enable us to investigate measures of owner-occupation between parishes, and substantial changes over time.

An analysis of the valuation list data shows a strong positive relationship between the number of landowners and the number of owner-occupied houses; in the earlier valuations the two variables have a very high correlation coefficient of 0.90. Also, owner-occupation had a strong negative relationship with the percentage of land owned by the largest landowner, having a correlation coefficient of –0.66. Although these relationships are weaker in the twenty Dorset parishes the correlation coefficients are significant for both counties.[150] The contrast between 'open' and 'close' type parishes could be stark. In the earlier valuations 15.6 per cent of the 4,031 houses recorded in the forty sample parishes were owner-occupied.[151] Levels of over 30 per cent were recorded in the 'open' parishes of Sharnford in Leicestershire, and in Ibberton and Haselbury Bryan in Dorset. By contrast, in parishes owned entirely by an absentee landowner, including Aston Flamville and Elmesthorpe in Leicestershire, there were none. Of course, the relationship was not perfect, especially in Dorset where some relatively 'close' parishes in terms of landownership had considerable numbers of owner-occupiers.[152] But the relationship between landownership and owner-occupation was an enduring one. In 1909 the correlation between the number of landowners and owner-occupiers was 0.78, and that between the percentage of land owned by the largest landowner and the number of owner-occupiers was –0.70. Once again this was

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[150] The correlations between the number of landowners and the number of houses owner-occupied was 0.88 in Dorset and 0.93 in Leicestershire; that between the percentage of land and the number of owner-occupiers was –0.53 in Dorset (significant only at the 0.05 level) and –0.78 in Leicestershire.

[151] This cannot be taken as a measure of the overall rate of owner-occupation in these counties because it is influenced by the selection of sample parishes.

[152] For example, although the largest landowner in Langton Herring owned 90 per cent of the land, 18 per cent of the housing was owner-occupied.

significant in both counties.[153] Therefore an association between landownership and owner-occupation is firmly established by this data.

There are, however, aspects of the distribution of owner-occupation that have not previously been discussed. Firstly, the overall picture in the forty parishes is one of a decline in the rate of owner-occupation of 6.7 per cent, to 9.9 per cent of all dwellings by 1909. The decline even affected many of the open parishes in both counties, and it is deserving of much greater attention than can be given to it in this thesis. It is possible that rural depopulation, along with agricultural depression and greater urban/industrial competition undermined the economy of many trade and craftsmen who, as will be seen in the following chapter, were often owner-occupiers.[154] Once again, however, there is evidence of differences between the two counties. In Dorset the percentage of owner-occupied houses fell from 19.2 per cent in c. 1840 to 8.7 per cent in 1909, but in the Leicestershire sample the decline was much less marked, falling from 13.3 per cent to 10.4 per cent. In absolute terms the number of owner-occupiers in the Dorset sample declined by more than half from 306 to 150, while the number in Leicestershire rose from 323 to 389. Clearly, the different experience of each county is in line with differences in the intensification of property ownership identified above, and the greater decline in Dorset can be related to the greater expansion of its landed estates.

Secondly, even in parishes with extensive owner-occupation in the 1830s and 1840s, its distribution was typically skewed towards the highest valued houses. Although house values do not exactly reflect the wealth and status of individual households, they can be taken as a useful proxy to give us some insight into who had greatest freedom from landlord interference. At Sharnford, the parish with the highest rate of owner-occupation in the Leicestershire sample, only 6 per cent of houses valued at or below the median value were owner-occupied, compared to 63 per cent of those above it. A similar pattern is clear in all Leicestershire parishes. Unfortunately, three of Dorset's most open parishes (Bradpole, East Stoke and Haselbury Bryan) are excluded from such an analysis because of inadequacies in the recording of gross estimated rental in their valuations. Nevertheless, the pattern is also evident in that county, as at Ibberton where 29 per cent of houses valued at or below the median were owner-occupied, compared to 46 per cent of houses valued above it.[155] This

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[153] In 1909 the correlations between the number of landowners and the number of houses owner-occupied was 0.76 in Dorset and 0.89 in Leicestershire; that between the percentage of land and the number of owner-occupiers was –0.61 in Dorset and –0.74 in Leicestershire.

[154] F.M.L. Thompson, 'An anatomy of English agriculture, 1870-1914', in B.A. Holderness and M. Turner (eds), *Land, Labour and Agriculture, 1700-1920: Essays for Gordon Mingay* (1991), pp. 216-7; G.E. Mingay, *Rural Life in Victorian England* (1976; Stroud, 1990 ed.), pp. 184-6.

[155] The Dorset parishes of Manston and Caundle Marsh recorded higher levels of owner-occupation at or below the median, than above it. However, these were parishes with a small number of cottages, leading to a higher median value.

suggests that even where owner-occupation was relatively commonplace its benefits fell mainly to those who could afford higher valued housing.

This trend intensified over the period under review. By the early twentieth century only two of the Leicestershire sample parishes and three of those from Dorset recorded rates of owner-occupation of more than 5 per cent in houses below the median value. Even in the few parishes in which the overall number of owner-occupiers increased substantially this was primarily among higher-valued housing. Only four parishes saw an increase in double figures, and all of these were manufacturing parishes in Leicestershire. Barwell and Glenfield saw increases of more than thirty owner-occupiers, and Burbage and Stoney Stanton saw increases of fourteen and fifteen respectively, although only in Glenfield did this lead to an increase in the percentage of owner-occupied houses. However, even in these parishes, rates of owner-occupation in houses assessed at or below the median value were relatively low in 1909. In Barwell and Glenfield this amounted to only 5 and 6 per cent respectively, and only 2 per cent in Burbage and Stoney Stanton.

It is, therefore, important to be very clear about the extent to which fragmented property ownership impacted on local power relations. Although owner-occupation was more widespread it is likely that most of the labouring classes were cottage tenants of the lowest valued housing that was often in poor repair. A. Wilson Fox reported in 1893 that the worst cottages were 'chiefly in open villages'.[156] There are also contemporary accounts of social tensions in 'open' parishes. In 1843 Denison described how the gang system in Castle Acre 'throws the whole labouring population into the power of the gang-master, who, if he be a low, hard man, illustrates the proverb that no tyranny is so grinding as that of "a poor man who oppreseth the poor"'.[157] Writing of Wiltshire in the early twentieth century W.H. Hudson found that in 'a village which has no squire' it was quite common to find 'men who have succeeded in rising above the others and in establishing a sort of mastery over them'.[158] By this time many villages, especially in the vicinity of country towns, contained housing occupied by middle-class 'private residents' who George Sturt claimed often treated their poorer neighbours with disdain.[159] Therefore, although there was little chance for larger landowners to use the housing stock in attempts to exercise social control in such parishes, this should not be associated with the existence of social harmony.

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[156] Cited by G.E. Evans, *Where Beards Wag All: The Relevance of the Oral Tradition* (1971), p. 116.
[157] Denison, 'Suffolk, Norfolk and Lincoln', p. 224.
[158] Hudson, *A Shepherd's Life*, p. 198.
[159] G. Sturt, *Change in the Village* (1912; 1955 ed.), pp. 123-4.

Conclusion

Many of the points made in this chapter do, however, give some support to the arguments made by proponents of an open and close parish model of rural society. The analysis of the sample parish data shows a statistical link between the number of land and house owners in a parish and its population size, and in the early nineteenth century between the concentration of property in the hands of the largest landowner and population growth. The mean average size of property holding varied widely between parishes and where property ownership was more fragmented owner-occupation was more prevalent. Moreover, these relationships, with the exception of that between landownership and population change, were enduring over the Victorian and Edwardian periods. The literary evidence shows that concerns over the impact of population on poor rates did have an effect on the housing policy of many landowners in the mid-nineteenth century. Indeed, this analysis, in line with the work of Mills and Allen, provides confidence that parishes described as 'open' or 'close' in the nineteenth century were representative of a wider link between landownership and population: they were not simply examples of local phenomenon that were blown out of proportion by Victorian propagandists, as argued by Banks.

However, this research does not support all aspects of an open and close parish model. Firstly, the settlement laws were only one of a number of influences on landowners' attitudes towards the housing supply, and other evidence suggests that the amount of cottage demolition directly attributable to their operation was small. Indeed, although the concentration of landownership was an important influence on the supply of housing and population growth, the role of industry and the local agricultural economy need to be considered along with the attitudes of individual landowners to rural population, which will be investigated further in chapter four. Secondly, the assignment of 'open' and 'close' labels to individual parishes is problematic. There is evidence that a number of parishes were 'close' in terms of landownership, but much more 'open' in respect of housing. The labelling of parishes with divided patterns of property ownership is also of doubtful use. Moreover, although there are examples of parishes that retained stable patterns of ownership, the data reveals significant changes over this period. An increase in the mean size of property holding, a tightening of control over housing by dominant landowners and a decline in the number of owner-occupiers all indicate that rural house ownership was much more concentrated by 1909 than it had been in the 1830s. This suggests that rather than focussing on static labels, many parishes could be said to be undergoing processes of 'opening' or 'closure' as landowners either lost or accumulated both property and influence. The model could thus be adapted to build in processes of change.

This analysis has also raised striking differences between property ownership in the two case study counties. Although this was to some extent determined by the choice of sample parishes, there is sufficient evidence that the contrasts were real. In Leicestershire the relationships between landownership and population were far stronger than in Dorset, both in the earlier valuations and in 1909. There was also far greater change in the ownership of housing within the Dorset sample. This suggests that whereas parish contrasts were well established by the 1830s in Leicestershire, and were obvious to commentators such as Richard Hall, this was less so in Dorset. Here parish contrasts appear to have increased over the course of the nineteenth century, as housing in many parishes became more greatly concentrated in the hands of larger landowners. These findings will be explored in greater detail in the next chapter, through an examination of differences in cottage tenure.

Overall, it is clear that some elements of the open and close parish model are of greater use to the study of rural society than others. A focus on fixed parish labels and dichotomies of experience should be left behind and Mills' claim that landownership patterns were 'predictive' of 'marked differences in population density, occupations and other features of economy and society' also appears exaggerated.[160] However, Mills proposed a much more subtle model than he has often been given credit for, many aspects of which are supported by this research. Where individual landowners owned large quantities of property, their potential influence over a range of issues was much stronger than where property ownership was fragmented, and housing was a means by which this influence could be exercised.[161] Thus Banks' conclusion that 'the role of ownership ... at a general level was minimal' is clearly over-critical.[162] Therefore, although this research leaves us sceptical about the classification of all parishes as either 'open' or 'close', it has also raised interesting questions about the control of housing and the exercise of power, which will be addressed further in the following chapters.

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[160] Mills, *Lord and Peasant*, p. 78.
[161] The manner in which this power was exercised will be investigated further in chapter four.
[162] Banks, 'Open and close parishes', pp. 277-9.

Chapter Three

Copyholds, lifeholds, and squatters: archaic tenures, manorial authority and the control of rural housing

Chapter two has raised some interesting questions about the changing pattern of cottage ownership over the nineteenth century and the contrasting experiences of the two case study counties. The aim of this chapter is to explore the extent to which these factors were influenced by the legal basis of property holding in these counties, focussing on the erosion of archaic tenures and manorial authority. These issues have been widely ignored in a nineteenth-century context, largely because it is widely assumed that modern tenurial arrangements were already ubiquitous by the mid-nineteenth century. Today, the only estates that can exist in real property are 'an estate in fee simple absolute in possession', often referred to as freehold ownership, and an estate for 'a term of years absolute', under a fixed-term lease.[1] However, this was only enshrined in statute by the Law of Property Act of 1922, which signalled the final dismantling of the manorial structure of property ownership. Prior to this date the decline of manorial jurisdiction had been a slow process and, as P.D.A. Harvey has acknowledged, 'as it was governed mainly by local circumstances the chronology of the decline ... differed a good deal from place to place'.[2] In neither Dorset or Leicestershire was the manorial framework entirely obsolete by the 1830s and this chapter will discuss the important consequences of this for cottage owners and occupiers alike. Indeed, the survival of manorial jurisdiction goes to the heart of the issue of power relations between landowners and their cottage tenants.

It is often taken for granted that nineteenth-century landowners had the power to let their property on their own terms to tenants of their own choosing. However, under the manorial system lords only had such complete authority over the demesne lands of the manor and all other property, apart from the waste, was held under a number of tenures that placed considerable restrictions on the actions of the lord.[3] The clearest example of this was property held under socage. This was a 'free' tenure that gave tenants the ability to sell, lease or bequeath property as they wished, and was very close to what we describe as

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[1] See L.L. Clements and P.B. Fairest, *Housing Law: Text, Cases and Materials* (1996), p. 3; E.H Burn, *Maudsley and Burn's Land Law: Cases and Materials* (8th ed. 1998), p. 6; J.G. Riddall, *Land Law* (6th ed. 1997), pp. 18-21.

[2] P.D.A. Harvey, *Manorial Records* (1999 ed.), p. 57.

[3] The manorial waste included the common pastures of a manor, along with roadside verges and other small scraps of uncultivated land. A. Everitt, 'Common land', in J. Thirsk (ed.), *The English Rural Landscape* (Oxford, 2000), p. 215. See also C. Jessel, *The Law of the Manor* (Chichester, 1998), p. 98.

freehold ownership today.[4] Indeed, by the nineteenth century most property held under socage was considered the freehold property of the 'tenant', having become severed from the manorial structure.[5] For this reason it is not discussed in detail in this chapter but it clearly illustrates the inability of lords to simply take control over property within their manors. The other tenures discussed here were 'un-free', but where they survived they also gave those who could claim to be copyholders, lifeholders, and squatters greater independence from the landlord than that given by modern tenancy agreements.

Copyhold was the most secure of these tenures and its survival into the nineteenth century was one of the most important reasons for lords still holding manor courts. Copyhold tenants were admitted to their property 'at the will of the lord according to the custom of the said manor', and held it by copy of an entry in the manor court rolls. Copyholders did not pay rack-rents, that reflected the full annual value of the property, but instead made a number of payments that had arisen out of the commutation of labour services in the late medieval period. They were only admitted to their property on the payment of an 'entry fine', which was the principal sum payable under this tenure. Tenants also paid small, customary amounts on an annual basis, known usually as a quit rent, lords rent or reserved rent, and on many manors a sum known as a heriot was also paid following the tenant's death. All of these payments, and the precise nature of the rights connected to these holdings, varied according to the specific customs of each manor. However, as William Marshall explained, all copyholds gave 'a sort of temporary property ... which is thereby rendered liable to bargain and sale', unlike the conditions under a modern lease that gave 'merely the right of OCCUPANCY'.[6] Copyhold was therefore, in effect, a form of ownership.

Within the counties of Leicestershire and Dorset, however, there were two principal types of copyhold with important distinctions. These were copyholds of inheritance and copyholds for lives. Under the first of these, property descended according to the custom of the manor to the tenant's heirs, and the only occasions upon which it would return to the hands of the lord of the manor would be if the line of inheritance failed, or on the rare occasions that a copyholder forfeited his holding.[7] These copyholders held their property on highly beneficial terms. On many manors the entry fines were fixed at an extremely low

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[4] M. Overton, *Agricultural Revolution in England: the Transformation of the Agrarian Economy, 1500-1850* (Cambridge, 1996), p. 32.
[5] E. Kerridge, *Agrarian Problems in the Sixteenth Century and After* (1969), pp. 33-5. See also M. Campbell, *The English Yeoman* (1942; 1983 ed.), pp. 113-9.
[6] W. Marshall, *On the Management of Landed Estates: a General Work for the Use of Professional Men* (1806), pp. 3-4. Kerridge, *Agrarian Problems*, pp. 60-1.
[7] The most important reason for forfeiture was the committing of waste (eg. by pulling down a building). For details of forfeiture see J. Scriven, *A Treatise on the Law of Copyholds* (7th ed. 1896), pp. 123, 208-30.

level and even where lords retained the right to charge arbitrary fines, they had to be 'reasonable' and not high enough to prevent the custom of inheritance. Thus, as Michael Turner has remarked, 'copyholds of inheritance inferred a kind of status to the copyholder not far short of freeholder'.[8] Although copyholders for lives had similar security, they paid arbitrary entry fines, with no legal restrictions on their amount. The tenant and his heirs held the property for the duration of the lives of a number of people (typically three), whose names and ages were entered in the manor court roll when the tenant was admitted to their property. The names were often those of the tenant and two of their children, although any combination of people could be used.[9] This gave tenants' families a strong degree of tenurial security. Under manorial custom the widows of copyholders had a right to their property for the duration of their 'widowhood', and in the early modern period it was usual practice for lords to allow copyholders to enter replacement names into their copy to replace those who had died, in return for another fine. However, lords retained the right to refuse such renewals so that when the last of the lives died, or in the manorial terminology 'dropped', the property would come back under their control. Therefore, differences in the terms of copyhold tenure played an important part in regulating the ability of lords to erode these tenures to their advantage.

Indeed, over the course of the eighteenth century copyholds for lives were steadily, although not entirely, replaced by beneficial leases. The principal form of lease found in these counties was for ninety-nine years determinable on three lives.[10] Such a change was in the lord of the manor's interest because it removed the property from the ties of manorial customs, such as widowhood.[11] However, most lifehold leases contained a minimal number of restrictive clauses that were designed to ensure that the property was kept in good repair, that the lease was not assigned or the property sub-let for long periods without the landowner's permission, and that rents were paid on time.[12] Such clauses in fact represented some of the key customary restrictions on copyhold tenants and although a small number of leases contained more detailed covenants against the use of the property as a beerhouse or a

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[8] M. Turner, 'Corporate strategy or individual priority? Land management, income and tenure on Oxbridge agricultural land in the mid-nineteenth century', *Business History* 42 (2000), p. 2.
[9] Very young lives were rarely entered into such leases due to high rates of infant mortality. See C. Clay, 'Landlords and estate management in England', in J. Thirsk (ed.), *AHEW, Vol. V, 1640-1750* (Cambridge, 1985), p. 201. In eighteenth-century Lancashire the names of those who helped finance the arrangement were often entered into leases for lives. A.J. Gritt, 'Aspects of agrarian change in south-west Lancashire, c. 1650-1850' (Unpub. Ph.D. thesis, University of Central Lancashire, 2000), pp. 89-104.
[10] See M.E. Turner, J.V. Beckett and B. Afton , *Agricultural Rent in England, 1690-1914* (Cambridge, 1997), pp. 25-30.
[11] Kerridge, *Agrarian Problems*, p. 83. See Clay 'Landlords and estate management', p. 204 on motives for conversion. It was widely reported that the custom of widowhood was abused by widowers re-marrying young women. W. Stevenson, *General View of the Agriculture of the County of Dorset* (1815), p. 74.
[12] Clay, 'Landlords and estate management', pp. 205-6.

place of worship, these were atypical.[13] Therefore, although these leases were not identical to copyholds the similarities were very strong. Lessees still paid entry fines, quit rents and heriots, and the leases typically contained clauses to enforce attendance at manor courts. Given the long duration of such leases they still gave the tenant considerable security of tenure, especially where lords were prepared to renew lives. As Christopher Clay has argued, they were in effect a 'quasi-customary' form of tenure and his judgement that the conversion made little 'practical difference to the tenant' can be seen as justified.[14] Because of their similarities both copyholds for lives and leases for lives were often referred to as 'lifeholds', a precedent that will be followed in this chapter.

The other group of manorial tenants discussed below are those that occupied cottages on the waste, who were often referred to as 'squatters'. Alan Everitt has argued that there was a tendency for 'humble, outlying, squatters 'hamlets' ... to develop on the wastes' during the rural population growth of the late eighteenth and early nineteenth centuries, and he links this with widespread anecdotal evidence of a folk custom that anyone who built a structure overnight was entitled to occupy it as a dwelling without disturbance from the manorial lord.[15] However, there is little evidence that such a right was enforceable in law, and the tenurial basis on which such cottages were held varied widely.[16] 'Squatters' could potentially establish full freehold rights to their property if they remained in possession of their dwelling for twenty years without interference from the lord. In many manors, however, lords were careful to impose an annual payment on the squatter to acknowledge their ownership of the waste. These sums were typically very small amounts, not unlike the quit rents payable under copyholds. The extent of the squatters' security of tenure depended largely on how these sums were interpreted. If they were recorded as a quit rent and paid for twenty years then the lord had no right of ejectment, but if they were received as annual rents from 'tenants at will' then this created the ordinary relationship of landlord and tenant.[17] This often led to considerable ambiguity in the status of many cottages on the waste. However, where nominal rents were paid and estate owners did not repair the property or exercise any other acts of ownership it is clear that these cottages were not managed in the same way as other estate-owned housing.

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[13] The Bankes estate issued a number of leases with these more detailed covenants in the 1840s. DCRO D/BKL:8B/84. Uncatalogued Bankes estate leases.
[14] C. Clay, 'Lifeleasehold in the western counties of England 1650-1750', *Agricultural History Review* 29 (1981), pp. 90-3.
[15] Everitt, 'Common land', p. 218. On squatting in the early modern period see A. Everitt, 'Farm labourers', in J. Thirsk (ed.), *AHEW, Vol. IV, 1500-1640* (Cambridge, 1967), pp. 409-12.
[16] J. Moir, ' "A World Unto Themselves"?: Squatter settlement in Herefordshire, 1780-1880' (Unpub. Ph.D. thesis, University of Leicester, 1990), p. 165; C. Ward, *Cotters and Squatters: Housing's Hidden History* (Nottingham, 2002), pp. 5-11.
[17] DCRO D/WLC:L47. Legal papers re. squatters at Sutton Poyntz, Dorset, legal opinion of Mr T. Bennett, 1862.

All of these forms of tenure, therefore, gave considerable control over cottage property to their customary tenants. R.C. Allen has argued that these tenures provided early-modern yeomen farmers with 'a proprietary interest in the soil' and both copyholders and lifeholders are listed in many official documents, including the valuation lists used in the previous chapter, as the owners of their property.[18] Beckett and Turner have also noted that 'the degree of security of tenure' enjoyed under these tenures 'has been taken as a mark of their independence'.[19] These arguments have largely been made with reference to occupiers of land, but they are clearly also worthy of investigation in terms of rural housing.

Therefore, one of the main aims of this chapter is to assess the extent to which these archaic tenures influenced the pattern of property ownership in each of the case study counties in the 1830s. In the light of the findings of the previous chapter about the distribution of owner-occupation, it will also explore who was able to take advantage of the independence they offered. Dennis Mills has described the smaller owners of 'open' parishes as a peasantry of small entrepreneurs, including tradesmen, craftsmen and small farmers.[20] However, Mick Reed has argued that this description suggests that these individuals were motivated by profit-maximisation, thereby ignoring the fact that the aim of many as 'household producers' was simply to 'maintain the household autonomy and equilibrium'.[21] The business activities of these individuals lay outside the scope of this thesis, but it is possible to scrutinise whether either of these views is an apt description of those holding property under these archaic tenures.

A further aim of this chapter is to analyse the impact of the decline of these tenures on the pattern of property ownership and the authority of landowners over individual settlements. It is certainly clear that moves were made on many manors to bring an end to such tenures. This was especially the case with cottages built on the waste, whose inhabitants were widely disliked for what were seen as their immoral and dissolute characteristics. That view gained its clearest expression in the evidence given to the Select Committee on Commons Inclosure of 1844. Witnesses described cottagers living on or near to wastes and commons as 'a loose class of persons, who live by poaching and encroaching on other persons rights', and who 'are generally the most immoral, and worst portion of the

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[18] R.C. Allen, *Enclosure and the Yeoman* (Oxford, 1992), p. 57.
[19] M. Turner and J. Beckett, 'The lingering survival of ancient tenures in English agriculture in the nineteenth century', in C.E. Nunez (ed.), *Land, Labour and Tenure: The Institutional Arrangements of Conflict and Co-operation in Comparative Perspective. Proceedings of the Twelfth International Economic History Congress*, Vol. B2 (Madrid, 1998), p. 109.
[20] D. Mills, *Lord and Peasant in Nineteenth-Century Britain* (1980), pp. 46-7. Avner Offer describes smaller property owners in town and country as 'entrepreneurial capitalists'. A. Offer, *Property and Politics, 1870-1914: Landownership, Law, Ideology and Urban Development in England* (Cambridge, 1981), p. 106.
[21] M. Reed, 'Class and conflict in rural England: some reflections on a debate', in M. Reed and R. Wells (eds), *Class, Conflict and Protest in the English Countryside, 1700-1880* (1990), pp. 10-12.

rural population'.[22] In the index to the Committee's evidence 'Residents on Commons' is cross-referenced with 'Beer Shops', 'Crime' and 'Poaching'.[23] The committee, therefore, concluded that commons should be enclosed not only because they were 'capable of cultivation', but because they were also 'a source of serious injury and inconvenience, by their effect upon the character of the population'.[24] The focus in this chapter is less on enclosure itself, but on how lords controlled building on surviving manorial wastes and attempted to gain control over existing squatters' cottages. The ambiguous tenurial status of such property meant that it was by no means a straightforward process and the extent to which 'squatters' were able to maintain independence from landowning lords of the manor will also be investigated.

Copyholds and lifeholds were also reduced over the course of the nineteenth century and agricultural historians have argued that these tenures were replaced with modern forms of leasing and tenancy agreement that brought landowners into much closer contact with the running of farms. Thus, Beckett, Turner and Afton have argued that 'a social transformation was in progress as a form of peasant proprietorship was replaced by direct control exercised by a landlord'.[25] Certainly, where lifeholds and other forms of beneficial lease dominated, lords had the ability to bring such property under their control by switching to a modern short-term lease when the last life dropped or the term expired. However, as stated above, lords of the manor were not simply able to bring all property over which they had manorial jurisdiction under their control, especially where copyholds were heritable. The lord could purchase the copyholders' rights and 'extinguish' the tenure by amalgamating the customary and freehold interest in the property, but this could only be achieved where tenants were willing to sell. Indeed, the process by which many copyholds were brought to an end in this period was not by extinguishment, but by the enfranchisement of the copyholder.

The process of enfranchisement gave tenants the freehold right to their property, in return for the payment of a sum to the lord of the manor in compensation for his lost manorial dues, and also in recognition of the improved value of the property as a result of its removal from customary tenure.[26] This had always been possible if lord and tenant could agree terms, but the state encouraged this process following a Select Committee report of

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[22] *Select Committee on Commons Inclosure* V (1844), qq. 71, 4203, 4222-4226.
[23] *SC on Commons Inclosure* (1844), p. 542.
[24] *SC on Commons Inclosure* (1844), pp. iii, 542. On the social motives for enclosure see K.D.M. Snell, *Annals of the Labouring Poor: Social Change and Agrarian England, 1660-1900* (Cambridge, 1985; 1987 ed.), pp. 170-4.
[25] Beckett, Turner and Afton, *Agricultural Rent in England*, p. 27. See also A. Offer, 'Farm tenure and land values in England, c. 1750-1950', *EcHR* 2nd Ser. 44 (1991), p. 5.
[26] On the calculation of compensation payments see Scriven, *Treatise on Copyholds*, pp. 335-6.

1837 that concluded that copyholding was both 'highly inconvenient to the owners of the land, and prejudicial to the interests of the State'.[27] The dual authority of lord and tenant over copyhold property was viewed with disdain at a time when exclusive property rights were strongly associated with prosperity and progress.[28] Therefore, a number of Copyhold Enfranchisement Acts were passed in 1841, 1843 and 1844 that set out clearer arrangements for voluntary enfranchisement and established the Copyhold Commissioners to oversee this process.[29] Two more acts were passed in 1852 and 1858 to establish compulsory enfranchisement. This enabled either the lord or the tenant to initiate the process, which then had to be effected even without the agreement of the other party. This legislation was finally consolidated under the Copyhold Enfranchisement Act of 1894, which remained in force until the Law of Property Act, 1922. Under these acts 23,695 copyholds were enfranchised between 1841 and 1919.[30] This should therefore caution us against assuming that manorial rights were always eroded in such a way as to aid the accumulation of property by large landowners.

These issues will be discussed over the following pages by taking the case study counties in turn, in recognition of the important differences in the tenures that were prevalent in each. In Dorset lifeholding was the dominant form of customary tenure, as in most counties west of what Christopher Clay has described as 'a frontier zone running from Cheshire and Derbyshire, through Warwickshire, Oxfordshire, and Hampshire'.[31] By contrast, in Leicestershire, and other counties to the east of this divide, tenures were usually more secure. Copyholds were typically heritable and manors historically contained more socage tenants. These differences in tenure and the nature of source material means that a slightly different approach will be taken to each county, although four key issues will be discussed in each. The first aim in both cases is to assess the extent of the survival of these archaic tenures with respect to cottage property in the mid-nineteenth century. An assessment will also be made of who was able to take advantage of these secure customary tenures, enabling a discussion of the socio-economic background of some of the small property owners identified in chapter two. A third important issue is the impact of these tenures on the authority of the landed classes. Finally, the effects of the decline of these tenures on the pattern of property ownership and power relations of each of the case-study counties are also explored, and related to the findings of the previous chapter.

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[27] *SC Report on Copyholds Enfranchisement* XXIII (1837-8), p. 3.
[28] Caird argued that copyhold was 'a great obstacle to any kind of improvement'. J. Caird, *The Landed Interest and the Supply of Food* (1878; 1967 ed.), p.127. On enclosure and exclusive property rights see E.P. Thompson, 'Custom, law and common right', in *Customs in Common* (1991; 1993 ed.), pp. 159-67.
[29] For full legal details of the process of enfranchisement see Scriven, *Treatise on Copyholds*, pp. 326-73.
[30] Turner and Beckett, 'Lingering survival', p. 107.
[31] Clay, 'Landlords and estate management', pp. 199-200.

The survival of archaic tenures in Dorset

As a county that was dominated by large landed estates in the nineteenth century, one might expect that archaic tenures would have been eroded in Dorset long before the 1830s, especially because lifeholding was its most common form of archaic tenure.[32] Indeed, as early as 1815 William Stevenson remarked that 'Estates in this county are in general large' and that 'On the whole ... life-tenure is wearing out'.[33] Research by J.H. Bettey has confirmed that farms were increasingly let under rack rented tenancies from the late eighteenth century onwards.[34] In times of static or falling land values the system of fines had many advantages over rack rents in protecting the lord's income from mounting arrears.[35] But, when land values were rising, as in the early nineteenth century, the balance swung in favour of short-term rack-rent leases and tenancies at will, under which rents could be easily increased to maximise profits. Indeed, in some parishes archaic tenures were already largely absent by this period. These included the manor of Holnest, which in 1788 contained thirty-three tenants, half of whom already paid rack rents. The other half held under copyholds and leases for lives, most of which had fallen in hand by 1840.[36] It is likely that many such manors had always contained few customary tenants, making the erosion of these tenures more easily achievable.

On many of Dorset's larger estates, however, the eradication of these tenures was by no means a straightforward process. This was because the majority of landowners' rents came from entry fines paid on the renewal of lifeholds. Therefore, any sudden decision to end this practice would lead to a drastic decline in income in the short-term as only customary quit rents would be received.[37] Thus, the transition to rack rent had to be a gradual one and the priority for most estates would have been to refuse the renewal of lives on those holdings most capable of improvement, in order to gain the highest rack rents possible. Cottages and other smaller properties were often left under lifeholds for longer. The continued collection of fines for cottage property not only eased the financial strain of conversion to rack rent but also meant that the tenant retained responsibility for the cost of repairs, which consumed a relatively high proportion of cottage rents.[38] A situation could therefore arise where the majority of land was let at rack rent, whilst most housing remained

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[32] Although leases for lives largely replaced copyhold for lives over the course of the eighteenth century a small number of copyholds remained on many manors.
[33] Stevenson, *General View*, p. 73.
[34] J.H. Bettey, 'Land tenure and manorial custom in Dorset, 1570-1670', *Southern History* 4 (1982), p. 35.
[35] Clay, 'Lifeleasehold', p. 87.
[36] R. Machin, *The Houses of Yetminster* (Bristol, 1978), pp. 151-2.
[37] Clay 'Lifeleasehold', p. 85.
[38] Clay 'Lifeleasehold', p. 87.

under lifehold leases. Such was the case at Bradford Abbas, in the Blackmoor Vale, where in 1849 the lord of the manor let 90 per cent of the land at rack rent, although almost 70 per cent of the housing stock was still held by lifeholders.[39]

A number of large estates in the county continued to renew lives and issue lifehold leases on cottage property in the second quarter of the nineteenth century. The Pitt Rivers estate negotiated a number of renewals between 1828 and 1832.[40] Lifeholding persisted longest in the east of the county where, in order to bring the heathland into cultivation, lords were willing to grant lifeholds for plots of land, with a right to erect a cottage. This practice was remarked on by Stevenson in 1815 when he described a number of smaller holdings on the Bankes estate 'granted ... to encourage enclosure on the heaths, with scarcely any fine in the first instance'.[41] On the Bankes estate this practice continued into the 1840s and a report of 1850 refers to cottages being constructed on similar terms in the Marquess of Salisbury's manor of Cranborne, in north-east Dorset.[42]

This evidence suggests that many lords were employing these leases to regulate the use of their manorial wastes in this period and it is clear that many landowners were keen to prevent the unlicensed building of cottages by squatters. Despite the enclosure of nineteen Dorset commons under the General Enclosure Act of 1845 the 1873 *Return of Landowners* recorded over 13,000 acres of wasteland in the county, and it appears that manor courts were often used to limit the building of cottages on this land.[43] Indeed, by the 1830s court rolls generally record very few presentments of cottages, suggesting that manorial authority was being effectively used to prevent such building.[44] The court rolls of the Bankes estate manor of Kingston Lacy, which contained a vast area of heath, ordered the removal of even minor encroachments and no new cottages were presented in this period.[45] This suggests that the only building permitted was that sanctioned by the lifeholds described above. Elsewhere, even where squatters had successfully erected a cottage manor court could order its demolition. At Sturminster Marshall it was recorded in October 1808 that Andrew Legg 'promises and undertakes to remove ... the House built by him ... as soon as possible'.[46]

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[39] DCRL, unlisted sale catalogues. Sale catalogue of Bradford Abbas Estate, 1849. A similar situation is likely to have existed in the eight Dorset parishes listed in Table 2.1 (above, p. 57) in which the largest landowner's share of the housing stock was more than 20 per cent less than their share of the land.
[40] DCRO D/PIT:E187. Pitt Rivers Estate Steward's Accounts 1832.
[41] Stevenson, *General View*, p. 75.
[42] DCRO D/BKL:8B/79. Lease between W.J. Bankes and Charles White, January 3 1840; Evidence cited by John Revans, *Reports to the Poor Law Board on the Law of Settlement and Removal of the Poor* XXVII (1850), p. 124.
[43] W.E. Tate and M.E. Turner, *Domesday of Enclosures* (Reading, 1978), pp. 105-6; J. Bateman, *The Great Landowners of Great Britain and Ireland* (1883; Leicester, 1971), p. 503.
[44] The latest presentment of a cottage at a manor court that has been traced in the course of this research occurred at Batcombe on September 29 1837. DCRO D/MAP:M15. Bolton estate manor court book, 1821-38.
[45] DCRO D/BKL:CG1/48-9. Kingston Lacy manor court books, 1817-1924.
[46] DCRO D/HEN 3987. Sturminster Marshall Court Baron, October 26 1808.

Therefore, on manors where the lords employed an active estate management, opportunities for squatting were extremely restricted in scope.

Nevertheless, in the 1830s many manors still contained cottages that had been previously built on the waste without the official sanction of the manorial authorities. In some cases these had also been issued with lifeholds, as at Farnham manor court in September 1810 where Jesse Bennett was presented for having erected a cottage and was ordered to take it down, 'unless he takes a lease of the same'.[47] The Weld and Pitt Rivers estate archives also contain leases for cottages built on the waste in the late eighteenth and early nineteenth centuries.[48] The granting of lifeholds to squatters no doubt reflects the desire of some manorial lords to prevent any ambiguity arising over the terms of such holdings. Despite this, the inhabitants of many other cottages built on the waste had no formal agreement and only paid an annual acknowledgement for their encroachments. If the squatter could prove that this was accepted as a quit rent and he continued to pay it for twenty years then the lord had no right of ejectment. However, many lords recorded the payments only as encroachment acknowledgements and could therefore argue that the squatters were only tenants at will.[49] For example in 1837 on the Bankes estate manor of Studland Samuel Curtis paid one shilling for a 'cottage and Garden on the Waste, an Encroachment'.[50] The precise reason for the difference in the tenurial arrangements offered to 'squatters' is unclear, although it is possible that individual judgements were made according to the perceived characteristics of the occupants, or the cottages' location.

Therefore, although most landowners were heavily regulating their manorial wastes by the mid-nineteenth century and had embarked on the erosion of lifeholding there was a substantial survival of old cottage tenures. A report of 1868-9 mentioned substantial lifeholding on the county's largest estate, belonging to Lord Rivers, and on the Earl of Shaftesbury's estate both lifeholds and cottages on the waste remained. Lifeholding also survived in the parishes of Corfe Castle, East Stoke, Marnhull and Stour Provost, which are

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[47] NA 30/26/28. Cited in 'Statement of special case between Pitt Rivers and Charles Adams, John Isaacs and Edwin Ferrett to be heard in the High Court of Justice, Exchequer Division', 1877, p. 85.
[48] On the Pitt Rivers estate see DCRO D/PIT:T437, T459, T470, T474, T497. Leases for cottages on the waste of Okeford Fitzpaine, 1741-85, and 1846. On the Weld estate see, for example, DCRO D/WLC:T89. Deeds for cottages on the waste at East Lulworth 1708-1813.
[49] Although only tenants at will they could not be ejected without a legal notice to quit. Such cottages also descended to the heir on the death of the tenant and could be devised in a will. Scriven, *Treatise on Copyholds*, p. 420.
[50] DCRO D/BKL:EC1/5. Bankes estate steward's accounts 1836/7.

scattered across the agricultural regions of the county.[51] Unfortunately, it is impossible to quantify this survival on a county-wide basis because of a lack of source material that lists the tenure by which cottage property was held. Two principal sources have, however, been identified that list all the housing owned by a landed estate in specific villages and the tenures under which the property was held. These are sale catalogues, which were produced when estates put entire villages up for auction, and estate surveys. Both allow a calculation of the percentage of property held under archaic tenures at specific points in time. Unfortunately, few of these documents have been traced, but the survival rate of archaic tenures on the holdings of seven estates, within ten different parishes, can be seen in Table 3.1.

Table 3.1 Survival rate of old cottage tenures, 1840-60

Village	Manorial Lord	Date of Source	Percentage of dwellings held under archaic tenures
Woolland	Loftus	1849	16.7
Milton Abbas	Portarlington	1852	21.7
Chettle	Chafin	1845	35.7
Winterborne Stickland	Portarlington	1852	36.4
West Lulworth	Weld	1840	46.4
Puddletown	Orford	1860	54.0
Hilton	Portarlington	1848	54.8
Kingston Lacy	Bankes	1857	57.0
Studland	Bankes	1844	58.6
Bradford Abbas	Anglesey	1849	68.4

Sources: DCRL, uncatalogued sale catalogues: Chettle (1845), Bradford Abbas (1849), Woolland (1849), Portarlington Estate (1852).
DCRO D/BKL:8C/49 Studland Survey, 1844; D/BKL:8A/150 Kingston Lacy Survey, 1856-8; D/BOP:C1/1 Puddletown Survey, 1860; D/WLC:Y22 West Lulworth Survey, 1840.
NA MH12/2726 Letter from G. Pigott, Poor Law Inspector, to the Poor Law Board, listing details of tenure at Hilton, November 20 1848.

As might be expected, this shows that the rate of survival varied widely, even between neighbouring parishes on the same estate such as Hilton and Milton Abbas. Over half of the cottages under the Earl of Portarlington were held on lifeholds in the former, but only 22 per cent in the latter. This difference is partly due to the fact that Milton Abbas contained the seat and park of the Earl of Portarlington, whose ancestor famously had the

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[51] See 'Evidence accompanying the report by the Hon. Edward Stanhope on the counties of Dorset, Kent, Chester, Salop, Stafford, and Rutland', *Second Report From the Commissioners on the Employment of Children, Young Persons and Women in Agriculture, Appendix Part II, Evidence from the Assistant Commissioners* XIII (1868-9), pp. 16, 23, 30-31.

village moved in the late eighteenth century. In a considerable number of such estate parishes these tenures were already extinct, and there were others where only a residual number of cottages were held in this way, as at Woolland. Despite this it is clear that more than half of the cottages in some of the villages on Dorset's landed estates were still held under archaic tenures in the mid-nineteenth century. As expected some of the highest rates of survival come from the east-Dorset manors of Kingston Lacy and Studland, which belonged to the Bankes family. However, it is striking that land-type was not the determining factor in the rate of survival. Bradford Abbas, the parish with the greatest proportion of surviving lifeholds, is situated in the Blackmoor Vale, whilst Hilton is a chalkland parish. Overall, taking both literary and quantitative evidence together, it is clear that in the mid-nineteenth century many of Dorset's largest estates still contained a substantial number of cottages held under archaic tenures.

As described above, these tenures gave considerable 'independence' from the control of landed estates and low annual rents to lifeholders and squatters, but it is important to establish what sections of society benefited from this. Thomas Hardy claimed that typical lifeholders included 'the blacksmith, the carpenter, the shoemaker, the small higgler, [and] the shopkeeper, together with nondescript-workers other than farm-labourers'.[52] Assessing the accuracy of his description is by no means straightforward, as most lifehold leases do not survive. However, where lessees' names are recorded, in documents such as sale catalogues and estate surveys, it is possible to compare them with census returns to analyse the occupations of resident lifeholders. Where there is uncertainty over identification the name has been excluded from the analysis. This has been carried out for four of the villages listed in Table 3.1, and the results are shown in Table 3.2. This largely confirms Hardy's view, showing that tradesmen and craftsmen formed the largest category of lifeholders resident in the village in which they held property. The trades most strongly represented in this sample are grocers, carpenters and boot or shoemakers. Interestingly, only ten of these lifeholders were described as farmers, suggesting that most now held their property under modern tenancy agreements. Also, although labourers did hold a small proportion of cottage property in some parishes, as at West Lulworth and Bradford Abbas, Hardy again appears to have been correct in his statement that, 'these cottagers were not often farm labourers'.[53] Given that the average weekly wage of a farm worker was only 8 s. in the mid-nineteenth century it is unsurprising that most could not afford to raise an entry fine. Therefore, it is clear that most of those who benefited directly from the favourable terms of these archaic

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[52] T. Hardy, 'The Dorsetshire labourer' (1883), in D.J. Morrison (ed.), *Thomas Hardy: Stories and Poems* (1970), p. 18.
[53] Thomas Hardy cited in H.R. Haggard, *Rural England*, Vol. 1 (1902), p. 284.

tenures were from the middle ranks of rural society.

Table 3.2 Occupations of resident lifeholders in four Dorset manors

Lifeholders	Manor and Date					
Occupational Category	Bradford Abbas 1851	Milton Abbas 1851	Puddletown 1861	West Lulworth 1841	Total	Percentage
Clergy/Parish Clerk	0	0	1	1	2	2.8
Retired/Widowed	2	0	1	0	3	4.2
Farming with Trade or Craft	2	0	0	1	3	4.2
Farming	3	2	3	0	8	11.1
Private Income	1	2	1	4	8	11.1
Rural Poor and Working Class	4	0	2	6	12	16.7
Trades and Crafts	2	9	22	3	36	50.0
Total Identified	14	13	30	15	72	100.0
Total Lifeholders	34	16	49	26	125	--
Percentage Identified	41.2	81.3	61.2	57.7	57.6	--

Sources: See Table 3.1 above. Also 1841 census returns for West Lulworth, 1851 census returns for Bradford Abbas and Milton Abbas and 1861 returns for Puddletown.

It is, however, difficult to judge from this source material how best to categorise these smaller owners as a group in rural society. The evidence of rates of owner-occupation of over 20 per cent, found in some of the valuation lists of the 1830s in the previous chapter, is suggestive of Reed's model of small-scale household production. Two lifeholders in Bradford Abbas combined small-scale farming with work as a shoemaker and tailor. However, both were listed as employers of labour in the census, and very few lifeholders could be described as 'peasant farmers'. Furthermore, the evidence suggests that the majority of lifehold cottages were actually sub-let, and the fact that only 57.6 per cent of the lifeholders included in Table 3.2 were identifiable in the census returns illustrates that many of these lifeholders were non-resident.[54] The practice of sub-letting is confirmed by the fact that the mean number of cottages held by lifeholders in these four parishes was 2.2. One lifeholder in Bradford Abbas, who held six dwellings, was even described in the census as a 'Proprietor of Houses', which is suggestive of entrepreneurial investment.[55] In the late 1860s it was also reported that many cottages at Stour Provost, in the Blackmoor Vale, were hired by the poor from lifeholders.[56] This sub-letting also encouraged the sub-division of existing

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[54] A number of lifeholders were excluded from the analysis because of uncertainties over their identification from the census, and others may have died between the date of the surveys and that of the census returns.
[55] HO 107/185X f. 421, p. 27. Bradford Abbas Census, 1851.
[56] 'Evidence accompanying the report by the Hon. Edward Stanhope on the counties of Dorset etc.', pp. 30-1.

cottages in order to increase profits. For example, the Bradford Abbas sale catalogue lists many examples of cottages divided into tenements.[57] This again suggests that many smaller owners took steps to maximise their income from their cottage property.

Even the erection of cottages on the waste should not always be associated with owner-occupation by 'squatters'. On the Duchy of Cornwall's manor of Fordington there was considerable building on the waste by speculative builders. This village bordered the county town of Dorchester and the resultant population pressure led to a strong demand for housing and high cottage rents. The Revd Moule described how this encouraged local masons and carpenters to build on the waste, stating 'a return of £5 or even £6 a year seemed to warrant a little risk of encroachment or of bad title'.[58] This situation was by no means unique. In 1828 Stourpaine manor court received presentments of seventeen cottages built on the waste 'paying no Rent or Acknowledgement to the Lord'.[59] Seven of these, however, were not owner-occupied, suggesting that they were built as speculative investments. As late as 1915 W.G. Savage recorded that the poorest quality housing had often been built 'on odd pieces of unclaimed land ... by squatters or speculative builders'.[60] Commons and roadside wastes were not, therefore, free from entrepreneurial activity.

However, there are instances where the description household producer does appear more appropriate, especially in east-Dorset manors with extensive heathland. A number of lifeholds were granted to labourers in the 1840s by the Bankes estate.[61] Meanwhile, on the Earl of Shaftesbury's manor of Woodlands lifeholders, and those occupying cottages on the waste, were described in the late 1860s as 'strappers', 'being to a great extent independent, and only engaging themselves to the farmers for ... harvesting, turnip hoeing, etc.'.[62] A considerable amount of coppice wood in the parish provided them with winter employment. Such independence was also described at West Parley in 1865 where Dr Hunter noted that the occupants of 'the numerous and dilapidated squatters' cabins' were 'much better off' than other labourers because 'The waste affords fuel and material for building'.[63] The resources of the heathland such as furze and turf, along with the possibility of grazing animals on their plots of waste, offered these people an economic independence that was unavailable elsewhere in the county.

Therefore, the impact of the survival of these tenures was by no means

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[57] Unlisted sale catalogues, DCRL. Sale catalogue of Bradford Abbas Estate, 1849.
[58] Revd H. Moule, *Eight Letters to His Royal Highness The Prince Albert, as President of The Council of the Duchy of Cornwall* (1855), p. 10.
[59] DCRO D/PIT:M68. Stourpaine Court Baron, November 14 1828.
[60] W.G. Savage, *Rural Housing* (1915), pp. 57-9.
[61] DCRO D/BKL:8B/114. Uncatalogued Bankes estate leases for Kingston Lacy Manor.
[62] 'Evidence accompanying the report by the Hon. Edward Stanhope on the counties of Dorset etc.', p. 23.
[63] Dr H.J. Hunter, 'Inquiry on the state of the dwellings of rural labourers', *Seventh Annual Report of the Medical Officer of the Privy Council* XXVI (1865), pp. 178-9.

straightforward. The combination of archaic tenures with the resources of the heath helped to support a broad economic 'independence' that can be related to a subsistence household economy. However, it is clear that in most of the villages where these tenures survived the occupants of these cottages were mainly sub-tenants of numerous small owners. A significant proportion of these proprietors show signs of entrepreneurial profit-maximising behaviour by charging rack rents for cottages on which their own expenditure was minimal, both in terms of quit rents and repairs. Caution must, however, be exercised in placing all owners under one umbrella as most were not large-scale investors and might only be subsidising a limited income from their trade or craft activity, or earning a pension, by renting out a small number of cottages. Revd Moule of Fordington recorded in the 1850s that 'Many of the proprietors have nothing beyond their one or two cottages than their labour or their little trade'.[64] Therefore, it appears that there was widespread variation in the socio-economic background of the 'middling ranks' of society that held these cottages.[65] Although the labouring classes were rarely lifeholders, it is clear that sub-letting also gave them a degree of 'independence' from the direct influence of a landed estate.

Motivation for further decline

The mid-nineteenth century, however, saw many large landowners take further steps towards bringing this situation to a close. An end to lifeholding was now a financial possibility because most of their farms had been converted to rack rents and the final eradication of entry fines would no longer mark a significant fall in income. Thus Lord Rivers' estate accounts record no renewals after 1850 and a report on the Bankes estate stated that 'As a rule since 1842 the practice of leasing for lives has been abandoned'.[66] The Duchy of Cornwall also refused to enter new lives into their tenants' copyholds on their manor of Fordington from 1842.[67] On the Earl of Orford's manor of Puddletown the last lifeholds were entered into in 1852 and on the Weld estate in the mid-1850s.[68] Once lords refused to renew lifeholds a process of attrition set in through which properties slowly returned to their control. The income from manorial rents on the Rivers estate fell by 98 per

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[64] Moule, *Eight Letters*, p. 18. G.E. Mingay, 'The rural slum', in S.M. Gaskell (ed.), *Slums* (Leicester, 1990), p. 126.
[65] Indeed, even Reed uses a four-fold classification of household producers. Reed, 'Class and conflict', p. 10.
[66] DCRO D/BKL:8A/172. 'Mr Robson's Report accompanying his particular of the Kingston Lacy and Corfe Castle Estate as valued by him in 1875 and 1876', p. 17.
[67] J. Morris and J. Draper, 'The "Enclosure" of Fordington Fields and the development of Dorchester, 1874-1903', *PDNHAS* 117 (1995), p. 8.
[68] DCRO D/BOP:C1/1. Particulars and valuation of the Puddletown estate of the Earl of Orford, 1860. DCRO D/WLC:AE 91. Weld estate receiver's accounts, 1882-3 lists the dates when lifeholds were entered into.

cent between 1850 and 1900.[69] On the Bankes estate the receipts from quit rents fell by only 48 per cent between 1839/40 and 1899/1900, largely because of the longer continuation of lifeholding on the heath.[70] Nevertheless, although the pace of change varied the overall trend is clear.

At first glance the motivation for this appears to have been predominantly economic in origin. Mid-nineteenth century agricultural prosperity encouraged many landowners to seek to maximise profits by investing in improvement and increasing farm rents. The re-letting of former lifehold cottages at rack rent values could also bring impressive percentage increases in rental income. This was emphasised in the sale catalogue of Bradford Abbas in 1849 which advertised that ninety-one lifehold dwellings, which raised only £5 10s. 5d. per annum in quit rents, had the potential to bring in £470 per annum if let at rack rent.[71] Caution has to be exercised about direct comparisons in annual income because they do not take into account the payment of entry fines. Nevertheless, entry fines could only be raised to a level that tenants could afford to pay in one lump sum, whereas increased rack rents were payable annually. This also regulated the timing of the collection of rent that had previously depended on the deaths of named lives. The Bankes estate agent acknowledged the economic effect of ending these tenures in 1877 when he stated that 'since ... the practice of leasing for lives has been abandoned, ... the consequence has resulted in augmenting the yearly Holdings and the production of an increased Rental'.[72] Landowners also sought to increase the acknowledgements paid by those living on manorial wastes and the same valuation of the Bankes estate suggested a number of such increases. Thus, at Wimborne Minster it was noted that Charles Cobb's cottage was 'Originally taken in as waste at an acknowledgement Rent' of 2s. per annum, but was to be raised to £2.[73] Therefore, it is clear that the erosion of archaic tenures was in part motivated by an increase in rental income.

In practice, however, the economic return of a conversion to rack rent was severely limited by the cost of repairs. Lifehold property was often left in a state of disrepair at the end of its term because the tenants had little incentive to invest in buildings that were going to return to the lord of the manor. William Robson, agent to the Bankes estate, noted in 1877 that 'a large portion' of lifehold cottages had 'fallen into hand ... in a dilapidated and worn out condition' and that many could 'only be maintained in habitable condition through an

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[69] This includes the loss of chief rents that were not linked to lifehold property. DCRO D/PIT:E189, E226. Pitt Rivers estate rentals, 1850 and 1900.
[70] DCRO D/BKL:EB4/7-8 and 4/72. Bankes manorial rentals, 1839-40 and 1899-1900.
[71] Unlisted sale catalogues, DCRL. Sale catalogue of Bradford Abbas Estate, 1849, p. 15. See also similar claims of improved income in the sale catalogue of the 'Whole Parish of Chettle', 1845, p. 6.
[72] DCRO D/BKL:8A/172. 'Mr Robson's Report', p. 17.
[73] DCRO D/BKL:8A/172. Valuation of Bankes estate, 1877.

expenditure almost equal to the present rents'. One solution that Robson suggested was to pull down the worst of them, 'as all that are now in hand are not necessary for the requirements of the farmers'.[74] Indeed, in 1883 Thomas Hardy claimed that landowners 'pull down each cottage as it falls in'.[75] The 1893/4 Royal Commission on Labour also reported examples of such demolition and as late as 1913 F.E. Green described a similar process on the heathland.[76] Given that a lifehold cottage would bring in more money than no cottage at all, it is clear that rent increases were not the only concern behind the erosion of these tenures.

In some parishes this process was related to attempts at enclosure, and Dorset saw forty-four enclosure orders carried out between 1830 and 1870. However, where landowners wanted to enclose common pastures they could spare themselves the expense of a parliamentary order if they eradicated all customary tenures and thereby acquired all the formal common rights themselves. If that could be achieved then the rights would, in the words of Chapman and Seeliger, 'simply cease to exist, since there was no longer anyone to exercise them'.[77] Similarly, open field arable could also be enclosed without recourse to parliament if the lord achieved unity of possession. In the manor of Moreton in the 1830s and 40s the Frampton family were actively buying out copyholders for lives with this aim in mind.[78] Lord Rivers also paid a number of annuities in return for the surrender of lifehold estates on three of his manors in the 1850s and 1860s.[79] These actions were not atypical as a large amount of enclosure was undertaken privately in Dorset.[80]

There is also evidence that these tenures were eroded because landowners wanted to exercise closer control over the villages on their estates. As established in the previous chapter this was partly motivated by a desire to restrict pauper settlement, and it is clear that landowners had very little control over the amount of accommodation available in villages where lifeholders were free to subdivide and sub-let their property. But this desire for greater control was also motivated by wider concerns, especially over morality. We have seen that squatters were in general disliked for their supposed idleness, criminality and drunkenness, and a group of squatters on the Weld estate manor of Sutton Poyntz were

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[74] DCRO D/BKL:8A/172. 'Mr Robson's Report', p. 17.
[75] Hardy, 'Dorsetshire labourer', p. 18.
[76] A. Spencer, 'Report upon the Poor Law Union of Dorchester (Dorsetshire)', *Royal Commission on Labour, The Agricultural Labourer. England* (1893-4), p. 29; F.E. Green, *Tyranny of the Countryside* (1913), pp. 158-9.
[77] J. Chapman and S. Seeliger, *Enclosure, Environment and Landscape in Southern England* (Stroud, 2001), p. 16.
[78] DCRO D/FRA:M8. Manor court book of Frampton estate manors, 1810-50.
[79] See, for example, DCRO D/PIT:E189. Pitt Rivers estate accounts, 1850.
[80] Chapman and Seeliger, *Enclosure, Environment and Landscape*, pp. 51-3.

described in 1862 as 'an injury to the neighbourhood'.[81] It was also believed that this immorality posed a threat to the stability of rural society, especially at the beginning of this period in the aftermath of 'Swing'. Thus, negative characteristics were applied not only to groups of 'squatters', but to entire parishes where landowners were unable to exert their moral authority. Such a case was the parish of Fordington, where cottages were sub-let by lifeholders and speculative builders. Fordington had a 'rough' reputation in the 1850s and was described as 'a great sink into which may be poured the filth of the neighbouring parishes'.[82] Villages such as this represented the antithesis of what landowners saw as the ideal estate-owned village and Thomas Hardy believed the ending of lifeholds was often 'done in the interests of morality'.[83]

Linked to this was a dislike by landowners of what Hardy described as the 'independence of manner' of those living under these older tenures, because it could pose a challenge to their authority.[84] Hardy's own autobiography reveals personal experience of this. He was born in 1840 in his family's lifehold cottage that was the base for his father's building business. As a young boy Hardy was removed from the village school at Bockhampton, and was sent to a nonconformist day school in Dorchester. The lady of the manor, who was the patron of the Bockhampton school, was offended by the Hardys' choice of a nonconformist establishment and as a consequence removed the estate's building work from Hardy's father. Hardy notes that his father was easily able to replace the business from other sources, but one suspects that had the family not had the security of tenure offered by lifeholding that further sanctions may have been taken.[85] Lord Rivers also experienced resistance from 'independent' cottagers following his enclosure of the commons at Farnham in the early 1850s. Prior to this he had attempted to buy out all of the properties that he believed had user rights attached to them. However, he had not accounted for the opposition of a small number of occupants of cottages that had been let on lifehold in the late eighteenth century but had since lapsed, without the estate taking them back under their direct control.[86] Thus three villagers continued to collect fuel, claiming it was their right as village inhabitants. Rivers decided to prosecute them for trespass in the High Court and although eventually successful this was only after five years of hard-fought legal battles.

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[81] DCRO D/WLC:L47. Legal papers re. squatters at Sutton Poyntz, copy case and opinion of Mr T. Bennett, 1862. Laying to the east of the resort town of Weymouth this hamlet had potential for development and it was later noted that 'the different Squatters holdings are in the main front to the highway and would be a serious obstacle should the Sutton Poyntz Estate become available for building purposes'. Case papers, c. 1884.
[82] Moule, *Eight Letters to His Royal Highness*, pp. 5, 16, 20.
[83] Hardy, 'Dorsetshire labourer', p. 19. Hardy has Tess evicted following her father's death for her past illegitimate pregnancy. Thomas Hardy, *Tess of the D'Urbervilles* (1891; 1994 ed.), pp. 452-3.
[84] Hardy, 'Dorsetshire labourer', p. 18; Hardy, *Tess*, p. 447.
[85] M. Millgate (ed.), *The Life and Work of Thomas Hardy* (Basingstoke, 1984), p.23.
[86] NA 30/26/28.Statement of special case between Pitt Rivers and Adams, Isaacs and Ferrett, 1877, pp. 20-1.

Had Rivers had control of all the housing in the village, it is unlikely that such a strong challenge could have been mounted. These cases certainly suggest that security of tenure could provide an important base for exercising 'independence' from the local landowner.

A final aim behind the erosion of these archaic tenures can be seen in the more benevolent side to estate management, and a desire to improve working-class housing. The sub-division of lifehold cottages created many small and overcrowded dwellings that drew much criticism. It was reported that at Stourpaine in the late 1860s 'Many families have not more than two bedrooms, some not more than one'.[87] Such dwellings were also frequently poorly maintained and R.R. Harvey, agent to the Pitt Rivers estate, stated that although there is generally a covenant for repair in such leases, there was great difficulty in enforcement 'through the want of means on the part of the leaseholder'.[88] The lack of landowners' control over such villages was therefore very powerfully symbolised by poor quality housing on their estates. When the renowned social reformer, the seventh Earl of Shaftesbury, visited his Dorset estate upon his inheritance in 1851 he was appalled by the 'shocking state of the cottages' in which tenants were 'stuffed like figs in a drum'. But, frustratedly he remarked 'Yet what can I do? ... the management of the estate ... has in great measure passed from me by the grants of these small life-holds'.[89] As lifeholds fell in hand over the following decades Shaftesbury embarked on a programme of cottage improvement, although even in 1885 one-fifth of the estate's housing was still held under lifehold tenure.[90]

It therefore appears that a range of motives based around notions of improvement, in terms of both economics and morality, underpinned the move away from archaic tenure towards a more 'closed' pattern of property ownership in Victorian Dorset. In giving landowners the potential to exercise greater control it is likely that such a process could mark a very real change in power relations within rural communities. Its most direct effect is likely to have been in undermining the 'independence' of the trade and craftspeople who made up the majority of lifehold tenants. However, the effects of this process are also likely to have been felt by agricultural labourers. The Royal Commission on Labour of 1893-4 reported that 'Where the cottages belong to another than a landowner the labourer hires without any condition as to where he shall work', but 'Where the cottages belong to an estate the occupier of a cottage is supposed to work upon the estate'.[91] The contrast here is implied to be between parishes but in Dorset it could be seen as the contrast in a single

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[87] 'Evidence accompanying the report by the Hon. Edward Stanhope on the counties of Dorset etc.', pp. 16, 23.
[88] 'Evidence accompanying the report by the Hon. Edward Stanhope on the counties of Dorset etc.', p. 25.
[89] E. Hodder, *The Life and Work of the Seventh Earl of Shaftesbury, K.G.* (1887), p.449.
[90] *First Report of the Commissioners of the Housing of the Working Classes [England and Wales]* XXX (1884-5), pp. 603-6.
[91] 'General Report from the Senior Assistant Agricultural Commissioner Mr William Little', *Royal Commission on Labour, The Agricultural Labourer. England* (1893-4), p. 113.

village over the course of the nineteenth century. Indeed Thomas Hardy remarked in 1902 that 'Villages in which there is not now a single cottager other than a weekly tenant, were formerly occupied almost entirely on the lifehold system'.[92]

There is also evidence that the ending of lifeholding was accompanied by an increase in tied housing. An 1801 survey of the Frampton estate village of Affpuddle shows that copyhold cottages were already being let with the farms when they fell in hand.[93] Such change is often difficult to quantify because of a lack of comparable estate surveys. However, an analysis of two surveys of the Bankes estate manor of Studland made in 1844 and 1886 illustrates a striking transition over time. Over this period the proportion of cottages let on archaic tenures fell from 58.6 per cent to only 4.6 per cent, while the proportion let as tied cottages rose from 12.9 per cent to 38.5 per cent.[94] The growth of the tied cottage was perhaps the most potent symbol of the loss of independence associated with older tenures. Thomas Hardy argued in 1883 that 'there is no more comfortable or serene being than the cottager who is sure of his roof' while 'the Damocles sword of the poor is the fear of being turned out of their houses by the farmer or squire'.[95] It must be stressed that not all parishes that saw a decline of older tenures were subject to a uniform pattern of change and the policies of individual landowners will be discussed further in chapter four. Nevertheless, the experience of social relations in the early twentieth-century in numerous villages that had seen the decline of lifehold tenure must have been very different to that of a century before.

Limits to landowners' control

Although many Dorset parishes underwent a substantial transformation in terms of cottage tenure over the course of the nineteenth century, this increase in control was by no means straightforward or fully implemented prior to 1914. Some of the clearest exceptions to the trends set out above occurred on manors belonging to institutions. These included Fordington, under the Duchy of Cornwall, and both Sydling St. Nicholas and Piddletrenthide under Winchester College. Turner, Beckett and Afton have argued that lifeholds and copyholds were 'favoured by institutions, because they received an income from the land but with minimal expenditure and supervision'.[96] Certainly, there is evidence to suggest that

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[92] Thomas Hardy cited in Haggard, *Rural England*, p. 284.
[93] J. Brocklebank, *Affpuddle in the County of Dorset, AD 987-1953* (Bournemouth, 1968), pp. 70-4.
[94] DCRO D/BKL:8C/49. Studland Survey, 1844; DCRO D/BKL:8A/146. Bankes estate cottage survey, 1886.
[95] Hardy, 'Dorsetshire labourer', pp. 3-19.
[96] Beckett, Turner and Afton, *Agricultural Rent in England*, p. 32. See also Turner and Beckett, 'Lingering survival', pp. 105-6; Turner, 'Corporate strategy', p. 14.

these bodies were not always as concerned as individual landowners to exercise close control over their property. For example, the survival of copyhold for lives on the manors of Winchester College enabled a number of its tenants to gain the freehold rights to their property through enfranchisement.[97] Revd Moule of Fordington partly attributed the extensive overcrowding in that parish to the building that had taken place on strips of waste land that the Duchy's stewards, based at Liskeard in Cornwall and Shepton Mallett in Somerset, had failed to regulate.[98] Later in the century concern grew for the residential development of the village as a suburb of Dorchester and the Duchy's tolerance of such activity decreased. Nevertheless, this evidence suggests that institutional management was frequently less intense than that on manors owned by landowners who exercised a degree of personal influence.

Lax management was, however, not the sole preserve of institutions and it also affected the administration of some landed estates. Such was the case in respect of the Weld estate's manor of Sutton Poyntz where attempts were made from 1862 to impose rack rents on a group of 'squatters'. This label included two groups. One, of approximately twenty people, came under the heading of 'tenants at will' who paid small annual acknowledgements for cottages built on the waste. The second consisted of a number of tenants whose cottages had been held on leases for lives that had expired but not been surrendered. It is recorded in legal papers that 'The late Lord of the Manor through his late land steward was very lax ... and no notice appears to have been taken whether Leases had expired or not'.[99] In 1870 one advisor remarked that 'although Mr Weld's legal rights are indubitable there will it seems be very considerable difficulty in proving them' and this uncertainty gave the 'squatters' considerable room for resistance.[100] At Michaelmas 1862 they were served with notices to quit, but 'in many instances intimated that it was not their intention to alter or come to any terms whatever'.[101] The squatters' resistance continued for over thirty years and the estate frustratedly remarked that 'it is most difficult to obtain from them any reliable information'.[102] Thus, even after the estate received a favourable judgement in the High Court in June 1886 the 'squatters' refused to come to terms until a further raft of ejectment cases between 1893 and 1895. Even then the 'squatters' were not evicted but, in a compromise solution, were issued with leases for fifty years at a nominal

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[97] *Twenty-fifth Annual Report of the Copyhold Commissioners* XIX (1867).
[98] Moule, Eight Letters, p. 30. See also J. Waymark, 'Landed estates in Dorset since 1870: their survival and influence' (Unpub. Ph.D. thesis, University of London, 1995), p. 364.
[99] DCRO D/WLC:L47. Case by R.N. Howard re. squatters at Sutton Poyntz, c. 1883.
[100] DCRO D/WLC:L47. Opinion of Mr Cutler, October 25 1870.
[101] DCRO D/WLC:L47. Case for the opinion of Mr T. Bennett, 1862.
[102] DCRO D/WLC:L47. Case for the opinion of Mr Cutler, 1870 and draft case for the opinion of Mr Bagshaw, c. 1884.

annual rental, not unlike the terms of a lease for lives.[103] This clearly illustrates that 'squatters' were by no means powerless and could offer considerable resistance, even against the legal force of an estate of over 15,000 acres.

Neither was the erosion of lifeholding a straightforward process. In some cases the descendants of lifeholders exercised considerable resistance to estates taking over cottages. Richard Jefferies reported that those who felt that they had an entitlement to cottage property 'will not hesitate' to employ 'the third-class lawyers whom the agricultural poor mostly patronise'.[104] The Earl of Shaftesbury was forced to go to law to recover two cottages in the manor of Hinton Martell in 1893.[105] Furthermore, where lives were unexpired tenants were able to occupy their cottages into the early twentieth century. On the Bankes estate manor of Langton Wallis in 1900 the estate steward visited a cottage granted to one John Bower in 1835 for his life, and those of his wife and his daughter. He called to gather proof of the existence of the lives and noted in the estate accounts that he was greeted by 'Sarah the daughter age 65, now Widow Benfield who said her mother age 89 was also living'.[106] Although lifeholders were a small minority of cottage tenants by that date, this case was by no means unique.[107]

The actions of landowners could also be restricted by limits on their ability to exercise manorial authority. Some parishes came under the jurisdiction of a number of manors contributing towards a highly complex structure of landholding.[108] One such example is the west-Dorset parish of Whitchurch Canonicorum which was under the jurisdiction of at least three different manors, contributing towards a highly complex structure of landholding.[109] Here, in the hamlet of Morecombelake, in 1846, *The Times* newspaper's special correspondent described a number of cob built cottages on the side of the road in which each occupant remained 'until the lapse of years … raises him to the rank and importance of a "freeholder"'.[110] This supports Dennis Mills' claim that divided manorial control 'frequently meant that … cottages were built with impunity on the waste'.[111] Mills has also discussed the possibility that fragmented manorial jurisdiction

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[103] This outcome shows some similarities with a case at Juniper Hill in Oxfordshire in 1848, the setting of Flora Thompson's *Lark Rise*. See B. English, '*Lark Rise* and Juniper Hill: a Victorian community in literature and history', *Journal of Victorian Studies* 29 (1985), pp. 23-4.
[104] R. Jefferies, *The Toilers of the Field* (1894), pp. 78-9.
[105] Case reported in the *Dorset County Chronicle*, May 18 1893.
[106] DCRO D/BKL:EB 4/72. Bankes estate rental 1899-1900.
[107] See DCRO D/BKL:8B/79 and D/BKL:8B/98. Purbeck lifehold leases and those for Thornhill tithing in Kingston Lacy manor, a number of which finally fell in hand in the early twentieth century. See also DCRO D/WLC:AE 115 Weld estate accounts, 1914-15.
[108] J. Hutchins, *The History and Antiquities of the County of Dorset*, Vol. II (1863; Wakefield, 1973), p. 253.
[109] J. Hutchins, *The History and Antiquities of the County of Dorset*, Vol. II (1863; Wakefield, 1973), p. 253.
[110] *The Times*, July 24 1846, p. 5.
[111] Mills, *Lord and Peasant*, p. 16.

played an important part in influencing nineteenth-century patterns of property holding, although he has acknowledged that it was not a determinant of parish development.[112] Evidence from the parishes of Spetisbury and Langton Matravers, that were included in the forty sample parishes used in the previous chapter, certainly suggests that divided manorial control was a factor that limited the ability of individual landowners to become the sole proprietor of such a parish. Both consisted of at least three medieval manors and by the 1830s no individual owned more than 62 per cent of the land in the former and 38 per cent in the latter.

Finally, although lifeholding was the dominant form of tenure in the county, it is important to note that in a small number of manors copyholders had rights of inheritance. This was the case in the royal manors of Portland and Gillingham where the tenants 'enjoyed virtually all the rights of freeholders'.[113] It also existed on the ecclesiastical manors of Beaminster, Netherbury and Yetminster, and on the Earl of Ilchester's manor of Wyke Regis. The security of such tenants, as described in the introduction, must be seen as a contributory factor to these parishes developing as populous settlements, largely free from the control of landowner influence. Gillingham and Beaminster were small market towns, Wyke Regis developed as a suburb of Weymouth, and Portland was governed by an Urban District Council after 1894. These copyholders' rights of inheritance therefore appear to have been an important factor in the socio-economic development of these settlements, preventing landowners from increasing their influence. This is discussed further with reference to Leicestershire in the following section.

Therefore, this evidence provides a stark warning against generalizations about changes in tenure contributing towards an automatic increase in landowners' control over cottage property in nineteenth-century Dorset. Institutional ownership, the consequences of lax management, manorial decay, divided manorial control and the survival of copyholds of inheritance all placed restrictions on the extent of their influence. Indeed, where these tenures survived they could clearly provide a basis for resistance to the direct control of lords of the manor. The opposition to rack renting at Sutton Poyntz, the hostility to enclosure at Farnham, and the decision of the Hardy family about their son's schooling, all illustrate a very real sense of 'independence' that could seriously inconvenience landed estates. However, this in turn encouraged many of Dorset's landowners to increase their control over housing. Indeed, their ability to bring an end to archaic tenures enabled them to take a large step towards achieving this, as seen in the trend towards 'closure' identified in chapter two. The change should not be exaggerated, but as lives 'dropped' and many cottages on the

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[112] Mills discusses the role of manorial jurisdiction in *Lord and Peasant*, pp. 106-113.
[113] Bettey, 'Land Tenure', p. 34.

waste were brought under the management of landed estates the 'independence' of customary tenants was eroded, and their sub-tenants were brought under the direct influence of landowners and their agents. Although this process of change cannot fairly be described as a tenurial revolution, this period undoubtedly saw a tenurial transformation in many Dorset parishes.

Landowners and tenure in Leicestershire

The pattern of tenure in nineteenth-century Leicestershire was much less conducive to the accumulation of property by lords of the manor. An important element in this was the historic importance of socage tenure in many manors in eastern counties, which evolved into modern freehold. Indeed, Kerridge found that some manors in eastern England contained only socage tenants, although there was extensive variation.[114] At Wigston Magna in the early seventeenth century Hoskins estimated that as much as 1,200 acres of the 2,944-acre parish was already held under free tenures, and was therefore largely outside of the scope of manorial authority.[115] It is difficult to gain evidence of this in the nineteenth century because of the usual severance of socage tenants from the manorial structure. Nevertheless, Dennis Mills noted that the prevalence of small property owners in many parishes was an important feature of the county in the nineteenth century.[116] Mills even found that many of the villages in the Vale of Belvoir, in which the Duke of Rutland was the principal landowner, contained 'significant numbers of small freeholders' in the 1830s.[117] Therefore, although it is difficult to provide conclusive proof, the evidence suggests that the historic importance of free tenures in the county was an important restraint on the ability of manorial lords to bring both land and housing under their control.

Leicestershire also contained property held by a more unusual tenure, known as customary freehold, which was only marginally more restrictive than socage. This was the form of tenure within the Soke of Rothley that extended over a number of parishes in north and east Leicestershire.[118] As under copyhold of inheritance, tenants were admitted to their property by an entry in the court rolls, but unlike other copyholders they did not have to pay

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[114] Kerridge, *Agrarian Problems*, p. 35.
[115] W.G. Hoskins, *The Midland Peasant: the Economic and Social History of a Leicestershire Village* (1957; 1965 ed.), p. 110.
[116] Mills, *Lord and Peasant*, pp. 24, 78.
[117] D.R. Mills, 'Landownership and rural population, with special reference to Leicestershire in the mid-19th century' (Unpub. Ph.D. thesis, University of Leicester, 1963), p. 150.
[118] A soke was an area of land in the Danelaw scattered over many villages that was held by free peasant tenants. See D. Hey (ed.), *The Oxford Companion to Local and Family History* (Oxford, 1998), p. 421. The bounds of the Soke of Rothley and the custom of property holding within it are described in a document of 1850. See ROLLR 44D 28/1150.

an entry fine, quit rent or heriot to the lord. The only payments made were when an existing tenant, or 'sokesman', sold his property to someone who did not already hold property within the soke, known as a 'foreigner'. The latter then paid a 'poundage' rate of 20 per cent of the purchase money to the lord. This form of tenure survived within the Soke until a legal case in 1900 ruled that the collection of poundage was unlawful.[119] Therefore, customary freeholders like socage tenants, were highly independent of the lord of the manor, and within the Soke eventually gained the full freehold rights to their property.

Only fractionally less favourable to tenants was copyhold of inheritance.[120] However, copyholders did have to pay entry fines that varied between manors according to custom. In some, such as Stathern in north-east Leicestershire, lords were free to charge arbitrary fines. Although these had to be 'reasonable', and in no way resembled the freehold value of the property, they were usually a significant sum of money, unlike other manors where fines were fixed at a customarily low level. The latter was the practice within the manor of Burbage in south-west Leicestershire where the fines and rents were of equal value, typically a few pence for most cottage property, rising to a few shillings for larger landholdings. Similar arrangements also existed on the nearby manors of Barwell and Earl Shilton. Where this was the case it has been claimed that many tenants preferred this tenure to full freehold ownership, because of 'the greater certainty of its title, and the cheapness of its conveyance'.[121]

Copyhold had, however, extensively declined in Leicestershire prior to the 1830s, and the manorial documents register records a significant run of nineteenth-century court rolls for only eighteen Leicestershire manors.[122] But, unlike Dorset, because most copyholds were heritable the result of this erosion was often to dissipate manorial authority through enfranchisement, rather than strengthen the ownership of manorial lords. The most often recited example of this occurred at Wigston Magna, where the property of both its manors was sold to their tenants in the late sixteenth and early seventeenth centuries.[123] Entry fines there were fixed at one quarter of the yearly rent, the rents themselves having values equivalent to those of the late thirteenth and fourteenth centuries. This meant that there was little prospect of a future increase in income for the lords.[124] A similar process occurred at Stoke Golding where in 1606 the manorial lord sold the customary land to his tenants, and in

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[119] ROLLR 44D 28/1316 Newspaper cuttings re. tenure at Rothley, 1900.
[120] Kerridge, *Agrarian Problems*, p. 40.
[121] Nathaniel Kent writing on Norfolk in 1796, cited in W. Hasbach, *A History of the English Agricultural Labourer* (1908), pp. 72-3. See also Kerridge, *Agrarian Problems*, p. 64.
[122] In these eighteen manors court rolls survive for more than a decade in the nineteenth century, although by no means all record extensive property transactions.
[123] Hoskins, *Midland Peasant*, p. 99, 106-7.
[124] Hoskins, *Midland Peasant*, p. 99

1837 although there was still a lord of the manor in name he owned no land or housing in the parish.[125] Therefore, these sales severed the influence of the lords of the manors in these parishes and both Wigston and Stoke Golding went on to develop as large framework-knitting villages with strong religious nonconformity.[126]

Enfranchisement continued to release properties from the manorial system throughout the nineteenth and early twentieth centuries, albeit on a small scale because of the extensive decline of copyhold tenure prior to this period. There were seventy enfranchisements in five Leicestershire manors in this period, which mainly consisted of individual copyholders purchasing the freeholds of their property.[127] For example in April 1913 Elizabeth Henson gained the enfranchisement of four cottages at Barwell, on the payment of £11 12s. 9d. to the lord of the manor.[128] Following the introduction of the Enfranchisement Acts of 1852 and 1858 lords could compulsorily enfranchise all the remaining copyhold tenants in a manor, but this occurred in only one instance in Leicestershire. That was initiated by Peterhouse College, Cambridge in December 1860 at Stathern, but it only affected approximately 10 per cent of the 124 inhabited houses recorded in the parish in the 1861 census.[129] Therefore, although limited in extent, enfranchisement continued to weaken the manorial framework of property ownership and increase the number of small freeholders into the twentieth century.

The decline of archaic tenure did not, however, have a uniform impact across the county. In a small number of manors in west-Leicestershire copyholds had been held for lives, which landowners were able to erode in order to consolidate their control over cottage property, as in Dorset. This was an unusual form of tenure in eastern counties by the eighteenth century, but Leicestershire was close to the western edge of Clay's 'frontier zone'.[130] Property was held under copyhold for lives in the townships within the Earl of Stamford and Warrington's manor of Groby in the seventeenth century, but by 1834 only a handful of unexpired lifeholds survived.[131] The motives behind this change are likely to have been similar to those detailed above with reference to Dorset.

It must be stressed that landowners were far from totally reliant on the manorial structure as a means of accumulating property, and the most obvious route for landowners to

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[125] J. Nichols, *History and Antiquities of the County of Leicester, Vol. 4, Part 2: Hundred of Sparkenhoe* (1811), p. 715.
[126] See W. White, *History, Gazetteer, and Directory of the Counties of Leicester and Rutland* (Sheffield, 1863 ed.), pp. 670-2, 770-4. See also Mills, *Lord and Peasant*, p. 109.
[127] NA Catalogue for MAF 9.
[128] ROLLR DE 319/194. Barwell manor court book, April 1913.
[129] ROLLR DE 2313/63-264. Steward's papers concerning the enfranchisement of Stathern manor, 1860-68.
[130] Clay, 'Landlords and estate management', pp. 199-200. Beneficial leases, such as those for lives, were by no means unusual in the county in the Tudor and Stuart period. See Allen, *Enclosure and the Yeoman*, p. 314.
[131] Enville Hall, Staffordshire, uncatalogued. Surveys of the estates of the Earl of Stamford and Warrington, undated (c. 1748) and estate rental, 1834.

consolidate their estates was to buy out small freeholders and copyholders. R.C. Allen has argued that it was the purchase of smaller properties that played a fundamental part in the erosion of the owner-occupying yeoman in the south Midlands in the eighteenth century.[132] Indeed, many Leicestershire landowners continued to expand their estates through purchase during the agricultural prosperity of the first three-quarters of the nineteenth century. A branch of the Packe family of Prestwold Hall established themselves at Great Glen from the 1830s and bought many farms and cottages.[133] As discussed in the previous chapter the Herrick family of Woodhouse also bought both freehold land and cottage property throughout this period, so that their estate eventually encompassed much of the neighbouring township of Woodhouse Eaves.[134] Expansion could also involve the purchase of copyhold properties, a process known as extinguishment. Therefore, the existence of heritable copyholds and small freehold properties did not, in themselves, prevent the growth of landed estates.

However, expansion by purchase was a very different matter to expansion through waiting for lives to drop. It was a much more costly exercise, required a prolonged policy of acquisition by landowners and also rested on the willingness of tenants to sell. Therefore, although the existence of freehold and secure customary tenures in no way prevented the growth of landed estates, they did place greater obstacles in the way of estate enlargement than did lifehold tenure. The contrasting impact of these tenures on the patterns of property ownership in nineteenth-century Leicestershire and Dorset are in part reflected in Tables 3.3 and 3.4. These list the ten largest landowners in each county, as recorded in John Bateman's 1883 revision of the *Return of Landowners*, and assess the extent of their dominance in terms of landownership in parishes in which they were listed as the lord of the manor in the mid to late 1880s. Although it is clear that land and cottage ownership were by no means always in line, this provides a useful indication of the extent to which lords were able to take full control of the property within their manors. Although the boundaries of manors and parishes were not always coextensive, the small number of parishes in which two or more lords are listed in the directories have been excluded.

It can be seen from Table 3.3 that although the ten largest landowners in Leicestershire were lords of eighty-seven manors they were the single dominant landowner in only 40 per cent of these. Indeed, many lords had relatively small interests in the parishes where they held the manorial rights and in 14 per cent they were only one of four or more

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[132] Allen, *Enclosure and the Yeoman*, pp. 95-6.
[133] ROLLR DE 5047. See catalogue of Packe estate deeds.
[134] ROLLR DG 9. Catalogue of Herrick estate deeds.

Table 3.3 Manorial control and the pattern of landownership in Leicestershire, 1888

Manorial Lord	No of Manors	Parishes in which lord of the manor was …			
		Single principal/chief landowner	One of two or three landowners	One of four or more landowners	Not listed as a significant landowner
Rutland	26	12	5	6	3
Loudon/ Donington	6	1	2	2	1
Howe	9	4	4	0	1
Stamford	15	3	1	1	10
Dysart	8	4	1	0	3
De Lisle	4	3	0	1	0
Herrick	1	0	1	0	0
Powys-Keck	7	3	3	0	1
Pochin	9	3	4	2	0
Wilson	2	2	0	0	0
Total	87	35	21	12	19
Percentage	100	40.2	24.1	13.8	21.8

Source: *Kelly's Directory of Derbyshire, Nottinghamshire, Leicestershire and Rutland* (1888).

Table 3.4 Manorial control and the pattern of landownership in Dorset, 1885

Lord	No of Manors	Parishes in which lord of the manor was …			
		Single principal/chief landowner	One of two or three landowners	One of four or more landowners	Not listed as a significant landowner
Pitt-Rivers	14	10	3	0	1
Wingfield-Digby	15	13	0	0	2
Bankes	5	2	2	1	0
Wimborne	8	4	3	0	1
Shaftesbury	6	4	2	0	0
Ilchester	11	7	3	0	1
Weld	5	5	0	0	0
Sawbridge-Erle-Drax	5	2	3	0	0
Alington	8	6	1	1	0
Stalbridge	8	5	1	1	1
Total	85	58	18	3	6
Percentage	100	68.2	21.2	3.5	7.1

Source: *Kelly's Directory of Dorsetshire* (1885).

landowners. Most surprisingly of all, in a further 22 per cent they were not even listed among the principal landowners. The contrast with Dorset is striking where, as Table 3.4 shows, there was a much stronger alignment of landownership and manorial authority. In that county the ten largest landowners were the single principal owner of land in 68 per cent of the parishes in which they were the manorial lord. They were also landowners in all but 7 per cent of the total parishes and were one of four or more owners in only 4 per cent. Therefore, although tenure was no determinant of future patterns of property ownership in individual parishes, the contrasts in the tenurial structure of the two counties appears to have had a very real impact on the extent to which landowners were able to convert their manorial jurisdiction over property to full freehold possession. Once again, this appears to relate strongly to the contrasting patterns of property ownership in Leicestershire and Dorset that were identified in the previous chapter.

Squatting and manorial control in Leicestershire

The extent to which property ownership and manorial authority coincided within individual parishes can also be seen to have had an important impact on landowners' control of squatting in Leicestershire. Opportunities for such activity were already limited by the 1830s because of the extensive enclosure of the county prior to this period. Charnwood Forest and Rothley Plain, Leicestershire's last remaining large-scale areas of wasteland, had been enclosed by 1829.[135] The last enclosure act was carried out in 1842 and by 1873 only 298 acres of waste remained in the entire county, less than 0.1 per cent of its area.[136] Moreover, in townships where the lord was the dominant landowner, there is considerable evidence that remaining manorial wasteland was heavily regulated, as in Dorset. In Earl Ferrers' manor of Worthington eight encroachments were recorded at the manor court in September 1836, all of which were fined. However, none were cottages, suggesting that squatting was already limited.[137] At the courts of the de Lisle family manors of Shepshed, Hathern and Thorpe Acre, that bordered their residence at Garendon, it was annually presented from the 1850s that no cottage was to be erected upon the waste 'upon pain of having the same demolished and laid waste', and incurring a fine.[138] Yet again, it is clear that it was extremely unlikely that 'squatters' were able to establish themselves within the framework of landed estates in this period.

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[135] See Everitt, 'Common land', p. 223 on enclosure of commons in Leicestershire and other Midlands counties.
[136] See Bateman, *Great Landowners*, p. 506.
[137] ROLLR 26D 53/1848. Minutes of Worthington manor court, September 24 1836.
[138] ROLLR DE 1137/1. Manor court book of Shepshed, Hathern, Thorpe Acre and Dishley, 1858-1910.

Despite this, as in Dorset, there were still many cottages built at an earlier date for which lords received only nominal acknowledgements in the mid nineteenth century. The rentals of the Earls of Stamford and Warrington record many such payments. In 1834 seven tenements at Anstey paid only 6d. per annum, and a further nine tenements were held by the overseers for 4s. 6d.[139] Other such rents were received at this time on the Earl's manor of Breedon-on-the-Hill.[140] The accounts of Earl Howe's west-Leicestershire estate records £4 19s. 6d. paid for cottages on the waste of Barton-in-the-Beans in 1869-70,[141] and the de Lisle estate received payment for fifty-four tenements on the wastes of Shepshed, Hathern and Thorpe Acre in the mid-1850s.[142] A number of Leicestershire's lords were therefore collecting nominal fines for a small, but significant, number of cottages that had been built prior to the 1830s.

In parishes in which they were substantial landowners, Leicestershire's lords were also keen to bring such cottages fully within the scope of their estate management. An 1857 valuation of the Earl of Stamford and Warrington's estate marked an attempt to bring such arrangements to a close.[143] For example, at Breedon-on-the-Hill eleven tenements were recorded on the waste at Lady Day 1858, paying nominal rents of between 2d. and 2s. per annum. Six months later all but one of these were increased to between £1 and £1 10s. per annum.[144] A number of similar cottages on the waste of the hamlets of Tonge and Wilson were added to neighbouring farms as tied cottages.[145] Such activity clearly illustrates the dual motives of increased rent and increased control, identified with landowners in Dorset. William Bear also reported in the early 1890s that most cottages, 'originally constructed by squatters on the waste by the roadside ... appear to have come into the hands of lords of the manors'. Bear cited the example of Great Dalby, in the north-east of the county, where he saw many 'ancient mud-and-thatch cottages built on the waste' that had 'somehow come into the hands of Sir Francis Burdett, who keeps them in repair, and charges much higher rents for them than the quit-rents which were originally paid'.[146] If the residents were allowed to stay in occupation of their cottages then the change was not always entirely destructive of their way of life. Nevertheless, in parishes like Great Dalby, where Burdett

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[139] Enville Hall, Staffordshire, uncatalogued. Rental of the Leicestershire estate of the Earl of Stamford and Warrington, 1834.
[140] Enville Hall, Staffordshire, uncatalogued. Rental of the Leicestershire estate of the Earl of Stamford and Warrington, 1834.
[141] ROLLR DG 23/27. Howe estate accounts, 1869/70.
[142] ROLLR DE 1137/1. Manor court book of Sheepshed, Hathern, Thorpe Acre and Dishley, 1858-1910.
[143] ROLLR DE 453/89. Valuation of the Leicestershire estate of the Earl of Stamford and Warrington, 1857.
[144] ROLLR DE 453/89. Valuation of the Leicestershire estate of the Earl of Stamford and Warrington, 1857.
[145] ROLLR DE 453/3. Rental of the Leicestershire estate of the Earl of Stamford and Warrington, 1857-65.
[146] W.E. Bear, 'Report upon the Poor Law Union of Melton Mowbray (Leicestershire)', *Royal Commission on Labour, The Agricultural Labourer. England.* 1893-4, pp. 139-40.

was described as 'lord of the manor and principal landowner', it is unlikely that squatters would remain free of landlord influence.[147]

In many other manors, however, lords had been much less active in retaining control over such property, and this can in part be attributed to the frequent lack of alignment between manorial authority and landownership seen in Table 3.3. Such was the case in the parish of Sileby where Earl Ferrers owned the manorial rights but was not listed as one of the eight principal landowners in nineteenth-century directories.[148] By the late eighteenth century extensive building had taken place on the manorial waste and in 1840 fifty-five tenants were paying acknowledgements to the estate.[149] However, by 1857 the Ferrers estate had lost track of the cottages, possibly in the mistaken belief that the property had passed to a different branch of the family.[150] The letter discusses the possibility of taking legal proceedings to regain the cottages but no further correspondence on the matter survives and the estate rentals make no mention of the property ever being brought under its management. Indeed, it is unlikely that Ferrers saw the acquisition of these cottages as a priority. By the mid-nineteenth century Sileby had developed as a large framework-knitting village and it was some distance from the family seat at Staunton Harold. There was consequently little incentive for the estate to pursue what could become a long and costly legal action to regain cottages in a village that was, both physically and socially, far from being a 'close' parish.[151] Similar factors also appear to have informed the decision of the estate of the Earl of Stamford and Warrington not to persist in their claim on cottages on the waste of the manors of Barlestone and Whetstone in 1887. This stands in contrast to the estate's careful monitoring of cottages on the waste on the two main parts of the estate, around Groby and Breedon on the Hill. Individual lords, therefore, often shaped their policy towards squatters according to the strength of their interests in specific townships. Indeed, in manors in which they owned limited freehold property they appear to have been prepared to take a more pragmatic attitude towards the 'independence' of those living on the waste, enabling 'squatters' to gain control of their cottages more easily in Leicestershire than Dorset.

It is also possible, in parishes where manorial lords had little or no interest in their development, that small-scale squatting activity continued into this period. Because of the extensive enclosure of the county it is unlikely that this involved the creation of new

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[147] *Kelly's Directory of Derbyshire, Nottinghamshire, Leicestershire and Rutland* (1888), p. 513.
[148] White, *Directory of Leicester and Rutland*, p. 625.
[149] ROLLR 26D 53/1783. Letter from Ferrers' bailiff, Thomas Church, to Thomas Nettleship, the manorial steward, August 1 1840.
[150] ROLLR 26D 53/1790. Letter from E.M. Green of Ashby, to Niven Ralston, Earl Ferrers' agent, September 16 1857.
[151] See ROLLR DE 1982/189. Audit notebook of the Leicestershire estate of the Countess of Stamford and Warrington, 1886-96.

squatters' hamlets. However, Edward Stanhope argued in the late 1860s that one of the principal causes of poor housing conditions in the county 'has been the building upon the waste, which has taken place to a very large extent'.[152] It is difficult to assess from this whether such activity was still continuing at that date, but Alan Everitt has argued that squatting was likely to occur where manorial organisation had declined and where population was growing in the nineteenth century.[153] The only example of a presentment of a newly built cottage in the county at this time traced in the course of this research is suggestive of the opportunities that existed where manorial authority was weak. The manor court at Swannington was revived in 1860 after a long lapse and it was presented that 'a Brick and Slated House and Shop' had been built on the waste within the last eight years.[154] In Leicestershire's industrial villages demand for such cottages would have been sizeable and it is, therefore, likely that building on the waste continued at a low-level into the middle decades of the nineteenth century. Although there is very little evidence of this in the surviving manor court rolls it must be remembered that these documents were only drawn up where manor courts were still active and consequently where such activity was least likely to occur.

In Leicestershire, therefore, there was considerable variation in the degree of regulation exercised by manorial lords over building on the waste. In parishes where lords of the manor held dominant landholdings the typical picture is of attempts to integrate cottages built on the waste into their estate administration and increasing their rents. However, in parishes where the lord owned little freehold property, and which were physically distant from the core of the estate, it was possible for 'squatters' to gain their independence from estate control. Indeed, in other villages where manorial jurisdiction had declined even further, squatting possibly continued on a small scale in a largely unregulated fashion. Therefore, on the whole, Leicestershire's limited area of surviving manorial waste was much less closely regulated than larger areas in Dorset, where landownership and manorial jurisdiction were typically much more closely aligned.

Housing and 'independence' in the copyhold and customary freehold village

Despite the extensive decline of archaic tenures in Leicestershire, it is also important to examine the impact of the county's more secure forms of tenure on the pattern of property

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[152] E. Stanhope, 'Report on the counties of Lincoln, Nottingham and Leicester', *First Report from the Commissioners on the Employment of Children, Young Persons and Women in Agriculture, Appendix Part I, Reports from the Assistant Commissioners* XVII (1867-8), p. 92.
[153] Everitt, 'Common land', p. 220.
[154] ROLLR 2D 55. Swannington manor court book, 1860-1925.

ownership and power relations where they endured. Copyhold of inheritance continued at Barwell, Burbage, Desford and Earl Shilton into the twentieth century, and customary freehold was the form of property holding in the Soke of Rothley until 1900. It is also possible that copyhold survived in other manors for which records are as yet undiscovered or no longer survive. It is especially important to establish whether these secure tenures actively nurtured small-scale property ownership. W.G. Hoskins argued that copyhold protected smaller property holders at Wigston in the early modern period, and claimed that the enfranchisement of the tenants left the way open 'for the more energetic and acquisitive peasant to buy up the less acquisitive or less fortunate without let or hindrance from any manorial custom'.[155] Hoskins was of course describing a very different period, but it is important to ask whether these tenures had a similar effect in the mid-nineteenth century. This is especially so in Rothley where gavelkind formed part of the custom of the manor. Within the Soke, if tenants died intestate their property descended equally to their sons, and if there were none then to their daughters. One therefore might expect that in some cases custom not only protected smaller owners but also positively encouraged the fragmentation of property ownership.[156]

A study of the pattern of property ownership in four of the parishes in which these customary tenures survived most strongly confirms that the influence of landowning lords of the manor was limited in such parishes. Table 3.5 lists the percentage of the housing stock owned by their respective manorial lords in 1837 and in none were they large-scale owners of cottage property. Furthermore, it is striking that all of these parishes grew into industrial villages and all had a range of dissenting congregations.[157] Of course, tenure was not the sole determinant of their development. The close proximity of Earl Shilton, Barwell and Burbage to the hosiery centre of Hinckley, and that of Rothley to Leicester, was a strong contributory factor towards their evolution. Nevertheless, had their lords had the power to control the housing of these parishes then their growth may well have been prevented because of the fear of the extensive poverty associated with the hosiery industry. The survival of secure archaic tenures was therefore an important contributory factor in preventing the extensive landlord control associated with 'close' parishes, such as Elmesthorpe and Kirkby Mallory that neighbour Earl Shilton and Wanlip and Swithland, that border Rothley.

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[155] Hoskins, *Midland Peasant*, p. 254.
[156] Mills 'Landownership and rural population', p. 270 mentions the possible impact of gavelkind on the 'morsellation' of property.
[157] See White, *Directory of Leicester and Rutland*, pp. 500, 645, 648, 681.

Table 3.5 Proportion of housing owned by manorial lords in Leicestershire parishes with extensive customary tenure, 1837

Parish	Manorial Lord	Percentage of Housing Owned by Manorial Lord, 1837
Barwell	Mrs. Kilby	2.2
Burbage and Sketchley	Earl de Gray	2.1
Earl Shilton	Duchy of Lancaster/ Lady Byron*	0.0
Rothley	Thomas Babington	11.2

Source: ROLLR QS 27/2/4, 5, 24 and 264. Valuation Lists for Barwell, Burbage, Earl Shilton and Rothley, 1837.
* Lady Byron leased the manorial rights from the Duchy of Lancaster and to all intents and purposes filled the role of Lady of the Manor.

Turning to the existence of smaller property owners it is clear from the court rolls, which usefully list both the copyholders and any sub-tenants, that these tenures could be facilitators of owner-occupation. One way that this occurred was through inheritance. For example, John Hurst, possibly a plumber and glazier, was admitted to his cottage at the Burbage manor court in October 1836, following the death of his father. On admittance he only had to pay a heriot of 10s. and a 1d. fine, along with the annual rent of 1d.[158] A number of widows were also owner-occupiers, having inherited their dwelling from their husband.[159] Copyholds could also provide a ladder into property ownership for cottage tenants where the existing copyholders wished to sell. For example, in October 1835 Walter Dawson, a carrier of Burbage, purchased the cottage he occupied for £154.[160] Therefore, the low fines and annual rents in these manors were little obstacle to owner-occupation, suggesting that this form of tenure could be a base for those Reed describes as household producers.

Court rolls alone, however, give us little indication of whether customary tenure generated a uniquely high rate of owner-occupation. Nevertheless, a comparison between parishes where freehold and copyhold were the principal tenures can be built up from a further analysis of the sample of parish valuation lists of 1837 used in the previous chapter, along with those for Earl Shilton and Rothley.[161] Table 3.6 lists the ten parishes from this sample that had the highest percentage of houses that could be classified as 'owner-occupied'. Although the four parishes with substantial customary holdings all feature in this

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[158] ROLLR 12D 32/3. Burbage manor court book, October 26 1836.
[159] See, for example, ROLLR 12D 32/3. Burbage manor court book, October 31 1838. The custom of most manors ensured that widows inherited their husband's property, unless the tenant's will stipulated otherwise.
[160] ROLLR 12D 32/3. Burbage manor court book, October 28 1835.
[161] One problem is that the valuation lists fail to distinguish between copyhold and freehold ownership, so there is no way of assessing exactly what proportion of property within these parishes was held under customary tenure. However, the four parishes chosen to represent those with archaic tenures all have extensive nineteenth-century court rolls. See bibliography for full details of the court rolls of Barwell, Burbage, Earl Shilton and Rothley.

list they do not cluster at the top of the table. Indeed, only Rothley and Barwell have a higher rate of owner-occupation than the mean average for the ten parishes as a whole. That customary tenure did not lead to an unusually high rate of owner-occupation is confirmed by the fact that Sharnford tops the list, a parish in which the manorial rights were believed to be extinct and where a number of lords who were disputing the title made 'no attempt ... to enforce their claims'.[162] Furthermore, both freehold and copyhold parishes saw a decline in owner-occupation, as discussed in chapter two. The proportion of owner-occupied dwellings in Sharnford declined from 33.0 to 15.5 per cent between 1837 and 1909, that at Barwell from 21.3 to 14.3 per cent and at Burbage from 13.7 to 11.9 per cent. Therefore, archaic tenures do not appear to have underpinned owner-occupation more strongly than modern freehold ownership.

Table 3.6 Owner-occupation rates, Leicestershire, 1837

Rank Order	Parish	Number of Houses (1837)	Percentage Owner-Occupied
1	Sharnford	103	33.0
2*	Barwell	273	21.3
3*	Rothley	187	18.2
4	Stoney Stanton	147	17.7
5*	Earl Shilton	451	16.0
6	Great Glen	165	15.2
7	Stoke Golding	140	15.0
8*	Burbage and Sketchley	381	13.7
9	Husbands Bosworth	190	12.1
10	Glenfield	107	10.3
	Total of 10 Parishes	2144	16.6

NB. * denotes parishes in which customary tenure was prevalent.
Sources: ROLLR QS 27/2/4, 5, 24, 27, 193, 179, 264, 58, 66 and 67. Valuation Lists for Barwell, Burbage, Earl Shilton, Glenfield, Great Glen, Husbands Bosworth, Rothley, Sharnford, Stoke Golding and Stoney Stanton, 1837.

Furthermore, although customary tenure deterred the accumulation of property by larger landowners there is little evidence that it made an impact on the wider distribution of property ownership. Table 3.7 lists the ten parishes within the sample that had the lowest mean number of houses per owner. Although the four 'customary' parishes are in the list they are once again intermingled with other 'freehold' villages. Indeed, the mean number of dwellings owned in Earl Shilton and Burbage was above that for the ten parishes as a whole. The court roll evidence suggests that there were two principal reasons why these tenures did not produce a distinctive pattern of property ownership. Firstly, where property was

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[162] White, *Directory of Leicester and Rutland*, p. 709.

inherited the overwhelming majority descended according to the last will and testament of the copyholder, thereby over-riding the customs of the manor. Even if a tenant died intestate then primogeniture was the custom of inheritance in most manors, so that copyhold property descended in the same way as that owned freehold. The exception to this was the Soke of Rothley. However, even here the impact of gavelkind was extremely limited because it only applied when a sokesman died intestate and this occurred in only eleven instances in respect of cottage property in Rothley itself after 1834.[163]

Table 3.7 Mean number of houses owned, Leicestershire 1837

Rank Order	Parish	No. of Houses (1837)	No. of Houseowners (1837)	Mean No. of Houses Owned
1	Sharnford	103	50	2.06
2*	Barwell	273	104	2.63
3	Husbands Bosworth	190	70	2.71
4*	Rothley	187	64	2.92
5	Stoney Stanton	147	49	3.00
6	Higham on the Hill	110	33	3.33
7*	Burbage and Sketchley	381	105	3.63
8	Stoke Golding	140	38	3.68
9	Aston Flamville	15	4	3.75
10*	Earl Shilton	451	120	3.76
	Total of 10 Parishes	1997	637	3.14

NB. * denotes parishes in which customary tenure was prevalent.
Sources: ROLLR QS 27/2/2, 4, 5, 24, 31, 179, 264, 103, 66 and 67. Valuation Lists for Aston Flamville, Barwell, Burbage, Earl Shilton, Higham on the Hill, Husbands Bosworth, Rothley, Sharnford, Stoke Golding and Stoney Stanton, 1837.

A second reason for the limited role of customs of inheritance was because tenants were free to sell their property. In October 1835 George Townsend, a framework knitter of Burbage, inherited two cottages under the will of his grandfather on reaching the age of twenty-one. However, in March 1838 the property was sold to Joseph Chamberlain, a local bricklayer, for £100.[164] Numerous motives could lay behind such sales, ranging from a desire by copyholders to invest their money elsewhere, to an urgent need to mobilise capital to pay off debt. Even where inheritance was by gavelkind one of the new tenants could buy up the other shares.[165] The complete security of these customary tenants therefore meant that property was bought and sold, largely as it would have been in freehold parishes.

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[163] ROLLR 3D 51/3-5. Soke of Rothley manor court books, 1810-1905.
[164] ROLLR 12D 32/3. Burbage manor court book, October 28 1835, October 31 1838.
[165] ROLLR 3D 51/3. See, for example, Rothley manor court book, November 13 1840.

Indeed, as in Dorset, there is considerable evidence of entrepreneurial behaviour on the part of customary tenants. Many copyholders appear to have purchased cottage property in these parishes to sub-let as an investment. Among these were some who were already owner-occupiers. At Burbage in October 1831 Thomas Redhead, a cordwainer, purchased his own dwelling for £100 and four years later bought another two cottages for £70.[166] Many other investors were non-resident. For example, James Wheyway, a yeoman of Nuneaton in Warwickshire, was admitted to a cottage in Burbage in 1836 and John Leak, a blacksmith of Monks Kirby in the same county, purchased three dwellings in October 1838.[167] Investment in cottage property in a village away from the owner's own residence was often preferable because it did not increase the accommodation for paupers in their own parish, thereby putting upward pressure on their poor rates. Therefore, property ownership was by no means intra-parochial and such sales represent an active property market.

Table 3.8 Occupation of first fifty customary tenants admitted to house property at Burbage and Rothley manor courts from 1834

Occupational Group	Percentage of Copyholders, Burbage 1834-40	Percentage of Copyholders, Rothley 1834-55	Percentage Across Both Manors
Trades and Crafts	32	22	27
Agriculture	16	28	22
Gentlemen and Professions	20	20	20
Labouring Classes	14	20	17
Widows and Spinsters	10	6	8
Industry	4	4	4
Agriculture/Trade	2	0	1
Unknown	2	0	1
Total	100	100	100

Sources: ROLLR 12D 32/3-4. Burbage manor court books, 1829-48; ROLLR 3D 51/3-4. Rothley manor court books, 1810-77.

Indeed, as in Dorset, the broader economic framework meant that few people from the labouring classes were customary tenants. Table 3.8 provides a summary of the occupations of a sample of the first fifty copyholders from Burbage admitted to house and cottage property from 1834, and the first fifty customary freeholders admitted to the same in Rothley, also from 1834. Across these two parishes the three principal groups of customary

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[166] ROLLR 12D 32/3. Burbage manor court book, October 1831, October 28 1835.
[167] ROLLR 12D 32/3. Burbage manor court book, October 26 1836, October 31 1838.

tenants were trade and craftspeople, the agricultural sector (farmers, yeomen and graziers), and gentlemen and professionals. Those from the labouring classes were by no means insignificant, comprising seventeen percent of customary tenants in this sample. However, these eight framework knitters, eight labourers and a gardener clearly formed a very small proportion of the total resident labouring population. Of these, twelve inherited their property, and two others inherited a share and then bought out the remainder. The sample therefore contains only two framework knitters and one labourer who purchased their cottage property outright. As in Dorset, the widespread poverty of the labouring classes at this time must have prevented most from buying into the security offered by customary tenure.

Most of the labouring inhabitants of these parishes were, therefore, sub-tenants of the actual copyholders and customary freeholders. This not only meant that they did not share in the direct benefits of these secure customary tenures but also, as in Dorset's lifeholding villages, that they were provided with a very low standard of accommodation. The property had frequently been sub-divided in order to maximise profits, and descriptions of two or three dwellings as 'formerly one Messuage Cottage or Tenement' are numerous in the court rolls. In June 1834 Benjamin Woodcock, a bricklayer of Hinckley, purchased the 'late Cock alehouse' which he then 'converted ... into eight messuages, Cottages or Tenements'.[168] Although such large holdings were unusual this again illustrates the profit motive of a significant number of copyholders. The poor condition of much of this property was recorded in the 1845 *Report on the Condition of the Framework Knitters*. The Revd John Longhurst of Earl Shilton, believed that 'their dwellings, ... are in a most offensive state. ... It is shocking to see ... the state in which they lodge'.[169] Customary tenure did not, therefore, protect cottage inhabitants in these villages from the widespread squalor of this period. Indeed, improvement in housing standards only came with the move to factory labour in the last quarter of the nineteenth century when higher wages enabled the payment of higher rents and encouraged the construction of better quality housing.[170]

Conclusion

In some respects, therefore, archaic tenure can be seen to have been of little importance to the majority of cottage occupants in both Leicestershire and Dorset. It had

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[168] ROLLR 12D 32/3. Burbage manor court roll, July 4 1834.
[169] *Report from the Commissioner Appointed to Inquire into the Condition of the Framework Knitters* XV (1845), p. 293.
[170] M. Palmer, 'The east Midlands framework knitters: the transition from domestic to factory production', *Knitting International* 97 (1990), p. 61.

extensively declined in many parishes prior to the 1830s and was eroded even further over the following eighty years. Even where customary tenure persisted, most labourers and framework knitters were unable to take direct advantage of its beneficial aspects. The possible exception to this was in east Dorset where, in the mid-nineteenth century, the resources provided by the heath enabled labourers to be partly self-sufficient. However, by the 1830s the poverty of the labouring classes meant that where archaic tenure survived it did not form the basis of economic independence for the majority of the working population, who typically paid full rack rents for accommodation that was often of poor quality. Indeed, in both counties the main beneficiaries of the survival of these tenures were the middle ranks of society. This appears to have been a diverse group. At one end of the scale were owner-occupying tradesmen and craftsmen who come close to Reed's model of household producers, and at the other were a small number of larger investors and speculators, who were often non-resident, where the profit motive appears to have been pre-eminent. In between were a large number of owners of two or three cottages, the rent of which might supplement their household income, or act as a pension. Although difficult to characterise as a single group, the 'independence' of these smaller owners, whether lifeholders, copyholders or freeholders, was certainly an important feature of rural society.

Indeed, the survival of these tenures had important consequences for landowning lords of the manor. Copyholds, lifeholds and squatting represented important obstacles to their exercise of authority, and the size of the obstacle varied according to the type of tenure. In Dorset landowners could bring lifeholds to an end with reasonable ease, although not always without the opposition of tenants. Once the final decision to end lifeholding was made all such property slowly returned to the hands of the lord of the manor. This process was in line with the wider management of landed estates in this period that saw investment in agricultural improvement and was based on a firm belief in the rights of private property. Therefore, customary tenure was not only seen as outdated but also as a challenge to the local power of the landed classes. The widespread alignment of manorial authority and property ownership also encouraged the regulation of manorial wastes in order to strengthen the ability of landowners' to influence the course of development of individual parishes. Although lax administration and security of tenure led to important instances of resistance, the overall trend in the county towards greater landowner control of rural housing in the Victorian and Edwardian period is clear.

This contrasts sharply with Leicestershire, where the historic strength of freeholders and copyholders meant that manorial lords were much more restricted in their actions. Landowners could, and in parishes where they had large freehold interests did, expand their estates through the buying up of copyholds and freeholds. However, in many of

Leicestershire's populous industrial parishes this would have been a lengthy and costly task. It also made little strategic sense for landowners to invest in such parishes, given the high poor rates associated with industry and the large cost of maintaining cottage property that was often in very poor physical condition. Indeed, we have seen that strong customary tenure was more likely to lead to landowners selling up, as at Wigston Magna in the sixteenth and early seventeenth centuries, or at Stathern in the 1860s. Landownership and manorial authority were therefore much less closely aligned and this in turn impacted on the management of manorial wastes, with landowners often making a pragmatic decision to sell or waive their rights over 'squatters' cottages in manors in which they were relatively minor property owners.

Differences in tenure can, therefore, be seen to have played an important part in creating the contrasting patterns of property ownership between these two counties that were identified in the previous chapter. However, although Leicestershire and Dorset reflect many of the differences between eastern and western counties that are described in the existing historiography they should not be seen as representative of these regions. Landowners of more than 1,000 acres owned a higher percentage of all of Leicestershire's eastern neighbours by 1873, and estates of this size were far less dominant in the counties on Dorset's western borders than in that county itself.[171] Therefore, the relationship between tenure and differing patterns of house ownership would clearly be worthy of investigation in other counties, especially in East Anglia where large amounts of copyhold enfranchisement took place in this period.[172] It was reported in 1906 that copyhold was still frequently found in this region and that it 'greatly hampers the purchase and transfer ... of land'.[173] The extensive variation in the type of tenure remaining in rural England in this period means that it is a subject that lends itself to further local and comparative studies. Indeed, differences in tenure clearly played an important part in either facilitating or limiting the ability of landowning lords of the manor to accumulate property in their own hands, and potentially exercise wider influence over rural communities. It is the impact of the greater control of landowners over cottage property that is the focus of the following chapter.

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[171] F.M.L. Thompson, *English Landed Society in the Nineteenth Century* (1963), pp. 32, 113.
[172] See Beckett and Turner, 'Lingering survival', p. 108. Enfranchisements occurred in over 400 manors in Essex in this period, NA catalogue MAF 9.
[173] See *SC Report on the Housing of the Working Classes Act Amendment Bill* IX (1906), pp. 71, 74.

Chapter Four

The provision and management of estate housing: paternalism and power relations in the English countryside

Introduction: the question of paternalism

Over the course of the previous chapters it has become clear that aristocratic and gentry landowners increased the amount of rural housing under their control between the 1830s and the early twentieth century. It is, therefore, appropriate to probe more extensively into how they exercised their power over the growing number of estate-owned cottages in this period. The prevailing view is that estate housing was typically of a very high standard, frequently being built of brick and tile, free of damp and with good ventilation. Dennis Mills has contrasted the 'poor housing standards of the large, overcrowded open villages' with 'the labourer's seventh heaven of the formally planned estate village'.[1] It is also broadly accepted that the occupiers of such cottages were subject to elements of social control, exercised by landowners and their agents over issues such as church attendance and illegitimacy. Thus, as M.K. Ashby neatly summarised, 'landowners' cottages were of fair size and in good repair, but the tenant had no liberty of mind'.[2] However, although elements of this model have been confirmed by a number of studies of individual estates, including those of Lord Wantage and the Earls of Leicester, there remains a need for a comparative study to examine how widely the standard and management of estate housing conforms to the existing stereotype.[3]

The construction of high-quality housing is often seen as representative of a benevolent paternalist outlook on the part of aristocratic and gentry landowners and such a study facilitates a discussion of the role of paternalism as a force behind landowners' housing policies. The eighteenth century is often portrayed as witnessing a decline in the paternalism of the moral economy, and its replacement by a devotion to laissez-faire economics. However, there is evidence that the mid-nineteenth century saw the rise of a revised form of paternalism in response to the widespread poverty of the 1830s and 40s. As

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[1] D. Mills, *Lord and Peasant in Nineteenth-Century Britain* (1980), p. 78. See also T. Williamson and L. Bellamy, *Property and Landscape: a Social History of Land Ownership and the English Countryside* (1987), pp. 163-4; G.E. Mingay, 'The rural slum', in S. M. Gaskell (ed.), *Slums* (Leicester, 1990), p. 99.
[2] M.K. Ashby, *Joseph Ashby of Tysoe* (1961; 1974 ed.), p. 160. See similar remarks in G.E. Evans, *Where Beards Wag All: the Relevance of the Oral Tradition* (1971), p. 117 and F. Thompson, *From Lark Rise to Candleford* (1945; 1973 ed.), p.21.
[3] See S. Wade Martins, *A Great Estate at Work: the Holkham Estate and its Inhabitants in the Nineteenth Century* (Cambridge, 1980), pp. 212-221; M. Havinden, *Estate Villages Revisited* (Reading, 1999), pp. 68-9. See also A. Mitson and B. Cox, 'Victorian estate housing on the Yarborough estate, Lincolnshire', *Rural History* 6 (1995), pp. 29-45.

David Roberts has argued, the early Victorian period was marked by an outpouring of literature espousing the belief that 'landed property had definite responsibilities as well as privileges'.[4] It was widely accepted that the rights of the propertied rested 'on the usefulness of their station ... and on the duties that they performed'.[5] These duties were not aimed at eradicating poverty, and did not extend to intervention in the free market of prices and wages. Instead they were aimed at ameliorating the living conditions of the poor. Thus, by the 1840s it was recommended that landowners should support the parish church and village school, provide allotments, contribute to village sick and clothing clubs, and adequately house their tenants.[6] Such a view was accepted by the seventh Duke of Bedford who wrote in 1849 that the improvement of labourers' living conditions was 'among the first duties, and ought to be among the truest pleasures, of every landlord'.[7] This paternalist discourse was enduring and in 1897 the eleventh Duke of Bedford defended the estate system by arguing that philanthropy, including 'the provision of good cottages', was an intrinsic part of aristocratic management.[8]

Another reason why a paternalist discourse appears to provide a useful framework for understanding the provision and management of estate housing is because it was never straightforwardly altruistic in nature. Paternalist tracts were highly conservative and argued that the fulfilment of duties by the aristocracy and gentry would generate a deferential response from the labouring classes, thereby legitimising their position at the head of the rural social structure. From this position it was argued that they had a duty to rule and exercise 'a firm moral superintendence'.[9] This is in line with George Ewart Evans' statement that 'Paternalism at this stage meant ... "I'm father. I'll look after you. But you must do as I tell you. Father knows best!" '.[10] Therefore, paternalism can be seen to have encouraged the regulation often associated with life as the tenant of an estate cottage. Indeed, when set alongside support for the Church of England and the village school, it is possible to interpret this as part of an attempt to exercise social control and establish what Newby has described as 'complete ideological hegemony'.[11] This argument is strengthened by the fact that landowners were aware of challenges to their authority throughout this period, ranging from the actions of rick burners, to the growth of religious nonconformity and trade unionism, and the increased politicisation of rural districts from the last quarter of

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[4] D. Roberts, *Paternalism in Early-Victorian England* (1979), pp. 25-29, 129.
[5] Roberts, *Paternalism*, p. 4.
[6] Roberts, *Paternalism*, pp. 130-1.
[7] Duke of Bedford, 'On labourers' cottages', *JRASE* 10 (1849), p. 187.
[8] Duke of Bedford, *A Great Agricultural Estate: Being the Story of the Origin and Administration of Woburn and Thorney* (1897), pp. 79-81.
[9] Roberts, *Paternalism*, p. 5.
[10] Ewart Evans, *Where Beards Wag All*, p. 122.
[11] H. Newby, *The Deferential Worker: a Study of Farm Workers in East Anglia* (1977), pp. 48-55.

the nineteenth century. Although, as Newby has acknowledged, it was impossible 'to isolate the agricultural worker entirely from alternative definitions of his situation', this does not mean that landowners did not seek to both regulate the labouring classes and nurture their loyalty.[12]

Some historians have, however, questioned the extent to which paternalism was the primary influence on landowners' housing policies. F.M.L. Thompson has argued that cottage building was only of interest 'to a small group of landowners'.[13] Similarly, in his study of Lincolnshire, R.J. Olney found that although conscientious owners did much to raise standards on their own estates 'many others, for want of funds or lack of interest, allowed the workers' homes to remain miserably and unhealthily inadequate'.[14] Questions have also been asked about the extent to which landowners were actively interested in influencing the lives of their tenants. Thompson is extremely sceptical of notions of social control and has argued that 'the silent majority ... were not sufficiently active, imaginative, responsible, or assertive to try to use their power and position to influence the rural community in any systematic way'.[15] Therefore, it is possible that paternalism existed more in the shape of rhetoric than reality.

Hence, the primary aim of this chapter is to examine how far the surviving evidence from a range of estates in Dorset and Leicestershire supports a paternalist model of the provision and management of estate housing. This evidence is derived from a range of primary sources including parliamentary papers, journal articles and newspaper reports, along with material from a number of estate archives. Unfortunately there is little uniformity in the quality and quantity of these sources, often making comparisons between estates extremely difficult. However, the careful use of this material, alongside the existing cottages themselves, can provide an insight into landowners' attitudes towards housing. The first section of this chapter examines the extent to which the provision of cottages on a number of landed estates justifies the dominant image of high-quality estate housing. The pattern of cottage construction over time will also be examined, as will the motivation that lay behind it. The second section focuses on the management of estate housing, discussing the level of intervention in tenants' lives and examining claims of a benevolent paternalist management

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[12] Newby, *Deferential Worker*, pp. 48-55. For a study of deference in an industrial context see P. Joyce, *Work, Society and Politics: the Culture of the Factory in Later Victorian England* (Brighton, 1980).
[13] F.M.L. Thompson, 'Landowners and the rural community', in G.E. Mingay (ed.), *The Victorian Countryside*, Vol. 2 (1981), pp. 469-71.
[14] R.J. Olney, *Rural Society and County Government in Nineteenth-Century Lincolnshire* (Lincoln, 1979), p. 112.
[15] Thompson, 'Landowners and the rural community', p. 458. For Thompson's scepticism about notions of social control see F.M.L. Thompson, 'Social control in Victorian Britain', *EcHR* 2nd Ser. 34 (1981), pp. 189-208. See also J.V. Beckett, *The Aristocracy in England 1660-1914* (1988), p. 369 and E.J.T. Collins, *A History of the Orsett Estate, 1743-1914* (Thurrock, 1978), p. 24.

in the light of landowners' reaction to agricultural trade unionism, and the prevalence of tied housing on some estates. Finally, an assessment is made of the impact made by estate housing on rural power relations, especially after the 1870s, a period identified by David Cannadine as one that saw a sharp decline in the aristocracy's wealth, status and power.[16]

The pattern of investment in estate housing

From the late eighteenth century the English countryside has contained a number of villages that show the hallmarks of landlord investment in housing.[17] In Leicestershire the villages of Hungarton and Stapleford (Fig. 4.1)[18] were partly rebuilt in the mid- to late-eighteenth century, and Milton Abbas, in Dorset, is one of the most famous of English model villages (Fig. 4.2).[19] However, the number of these early model villages is small and many were primarily motivated by a desire to provide an aesthetically pleasing surrounding for a landowner's park, rather than concern over the living conditions of the labouring classes.[20] By the 1830s investment was being made in high-standard estate housing by some landowners. These included the Marquis of Anglesey who built fifteen new cottages in the Dorset villages of Stalbridge and Bradford Abbas in 1831 in the aftermath of the swing riots and Earl Howe who largely rebuilt the villages around his residence at Gopsall Hall, in west Leicestershire, from the early 1830s.[21] Nevertheless, it is likely that the depressed condition of agriculture until the mid- to late-1830s inhibited investment on many estates, and the image of landowners as providers of good quality housing in the early nineteenth century appears to rest on the investment of a relatively small number of landowners.

Indeed, there is extensive evidence that many estate-owned cottages were in an appalling state of repair in the mid-nineteenth century. In 1843 Alfred Austin reported that the cottages at Hook, on the west-Dorset estate of the Duke of Cumberland, 'are as bad as it is possible you can conceive – many of them without chambers – earth floors – not ceiled or plastered'.[22] The same report recorded extensive overcrowding at Milton Abbas and three years later *The Times* reported that although the whitewashed cottages 'present a most clean and comfortable appearance; ... if you desire to maintain the illusion do not look inside

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[16] D. Cannadine, *The Decline and Fall of the British Aristocracy* (1990; 1992 ed.).
[17] See the gazetteer in G. Darley, *Villages of Vision* (1975). See also J.H. Bettey, *Estates in the English Countryside* (1993), pp. 112-7.
[18] N. Pevsner and E. Williamson, *The Buildings of England: Leicestershire and Rutland* (1984 ed.), pp. 182-3, 389.
[19] Darley, *Villages of Vision*, p. 11.
[20] Mingay, 'The rural slum', p. 95.
[21] I. Jones, *The Stalbridge Inheritance* (Dorchester, 1993), pp. 79-80. W. White, *History, Gazetteer, and Directory of the Counties of Leicester and Rutland* (Sheffield, 1863 ed.), pp. 708, 712, 719.
[22] A. Austin, 'On the counties of Wilts, Dorset, Devon, and Somerset', in *Reports of Special Assistant Poor Law Commissioners on the Employment of Women and Children in Agriculture* XII (1843), pp. 86-7.

Eighteenth-Century Model Cottages



Fig. 4.1 Eighteenth-century model cottages at Stapleford, Leicestershire, built for the Earl of Harborough.



Fig. 4.2 Model cottages at Milton Abbas, Dorset, built for the Earl of Dorchester in the late eighteenth century. The original village, surrounding the Earl's mansion house, was demolished at this time to make way for a landscaped park.

them'.[23] Austin also described the village of Stourpaine, within the estate of Lord Rivers, as another where the cottages were 'very few and in a miserable state'. It is important to remember that many landowners lacked full control over the cottages because of the survival of lifehold tenure. Indeed, a report in the local press in 1860 defended Rivers' position, stating 'his lordship had no power over the objectionable cottages which were built on small freehold or lifehold land'.[24] However, amongst the available source material that describes housing conditions on the most extensive Dorset estates there is little evidence of cottage building prior to 1850, and considerable evidence of disrepair and dilapidation.[25] Thus, as the Revd Sidney Godolphin Osborne remarked in 1844 it was not only the 'small leaseholds that are indecently crowded and in a ruinous condition; the cottages of many large proprietors are in the same condition'.[26]

There is also evidence of poor-quality housing on Leicestershire's landed estates. In April 1830 William Cobbett visited the village of Aylestone, owned by the Duke of Rutland, and surveyed what he described as 'its deplorable dwellings'.[27] A valuation of the Leicestershire estate of the Earl of Stamford and Warrington from 1857 lists a number of tiny overcrowded dwellings, such as John Moore's cottage at Ratby that had eight occupants but 'only one small room on [the] ground floor and one bedroom'. A note of c.1860 records that Joseph Spares' cottage at Glenfield had fallen down.[28] Similar problems were being encountered on the Earl of Dysart's estate in north-east Leicestershire. In October 1849 it was recorded that a house at Sewstern was 'falling and is altogether in such a state of decay, through old age, that it cannot be repaired and is now quite untenantable'.[29] By 1868 Stanhope was able to report that 'some landowners have very much improved their cots', but this suggests both that there were earlier deficiencies and that any improvement was partial.[30] Indeed, this picture is in line with evidence from elsewhere in the country. John Loudon argued in his 1846 work on model cottage designs that although on 'some estates the cottages may be already sufficiently comfortable ... in much the greater number we

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[23] *The Times*, June 18 1846, p. 5.
[24] *Dorset County Chronicle*, April 5 1860, p. 706.
[25] On the condition of Dorset estate cottages in the mid-nineteenth century, see E. Stanhope, 'Report on the counties of Dorset, Kent, Chester, Salop, Stafford, and Rutland', *Second Report From the Commissioners on the Employment of Children, Young Persons and Women in Agriculture, Appendix Part I, Reports from the Assistant Commissioners* XIII (1868-9). See also E. Hodder, *The Life and Work of the Seventh Earl of Shaftesbury K.G.* (1887), pp. 448-9; A. Smith, 'A life of generous beneficence: George Wingfield Digby, a Victorian landowner 1856-1883', *PDNHAS* 123 (2001), pp. 7-14.
[26] A. White (ed.), *The Letters of S.G.O.: A Series of Letters on Public Affairs Written by the Rev. Lord Sidney Godolphin Osborne and Published in "The Times", 1844-1888*, Vol. 1 (1888), p. 3.
[27] W. Cobbett, *Rural Rides*, Vol. 2 (1853; 1912 ed.), p. 266.
[28] ROLLR DE 453/89. Stamford and Warrington estate valuation, 1857 with later revisions.
[29] Buckminster Estate Office, Leicestershire. Dysart Estate Weekly Report book, Vol. 10, October 25 1849.
[30] E. Stanhope, 'Report on the counties of Lincoln, Nottingham and Leicester', in *First Report from the Commissioners on the Employment of Children, Young Persons and Women in Agriculture, Appendix Part 1, Reports from the Assistant Commissioners* XVII (1867-8), p. 330.

know that this is far from being the case'.[31] Wade Martins also found evidence of extensive disrepair on the Earl of Leicester's Norfolk estate in a survey of 1851.[32] Thus, when this evidence of dilapidation is combined with that from chapter two of a widespread reluctance to build new cottages, it is clear that high-quality housing was not the hallmark of most 'close' parishes before 1850.

In the mid-1840s this neglect was seized upon as evidence of a failure of rural paternalism, both by opponents of factory reform and those in favour of Corn Law repeal. In 1844 Lord Ashley, who was later to become the seventh Earl of Shaftesbury, was faced with hostility in the Commons during debates over the Ten Hours Bill. John Bright defended the manufacturing interest by arguing that worse conditions existed in rural Dorset and declared that Ashley 'looked at Lancashire through a telescope, but when he looked at his suffering neighbours he reversed the glass'.[33] Two years later *The Times*' special correspondent's reports on the poverty of Dorset's agricultural labourers prompted an editorial to remind landed proprietors that 'Wealth has its burdens as well as poverty. Riches and a lofty station are attended with great responsibility, which as it cannot be neglected without much social injury, so it may not be neglected without sin'.[34] Two years later the same paper described the serious typhus outbreak in the village of Hilton as 'the mysterious messenger that steals from the labourer's cottage to the mansion of the lord, to tell him in language which will be heard, that he has neglected his duties to those whom PROVIDENCE has placed under his care'.[35] Thus the pervasive paternalist discourse of the 1840s provided a context in which landowners were strongly criticised for neglecting the labouring classes.

Furthermore, debate over the reform of the settlement law kept the low standard of much estate housing in the public eye into the 1860s. Descriptions of cottage demolition were seen as evidence of a clear breach of landowners' paternalist duties. In 1852 Robert Pashley claimed that 'Landowners are found who forget, or who have not learned, that the ownership of land imposes moral duties, co-extensive with the legal rights which it sanctions'.[36] Pashley praised the model cottages displayed by Prince Albert at the Great Exhibition in 1851, but saw them 'as a declaration, from the highest quarter, to the wealthy, that they should make some better provision, than they have hitherto done'.[37] In the early 1860s *Punch* published cartoons satirising landowners' inadequate expenditure on housing,

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[31] J.C. Loudon, *Encyclopaedia of Cottage, Farm, and Villa Architecture and Furniture* (1846 ed.; Shaftesbury, 2000), p. 1296.
[32] Wade Martins, *Great Estate at Work*, p. 217.
[33] Hodder, *Seventh Earl of Shaftesbury*, p. 293.
[34] *The Times*, July 10 1846, p. 4.
[35] *The Times*, October 27 1848, p. 4.
[36] R. Pashley, *Pauperism and the Poor Laws* (1852), p. 289.
[37] Pashley, *Pauperism*, p. 290.

one of which juxtaposed the neglect of cottage tenants with the care lavished on new stables (Fig. 4.3).[38] Sir John Simon was also extremely critical of landowners' housing provision and concluded that 'the overwhelming preponderance of facts … are a reproach to the civilization of England'.[39] This questioning of the extent to which landowners fulfilled their responsibilities attacked the heart of the justification for their privileged position in society.

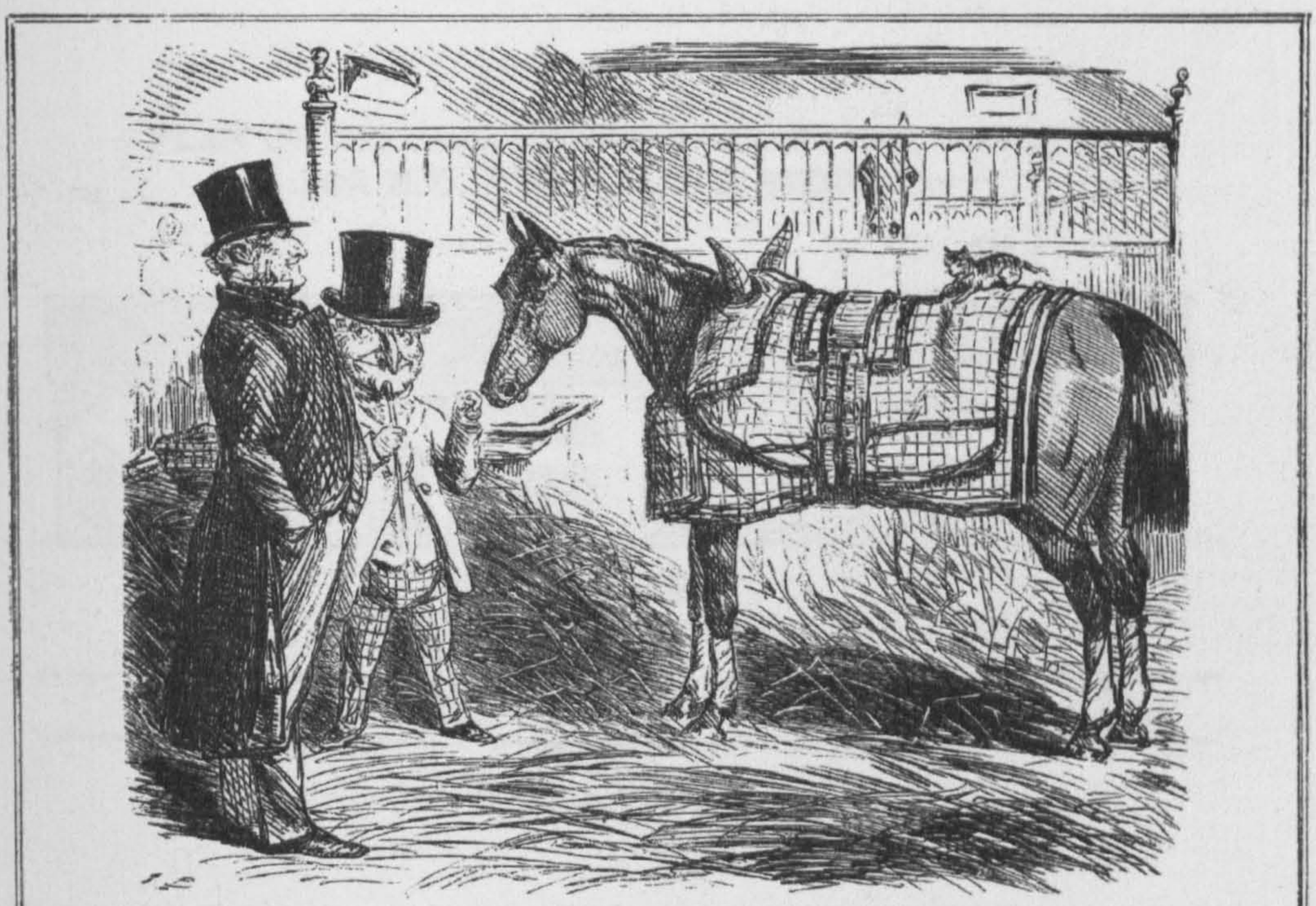
Unsurprisingly, many landowners were sensitive to such criticism and from the 1840s a number of articles appeared on cottage building in the *Journal of the Royal Agricultural Society*.[40] Indeed, as the profitability of farming increased and rental incomes rose through the 1850s and 1860s investment in cottage building also increased. Unfortunately, it is not possible to quantify the investment made in labourers' housing because very few estate archives from either of the case study counties contain extensive sets of accounts, and those that do survive are from those that show the least evidence of cottage-building.[41] However, this does not prevent a discussion of the level of investment in housing on different estates based on evidence drawn from a wider range of sources. These include miscellaneous estate papers, parliamentary reports and the cottages themselves which often carry date stones and family emblems.

In Dorset seven of the eleven estates in the county of over 10,000 acres in 1883 show significant signs of investment in improved housing in the middle decades of the nineteenth century, along with a number of other smaller estates. The earliest report of improved conditions came in an 1854 article on the agriculture of the county by Louis Ruegg. In it he praised the cottages constructed by the Portman, Shaftesbury, Ilchester, and Glyn estates and included plans of those built by Henry Charles Sturt and the Duke of Bedford (Fig. 4.4).[42] In 1868 Edward Stanhope reported that 'the great majority of landowners have effected great changes on their estates' and extended praise to cottages built by the Digby, Grosvenor, Hambro and Brymer families (Figs 4.5-8).[43] In 1867 the Guest family, later Lords Wimborne, began an extensive cottage-building programme that led to the construction

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[38] *Punch*, January 12 1861, pp. 16-17. See also Mingay, 'The rural slum', pp. 113-4.
[39] Sir J. Simon, *Seventh Annual Report of the Medical Officer of the Privy Council* XXVI (1865), pp. 12-13.
[40] For a list of the articles printed in *JRASE* see *General Index to the First Series of the Journal of the Royal Agricultural Society of England: Volumes I to XXV* (1865), pp. 42-3. Articles were also contained in the *Journal of the Bath and West of England Society*.
[41] The most extensive sets of available estate accounts survive for the Pitt Rivers and Bankes estates in Dorset and that of the Earl of Stamford and Warrington in Leicestershire. See Bibliography for full details.
[42] L.H. Ruegg, 'Farming of Dorsetshire', *JRASE* 15 (1854), pp. 441-5.
[43] Stanhope, 'Report on the counties of Dorset etc.', p.6 and 'Evidence accompanying the Report of the Hon. Edward Stanhope on the counties of Dorset, Kent, Chester, Salop, Stafford, and Rutland', *Second Report from the Commissioners on the Employment of Children, Young Persons and Women in Agriculture, Appendix Part II, Evidence from the Assistant Commissioners* XIII (1869), pp. 16, 27, 29-31.

Punch Cartoons, 1861



THE STABLE.

LANDLORD. "YES, MR. PUNCH. NICE, CLEAN, AIRY BOXES, PLENTY OF LIGHT, PERFECT DRAINAGE AND VENTILATION. THE BEST OF FOOD AND WATER, AND KIND TREATMENT. THAT'S MY PLAN!"



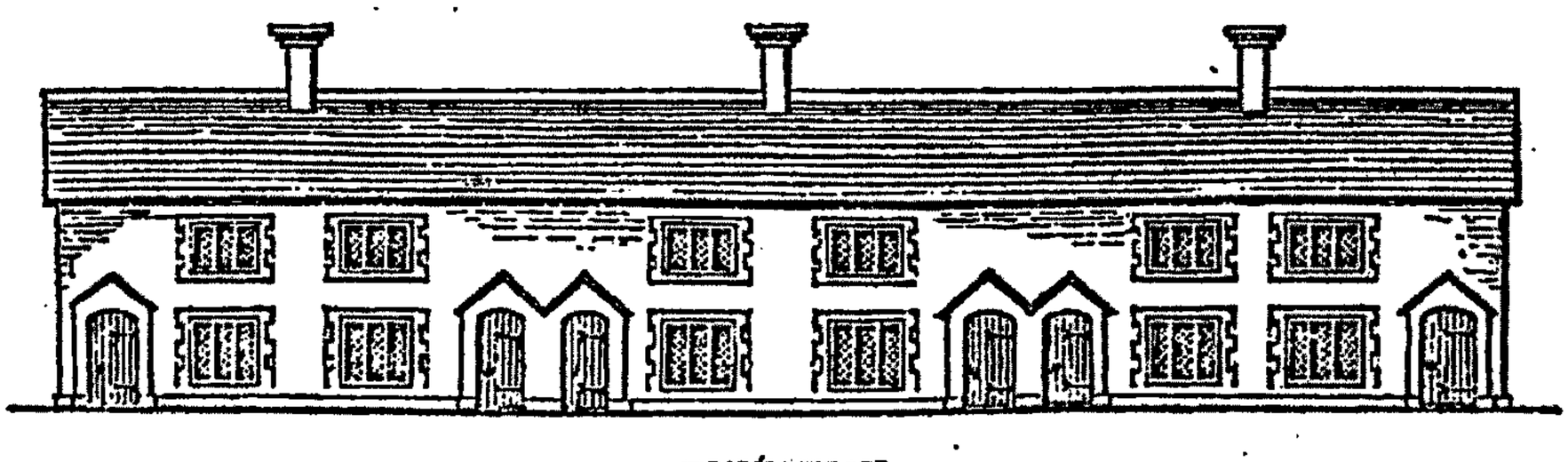
THE COTTAGE.

MR. PUNCH (TO LANDLORD). "YOUR STABLE ARRANGEMENTS ARE EXCELLENT! SUPPOSE YOU TRY SOMETHING OF THE SORT HERE! EH?"

Source: *Punch*, January 12 1861, pp. 16-17.

Fig. 4.3 These cartoons were published at a time of farming prosperity when expenditure was being made on many aspects of improved farming. However, reports were still being written on the squalor of much estate housing.

Plans for Model Cottages, 1854



Source: L.H. Ruegg, 'Farming of Dorsetshire', *The Journal of the Royal Agricultural Society of England* Vol. 15 (1854), pp. 444-5.

Fig. 4.4 Plans of model cottages built for the Duke of Bedford at Swyre, west Dorset. Three bedrooms were included in each cottage to allow the separation of parents and children of each sex to prevent 'immorality'. Note also the separate porches to each cottage that were intended to encourage privacy and prevent gossip.

Dorset Estate Cottages



Fig. 4.5 Brymer estate, Puddletown, 1864.



Fig. 4.6 Digby estate, Thornford, 1865.



Fig. 4.7 Portman estate, Durweston, 1878.



Fig. 4.8 Shaftesbury estate, Wimborne St Giles, undated.

of 100 cottages over the next thirty-seven years.[44] In evidence to Stanhope's report Revd S.G. Osborne stated that 'With regard to the cottages of the agricultural labourer, there has been, in the 27 years I have known Dorset, the greatest improvement'.[45]

A similar pattern is evident in Leicestershire, although due to the smaller size of estates and the lesser availability of estate papers evidence is more sparse. In 1866 W. Moscrop praised new cottages on the Duke of Rutland's estate that contained 'two rooms on the ground floor, and three bedrooms', a privy and a small garden.[46] A year later Edward Stanhope remarked that 'All Lord Howe's villages … contain excellent cottages, and (what is far more rare) almost enough of them'.[47] Between the 1850s and the early 1870s the Berners, Herrick, Isham, Packe, Pochin and Winstanley estates also undertook cottage building that remains a prominent feature of the Leicestershire landscape to this day (Figs 4.9-12).[48] These numerous examples come from across the agricultural pays of the two counties, and this suggests that the timing of this investment was strongly related to the widespread agrarian prosperity of the years between 1850 and the mid-1870s. The fact that many schemes commenced prior to the introduction of union chargeability in 1865 suggests that this was not a widespread spur to cottage building.

Across both counties there is much less evidence of cottage building after the onset of agricultural depression in the mid-1870s, and this is in line with research into wider capital formation in agriculture. Holderness has argued that mid-Victorian 'optimism' and 'ostentation' was followed by 'a kind of recessional despondency' from the 1880s.[49] One might expect to see marked differences in the estates across the different agricultural *pays* of the two counties, according to their farming fortunes. Details are sketchy because of the lack of estate accounts but there is certainly little date stone evidence of building from the Dorset arable chalk uplands in the last quarter of the nineteenth century. However, there is also little sign of investment in the vales, and a recent article has stressed the financial difficulties faced by the Digby estate in north Dorset in the 1880s, balancing falling rents with loan repayments.[50] The only estate to show clear evidence of continued building throughout this period was the Guest estate, and this was probably due to the family's industrial wealth from

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[44] P. Clark, *Lady Wimborne Cottages: the Story of the Canford Estate Cottages* (Wimborne, 2000).
[45] 'Evidence accompanying the Report of the Hon. Edward Stanhope on the counties of Dorset etc.', p. 7.
[46] W.J. Moscrop, 'A report on the farming of Leicestershire', *JRASE* 2nd Ser. 2 (1866), p. 305.
[47] Stanhope, 'Report on the counties of Lincoln, Nottingham and Leicester', p. 92.
[48] On the Berners estate see Stanhope, 'Report on the counties of Lincoln, Nottingham and Leicester', p. 92. For the Packe estate see J. Cross, *Prestwold Hall to Branksome Tower: the Story of C.W. Packe M.P. (1792-1867)* (Bournemouth, 1993), p. 7. On the Herrick estate see M. Brookman, *The Woodhouse Echo* (Loughborough, 1979), p. 5. Cottages with date stones provide evidence of cottage building on the Isham estate at Shangton, the Pochin estate at Rearsby and Edmondthorpe, and the Winstanley estate at Braunstone.
[49] B.A. Holderness, 'Investment, accumulation and agricultural credit', in E.J.T. Collins (ed.), *AHEW, Vol. VII, 1850-1914* (Cambridge, 2000), p. 927.
[50] Smith, 'A life of generous beneficence', pp. 11-12.

Leicestershire Estate Cottages



Fig. 4.9 Herrick estate, Woodhouse Eaves, undated.



Fig. 4.10 Packe estate, Hoton, 1853.



Fig. 4.11 Pochin estate, Edmondthorpe, 1872.



Fig. 4.12 Rutland estate, Branston, undated.

iron-founding. In Leicestershire there is greater date-stone evidence of building in the 1880s on the Packe estate north-east of Loughborough and the Pochin estate at Edmondthorpe, near Melton Mowbray. Both of these were in grazing districts and it is possible that the decline in rent receipts was less sharp in such areas. However, there is too little evidence to build a picture of a sharp contrast in estate cottage building between the two counties. Indeed, the overall picture of the fall in rents in Dorset and Leicestershire is strikingly similar. F.M.L. Thompson has estimated that rents in Dorset declined by 28.0 per cent between 1872/3 and 1910/11, compared to 29.4 per cent in Leicestershire.[51] Therefore, the two counties may well have seen a similar pattern of investment in estate housing over this period, marking a sharp reduction on that undertaken in the previous two decades.

Nevertheless, it is also clear that the period of depression did not see an end to estate cottage building in either county. In Dorset building not only continued on the Guest estate in the east of the county into the 1900s (Fig. 4.13), but also occurred on the Sandwich and Digby estates, in the vale districts. Cottages were also built on the central chalk belt by the Brymer estate in Puddletown and by Lord Alington at Long Crichel as late as 1914. Evidence is again more sparse from the smaller number of estates in Leicestershire. However, the Packe estate built a row of cottages at Cotes in 1902 and the Hardcastle family rebuilt many of the cottages in the village of Horninghold between 1903 and 1914.

Therefore, although building was much less extensive than in the 'golden age' of agriculture, the practice of building estate cottages had not ceased by the outbreak of the First World War. This possibly reflects the fact that although rents continued to languish below the level of the early 1870s, the period between 1896 and 1914 saw what E.J.T. Collins has described as 'a noticeable recovery in farming fortunes', promising a brighter future.[52] However, it is also clear that landowners' cottage building did not always follow their economic fortunes. The ninth Earl of Dysart undertook an extensive cottage-building project on his estate in north-east Leicestershire in the early 1890s (Fig. 4.14), despite the fact that the estate's rental income was 27.6 per cent lower in 1894/5 than it had been twenty years previously.[53] Therefore, although the broad trend of cottage building appears to have been underpinned by changes in agricultural prosperity, there must have been other influences that affected the housing policies of individual estate owners, which will be investigated further below.

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[51] F.M.L. Thompson, 'An anatomy of English agriculture, 1870-1914', in B.A. Holderness and M. Turner (eds), *Land, Labour and Agriculture, 1700-1920: Essays for Gordon Mingay* (1991), p. 226.
[52] E.J.T. Collins, 'Rural and agricultural change', in E.J.T. Collins (ed.), *AHEW, Vol. VII, 1850-1914* (Cambridge, 2000), pp. 208-9.
[53] Buckminster Estate Office, uncatalogued. Dysart estate accounts, 1874/5 and 1894/5.

Estate Housing, 1890-1914



Fig. 4.13 Lady Wimborne Cottages 106 and 107, Ashington Lane, Canford Magna, Dorset. These cottages were built in 1902 and were among the last of the 110 cottages built by the estate between 1867 and 1910.



Fig. 4.14 The Crescent, Buckminster, Leicestershire. These cottages were built in the early 1890s by the ninth Earl of Dysart on the site of a row of squalid cottages. They were described as 'little palaces' and formed part of a wider-scale rebuilding across the estate at this time.

Undoubtedly, the overall impact of landowners' investment in housing in this period was to raise the standard of accommodation on most landed estates by 1914, especially as improvement was frequently accompanied by the demolition of older cottages.[54] As this process continued commentators increasingly contrasted the standard of housing in 'close' and 'open' parishes. William Little reported to the Royal Commission on Labour of 1893-4 that 'the general condition of the cottages in "close" villages is superior to that of "open" villages' and in 1900 Arthur Wilson Fox found the 'best cottages in close parishes'.[55] As late as 1913 Seebohm Rowntree reported that a labourer living on a landed estate 'often has a higher standard of comfort'.[56] It is the combination of this positive comment on landowners' investment in housing with the surviving estate cottages themselves, that has ensured that a favourable image of estate housing has become a well established part of the historiography.

However, a great deal of caution is required not to exaggerate the transformation in estate housing as most estates retained a proportion of older cottages throughout this period. On the Frampton estate, in Dorset, new cottage building was on a minimal scale. Eight new cottages were built between 1860 and 1862, one pair of which were constructed on Moreton Common close to a number of older cob and thatch former lifehold cottages that were retained as estate accommodation (Figs 4.15-16). On many estates older cottages were repaired and refurbished, rather than rebuilt. For example, the sixth Earl of Stamford and Warrington commissioned a thorough refurbishment of cottages in the Leicestershire village of Newtown Linford in the 1830s and 40s.[57] Extensive rebuilding was also undertaken on the Wingfield Digby estate in Dorset in the mid-nineteenth century.[58] However, wherever older cottages remained some were likely to be of a low standard. On the estate of the Duke of Rutland 'The Row' at Sproxton was a hotbed of disease until its replacement by new estate cottages in the early 1870s.[59] Therefore, although many estates had by the early twentieth century removed the very worst cottages of the 1840s, they frequently retained a mixture of old and new housing.

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[54] See A. Spencer, 'Report upon the Poor Law Union of Dorchester', *Royal Commission on Labour, The Agricultural Labourer. England* XXXV (1893-4), p. 29.
[55] W. Little, *Royal Commission on Labour: General Report from the Senior Assistant Agricultural Commissioner* XXXVII Part II (1893-4), p. 113. A. Wilson Fox, *Report on the Wages and Earnings of Agricultural Labourers in the United Kingdom* LXXXII (1900), p. 22. See also J.L. Green, *English Country Cottages: Their Condition, Cost and Requirements* (1899), p. 51.
[56] B.S. Rowntree and M. Kendall, *How the Labourer Lives: a Study of the Rural Labour Problem* (1913), pp. 320-1.
[57] J. Stevenson, *Newtown Linford: the Old Buildings and Their Occupants* (Newtown Linford, 1998), pp. 47-8.
[58] Smith, 'Life of generous beneficence', p. 10.
[59] D. Clinton, *When Bacon was Sixpence a Pound* (Nottingham, 1989), pp. 36-8.

Old and New Estate Housing



Figs 4.15 and 4.16 The Frampton family built this pair of model cottages on land that was formerly part of Moreton Common in the early 1860s. Behind them stand a number of cob and thatch cottages that were constructed by lifeholders in the late eighteenth and early nineteenth centuries but were retained by the estate when they fell in hand.



Indeed, some estates had become notorious for the poor condition of their cottages by the late nineteenth century. In 1885 and 1893 the cottages on the Pitt Rivers estate in Dorset were described as being in a 'dilapidated condition'.[60] Although this was partly the result of the falling in of lifehold property, it is clear that little effort was made to re-build or refurbish most of the housing stock. Cottages on the Weld estate, of over 15,000 acres, were also said to be 'generally in very bad repair' in 1893.[61] In 1877 cottages on the Bankes estate, the third largest in Dorset, were described by an internal report as being 'generally of an inferior class'.[62] Conditions were also bad on some Leicestershire estates. In 1893 William Bear described poor-quality housing on the Earl of Dysart's estate. He noted 'some wretched old cottages' at Coston and reported that the roof of one 'fell in recently during the night'.[63] Perhaps the worst conditions were found on the estate of the Earl of Stamford and Warrington, around Newtown Linford. The estate agent's notebook records many complaints in the 1880s that no repairs had been carried out in the last twenty years. In July 1886 one tenant reported that her cottage roof was supported by the post of a bed, making it 'hardly fit to live in', and another complained that the gable end of her house had actually fallen down.[64] Although the local sanitary authority enforced some improvements, the estate retained a bad reputation for its housing into the early twentieth century.[65] Therefore, it is clear that not all landowners lived up to their positive reputation and this in turn raises two key questions: what motivated some landowners to invest in housing on a relatively large scale, and why did others fail to follow the same course?

Motivations for cottage building

Cottage building is rarely attributed to economic motives because it was widely seen as a bad investment. This was largely because the wages of most agricultural labourers were too low to enable them to pay a rent that would yield a reasonable rate of interest on the money invested. It was commonly held that five per cent was a good return, but cottages

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[60] Evidence of Samuel Pike in the *First Report of the Commissioners on the Housing of the Working Classes [England and Wales]* XXX (1884-5), pp. 544, 547, qq. 14524, 14613. R.H. Rew, 'Report on the county of Dorset', *Royal Commission on Agriculture. England* XVII (1895), p. 31.
[61] Spencer, 'Report upon the Poor Law Union of Dorchester', p. 30. See also evidence of Samuel Pike in the *Report on the Housing of the Working Classes*, p. 548, qq. 14621, 14625.
[62] DCRO D/BKL:8A/172. 'Mr Robson's report accompanying his particular of the Kingston Lacy and Corfe Castle estate as valued by him in 1876', 1877.
[63] W.E. Bear, 'Report upon the Poor Law Union of Melton Mowbray', *Royal Commission on Labour, The Agricultural Labourer. England* XXXV (1893-4), p. 139.
[64] ROLLR DE 1982/189. Audit notebook of the Leicestershire estate of the Countess of Stamford and Warrington, 1886-96.
[65] ROLLR DE 453/129. Bradgate Schemes, 1890-1912; Stevenson, *Newtown Linford*, pp. 132-3.

were unlikely to bring in more than three per cent.[66] James Caird estimated the average cost of a cottage to be £150 each, 'if planned with due regard to comfort and decency' and to be considered a profitable investment a rent of four shillings per week was required, a sum beyond the means of most agricultural labourers.[67] In 1897 the eleventh Duke of Bedford calculated the total cost of the housing of his estates in Bedfordshire and Buckinghamshire to have been £171,000 and argued 'Had this large outlay been invested in Consols it would have been producing an income of 5,000l. a year; invested in cottages it produces nothing'.[68]

Nevertheless, in some respects investment in housing could be seen as economically rational. Interest in agricultural improvement in the 1850s and 60s extended to a desire to improve the quality of labour available to farmers. One handbook of 1869 argued that although cottages 'give a very low percentage on the outlay ... they pay the estate or farm ... indirectly, in supplying a class of workmen who take an interest in the estate or farm, and are always at hand when required'.[69] A speaker at the Blandford Farmers' Club in 1860 asked, 'where is the farmer that will not pay an increased rental for a farm having cottages on it for the use of his labourers ... ?'.[70] Such arguments were persuasive, and in 1868 Stanhope reported that it was 'gratifying' that landowners were 'recognizing the advantage which they and the occupiers of their farms derive from the better condition of their labourers, and their disposition to stay where they are well housed'.[71] Securing a good labour supply was an issue of growing importance as rural depopulation gained pace from the 1860s. Poor quality housing was widely believed to be a contributory factor in population decline and cottage building can be seen as part of an attempt to stem this outflow.

However, the evidence suggests that the amount of housing built from an economic motive was limited. From the 1840s loan capital was available to landowners to invest in many forms of agricultural improvement, including field drainage, the erection of farm buildings, enclosure and the construction of cottages.[72] The loans were granted by three improvement companies established between 1849 and 1860, and were overseen by the Inclosure Commissioners. The sums advanced were generally repaid over 25 years as a rent

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[66] W. Little, 'Report of Assistant Commissioner Mr. Little', *Report of the Royal Commission on Agricultural Interests* XV (1882), pp. 90, 92.
[67] J. Caird, *The Landed Interest and the Supply of Food* (1878, 1967 ed.), pp. 89-90.
[68] Bedford, *Great Agricultural Estate*, pp. 96-7.
[69] R.E. Brown, *The Book of the Landed Estate* (1869), p. 247. See also Caird, *Landed Interest*, pp. 90-1.
[70] *Dorset County Chronicle*, April 5 1860, p. 705.
[71] Stanhope, 'Report on the counties of Dorset etc.', p. 24.
[72] A.D.M. Phillips, 'Landlord investment in farm buildings in the English Midlands in the mid nineteenth century', in B.A. Holderness and M. Turner (eds), *Land, Labour and Agriculture, 1700-1920: Essays for Gordon Mingay* (1991), p. 193. A.D.M. Phillips, *The Staffordshire Reports of Andrew Thompson to the Inclosure Commissioners, 1858-68: Landlord Investment in Staffordshire Agriculture in the Mid-Nineteenth Century* (Stafford, 1996), p. 6.

charge on the land to be improved. By the end of 1881 £823,910 had been sanctioned for cottage building in England and Scotland.[73] Estimating the average cost of a cottage to be between £100 and £150 over this period this represents between 5,500 and 8,000 cottages in a little over 30 years. Although the impact of such a figure cannot be denied, it does need to be kept in perspective. This equates to an average of far less than one cottage for every parish in the two countries and it is likely that this building was clustered on a relatively small number of farms. In a sample of estates in the north and west Midlands Phillips found that 235 cottages had been built in the 1860s on 195 farms at an average cost of £134.[74] By far the largest loan for cottage construction in the two counties, for which evidence has been found, was the £8,700 borrowed by the Duke of Rutland between 1869 and 1876.[75] However, this is likely to have funded only approximately sixty cottages on an estate of over 30,000 acres, and most other applications were on a much smaller scale.[76]

This raises serious doubts over the extent to which cottage building can be seen as an integral part of landowners' investment in agricultural improvement. Undoubtedly many new farm cottages were erected in this period to meet the demands of tenant farmers, even on those estates with a bad reputation for housing such as that belonging to Lord Rivers. However, the reluctance of landowners and their agents to apply for loans for large-scale cottage building reflects the deeply entrenched belief that it was essentially unprofitable. This belief was especially pronounced with respect to schemes funded by improvement company loans, because the stringent regulations enforced by the Inclosure Commissioners contributed to higher building costs.[77] Stanhope found that these regulations were 'complained of as too severe' and heard evidence that they were 'a great discouragement to cottage building'.[78] The Inclosure Commissioners and their agents were also very cautious about investment in housing because of the difficulty of proving that it could be linked to sufficient gains in farm productivity to justify the rent charge on the land.[79] Indeed, one of their inspectors, Andrew Thompson, argued that cottages were 'the worst paying description of property'.[80] In the minds of improvers such gains were more closely linked with

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[73] Table of expenditure from the *Report of the Royal Commission on the Depressed Condition of Agricultural Interests* XIV (1882) reprinted in D. Spring, *The English Landed Estate in the Nineteenth Century: Its Administration* (Baltimore, 1963), p. 193.
[74] Phillips, 'Landlord investment in farm buildings', p. 200.
[75] NA MAF/66/1. General Land Drainage Co. ledger, 1851-72.
[76] See Reports of Andrew Thompson, November 18 1868, Keele University, S3186, Vol. 8, pp. 76-8, 200-1 on an application for four cottages on the Leicestershire estate of the Duchess Cesarini. See also DCRO D/FRA:E76 and P3A. Papers re. loans from General Land Drainage Co., including funds for eight cottages, 1853-65 on the Frampton estate.
[77] DCRO D/FRA E76. Explanation of cottage standards and implications for cost, June 1861.
[78] Stanhope, 'Report on the counties of Dorset etc.', p. 24 and 'Evidence to the Report', p. 25.
[79] Phillips, *The Staffordshire Reports of Andrew Thompson*, p. 39.
[80] Report of Andrew Thompson, 30 May 1860, Keele University, S3183 Vol. 5, pp. 76-8, 200-1.

investments in field drainage and farm buildings and this prioritisation is reflected by the loans approved by the Inclosure Commissioners. Between the foundation of the loan companies and the end of 1881 £8.3 million of loan capital was spent on field drainage and £3.4 million on farm buildings, but only £0.8 million on cottages.[81] Therefore, large-scale investment in improved housing was unlikely to have been wholly motivated by calculations of economic gain.

This focuses attention on the less quantifiable motives behind landowners' cottage building. As the existing historiography suggests, some landowners were motivated by a clear vision of their duties towards the inhabitants of their estates, as expressed in the writings of the seventh and eleventh Dukes of Bedford. That their statements were not merely rhetorical is suggested by James Caird's description of the Duke's Bedfordshire estate as one 'where the duties as well as the rights of property are … fully recognised'.[82] The clearest example of a landlord devoted to putting a strong personal philanthropy into action is the seventh Earl of Shaftesbury, founder of the Society for Improving the Condition of the Labouring Classes. His actions were informed by a deep religious faith, and David Roberts has argued that many landowners were influenced by the teachings of the Church of England during the paternalist revival of the 1840s.[83] Shaftesbury was appalled by the housing conditions on his family's estate on his inheritance in 1851, but in 1885, the year of his death, it was reported that of 417 estate cottages only 12 were in bad repair, a further 77 were in fair repair and the rest were excellent.[84] Shaftesbury's agent defined a 'good cottage' as one built of 'brick, with a slated, tiled, or thatched roof, with good floors, good doors, and good windows, wind and water tight'.[85] Thus, Shaftesbury's genuine concern to improve the lives of the working classes had a large impact on the living conditions of labourers on his estate.

Rarely, however, can one argue that philanthropy was the sole reason for landowners' expenditure on estate housing. Indeed, it is impossible to separate out philanthropic motives from those more closely related to self-interest. Many landowners

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[81] Although, these figures are obviously not complete records of the money invested by estates in this period this data does give an indication of their priorities. Spring, *English Landed Estates*, p. 193.
[82] J. Caird, *English Agriculture in 1850-51* (1852; 1968 ed.), p. 438. However, the seventh Duke's benevolence should not be exaggerated. In a study of expenditure on housing on his Tavistock estate Mark Brayshay has concluded that he 'seems to have been content to contribute just enough to ensure that his good reputation remained intact.' M. Brayshay, 'The Duke of Bedford's model cottages in Tavistock, 1840-1870', *Reports and Transactions of the Devonshire Association for the Advancement of Science* 114 (1982), pp. 116-9, 128.
[83] Roberts, *Paternalism*, pp. 47-56. See also A. Howkins, *Reshaping Rural England: a Social History 1850-1925* (1991), p. 56.
[84] Hodder, *Seventh Earl of Shaftesbury*, p. 449. In order to fund improvements on his estate Shaftesbury shut up St Giles house for a time, sold property and some of the family plate. G.B.A.M. Finlayson, *The Seventh Earl of Shaftesbury, 1801-1885* (1981), pp. 332, 498.
[85] Evidence of Thomas John Turnbull, *First Report of the Royal Commission on the Housing of the Working Classes* XXX (1884-5), p. 605, q. 16230.

perceived that the construction of high-quality cottages, often baring their initials or coat of arms, was a way of gaining public notice for good works, thereby enhancing their status both within the local community and among their peers. As Loudon argued in 1846 cottages whose appearance indicated 'ample room and warmth within' were associated with 'an enlightened benevolent landlord'.[86] Although the Dukes of Bedford articulated a sense of duty to their cottage tenants, their cottages also carried the family crest, publicly proclaiming their wealth and status. Similarly, the cottages of the Guest and Brymer families also display their family emblems, and were possibly designed to establish a good reputation for these relative newcomers to landed society.[87] In other cases architectural devices were employed to create an estate aesthetic, as on the Leicestershire estate of Earl Howe where the tiled cottage roofs all have distinctive curved eaves (Fig. 4.17). The importance of prestige to landed estates is clearly seen where cottages were placed in prominent positions in villages. The Westminster Cottages, built by the Grosvenor estate in Stalbridge in Dorset, carry distinctive initialled date stones and line one of the main routes into the village (Fig. 4.18). It must be acknowledged that some landowners, including the Earl of Shaftesbury and the Duke of Rutland, did not widely use such measures. However, it is clear that many landowners hoped that by improving the conditions of the labouring classes they would also enhance their own status.

Although benevolence and self-interest initially appear contradictory in nature, attempts to enhance the reputation of landowners were not incompatible with a paternalist outlook that sought to secure the existing rural social structure. As discussed above, this was not only to be achieved through encouraging deference, but also through the exercise of moral guidance, which can be seen in landowners' funding of parish churches and schools. It was argued that better housing not only improved the tenants' standard of living but also attacked the immorality associated with overcrowding. The eleventh Duke of Bedford argued that if a landowner failed to provide good quality estate cottages 'he will quickly see dilapidated and insanitary dwellings, inhabited by a wild and dissolute population, planted at his door'.[88] The Earl of Shaftesbury's investment in housing can also be seen as part of a wider attempt to reform rural society, when set alongside his support for local schools and churches, and regulation of the tap-room at Wimborne St Giles.[89]

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[86] Loudon, *Encyclopaedia*, p. 1296.
[87] The Guests purchased their estate at Canford Magna in 1846 and the Brymers bought Puddletown in 1861.
[88] Bedford, *Great Agricultural Estate*, p. 92.
[89] Hodder, *Seventh Earl of Shaftesbury*, pp. 447-9; Finlayson, *Seventh Earl of Shaftesbury*, p. 333.

The Symbolism of Estate Cottages



Fig. 4.17 Howe estate cottages, Sibson, Leicestershire. Earl Howe's estate cottages do not carry a family crest but their distinctive curved eaves were no lesser symbol of Howe's authority and prestige.



Fig. 4.18 Westminster Buildings, Stalbridge, Dorset. Part of a terrace of twelve cottages built by the Grosvenor family in 1868, complete with date stone and family crest that emphasise the family's benevolence. They are situated on one of the main routes into the village and face ten cottages built in 1830 by the Marquis of Anglesey.

Some historians have, however, questioned the extent to which landowners played such an active role. F.M.L. Thompson has argued that they 'were erratic, unsystematic, and unreliable in their concern for local schools' and that church building was 'a minority pursuit'.[90] Nevertheless, within the two case study counties there is evidence from a range of estates that housing can be seen in this broader paternalist context. In Dorset all seven of the eleven estates of over 10,000 acres in 1883 that display significant investment in nineteenth-century estate cottages also show evidence of wider paternalist expenditure. On the Wingfield Digby estate schools were built in four villages and churches were either rebuilt or refurbished in four others. Allotments were also widely provided and support was given to slate, coal and clothing clubs, friendly societies and village charities.[91] On the estate of the Guest family, from the 1860s, schools were built at Broadstone, Canford Magna, Hampreston and Hamworthy, and allotments were also provided in many villages.[92] The Earl of Shaftesbury, the Earl of Ilchester, Lord Alington, Lord Stalbridge and the Sheridan family also funded school building and church restoration in this period.[93] Moreover the Hambro, Glyn, Portman, Eldon and Brymer estates of between 4,000 and 10,000 acres also show similar patterns of investment, albeit on a smaller scale. Therefore at least half of the twenty-two estates in Dorset of over 5,000 acres in 1883 show significant signs of 'paternalist' investment. Although it would be wrong to suggest that these estates rebuilt all of their housing, or all of the churches and schools in villages in which they owned property, it would be equally wrong to dismiss this expenditure as insignificant.

Similar evidence is also found in Leicestershire. Earl Howe not only extensively rebuilt the housing on his estate, but also supported clothing and coal clubs, built schools and restored churches in five of his estate villages. He was described as 'highly distinguished for his benevolence to the poor'[94] and on his death in 1870 the villagers of Sibson sent a 'Vote of Condolence' to the *Leicester Journal* stating that 'the late Earl's name has been synonymous with all that is just, good, and noble'.[95] Although the available evidence suggests that the Dukes of Rutland did not make comparable investment on their 30,000-acre estate they did contribute to school and church building projects, as did the Herrick, Powys Keck, Pochin, Berners and Hartopp families.[96] Indeed, of the twelve estates in the county of more than 5,000 acres evidence has been found of such investment in all but

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[90] Thompson, 'Landowners and the rural community', pp. 468-9.
[91] Smith, 'A life of generous beneficence', pp. 9-11.
[92] See Clark, *Lady Wimborne Cottages*.
[93] Evidence of church and school building is derived from *Kelly's Directory for Dorsetshire* (1895). However, directories cannot be seen as a complete record of such expenditure.
[94] White, *History, Gazetteer, and Directory*, pp. 660-1.
[95] *Leicester Journal*, May 27 1870, p. 3.
[96] Evidence of church and school building is derived from White, *History, Gazetteer, and Directory* and *Kelly's Directory of Derbyshire, Nottinghamshire, Leicestershire and Rutland* (1888).

three, although in two others it was on a relatively small scale.[97] As in Dorset there was also such investment on smaller estates, such as that of the Packe family of Great Glen who made donations to the parish church, built and supported the parish school, and funded a clothing club.[98] Therefore, within both of these counties a substantial proportion of landowners invested in estate housing as part of what can be described as a paternalist framework of expenditure.

Ultimately, therefore, investment in housing has to be seen as having been motivated by the inter-weaving of a number of factors. Undoubtedly some improved housing was provided to answer the demands of tenant farmers and secure a stable labour supply. However, it is clear that a philanthropic concern for the lives of the labouring classes, a desire to win their deference and attempts to 'improve' their morality were also important incentives for cottage building. A wish to enhance an estate owner's social standing was also not incompatible with these broader aims. To what extent individual landowners were motivated by any one of these strands can only be answered by a careful analysis of their private papers. However, aristocratic and gentry landowners were united by a concern to preserve the existing rural social structure, and their investment in estate housing has to be seen in the context of a reaction to the sustained criticism of their housing provision in the mid nineteenth century. Fresh attacks on the estate system in the later nineteenth century from the land reform campaign meant that estate housing, along with other forms of paternalist expenditure, remained a powerful way for landowners to demonstrate that they deserved their privileged place in society.[99] In this context it would be surprising if improved housing had been the concern of only a small minority of landowners.

Explanations of variation in estate housing

However, it is also clear that the extent of investment in both housing and other expressions of paternalism varied widely, and this requires some explanation. One would clearly expect the level of investment to be highest on the wealthiest agricultural estates, and on those with income from urban, industrial and commercial holdings. Unfortunately, the limited availability of estate accounts makes it impossible to make a detailed comparison of expenditure on housing across a number of estates. Nevertheless, the evidence suggests that most of the large-scale housing schemes in the two counties were carried out on the

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[97] The exceptions are the Hastings, De L'Isle and Dixie estates. Those that made small-scale investment were the Earls of Stamford and Warrington and, until the 1890s, the Earls of Dysart.
[98] See Cross, *Prestwold Hall to Branksome Tower*, pp. 4, 7-8 and ROLLR DE 5047/6/1-3. Packe estate accounts 1869-70.
[99] See especially Bedford, *Great Agricultural Estate*, pp. 2-8.

wealthiest estates. Of Leicestershire landowners the Duke of Rutland owned over 70,000 acres in 1883, worth almost £100,000 per annum, and in the same year Earl Howe held over 30,000 acres, bringing in an annual rent of £37,000.[100] Of Dorset owners both Viscount Portman and the Duke of Bedford held lucrative London estates that underpinned their ability to provide a large number of model cottages. The Guest family estate had a rental of £47,000 per annum in 1883, and also received a substantial income from their ownership of one of the largest ironworks in the country, at Dowlais in Glamorgan.[101] The re-building of a large proportion of the cottages on John Brymer's 5,000-acre Puddletown estate was underpinned by inherited mercantile and banking wealth.[102] It is therefore clear that rural estate housing attracted larger funds where landowners were not entirely reliant on the estate rental to sustain their own household expenditure.

Many commentators at this time also argued that poor housing conditions on a landed estate signified financial constraints on the owner. Revd S.G. Osborne stated in 1847 that 'I do not believe that the landlords have that amount of surplus capital necessary ... to put up the number of cottages required'.[103] A specific issue that was described as a 'great legal obstacle in the way of cottage building' was strict settlement.[104] This originated in the seventeenth century as a legal device to ensure the transmission of an estate in-tact to the following generation and to make provision for family members.[105] Under such arrangements landowners were only tenants for life and were prevented from mortgaging or selling part of the settled land, which was believed to prevent them raising funds for improvement. In 1868-69 it was reported that 'a large proportion of the great and flagrant defects' in labourers' housing was 'traceable to this system of "strict settlements" '.[106] Evidence of this is rather thin for the estates in the two case study counties, although it possibly played a part in restricting expenditure on the Rivers estate in Dorset. The property was first settled under the will of the second Lord Rivers and in April 1880 the obituary of the sixth and final Lord Rivers stated that he 'died comparatively poor', partly as a result of the estate having been 'cruelly entailed by the fourth Lord Rivers'.[107] However, it is clear

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[100] Data from J. Bateman, *The Great Landowners of Great Britain and Ireland* (1883; Leicester, 1971 ed.).
[101] Clark, *Lady Wimborne Cottages*, pp. 3-4.
[102] A. J. Miller, 'The Brymers of Puddletown', *Dorset Life* 253 (2000), p. 35. DCRO D/BOP:C3/3-8. Brymer Estate Accounts, 1863-69.
[103] Evidence of Revd S.G. Osborne, *Sixth Report from the Select Committee on Settlement and Poor Removal* XI (1847), p. 176, q. 5932.
[104] Evidence of Revd S.G. Osborne, in 'Evidence accompanying the Report of the Hon. Edward Stanhope on the counties of Dorset etc.', p. 8.
[105] For the history of strict settlement see J. Habbakuk, *Marriage, Debt, and the Estates System: English Landownership 1650-1950* (Oxford, 1994), pp. 1-3, 51-3, 75-6.
[106] *Second Report From the Commissioners on the Employment of Children, Young Persons and Women in Agriculture* XIII (1868-9), p. xli.
[107] DCRO D/PIT:E240. Cutting of obituary from the *Morning Post*, April 5 1880.

that the estate's settlement did not entirely prevent expenditure. Between 1849 and 1879 £18,000 was spent on improvements including field drainage and farm buildings, and between 1849 and 1856 nineteen cottages were built on estate farms.[108] Therefore, as Beckett has argued 'it was not clear that economic progress was positively hindered by the strict settlement'.[109] David Spring has also argued that there was a degree of flexibility within the system of settled estates and after 1882 the Settled Lands Act enabled landowners to sell part of their land to fund improvement.[110] It must, therefore, be questioned whether this was the main reason for some landowners' failure to invest more widely in better housing for the rural labouring classes.

Another explanation advanced for variations in the quality of estate housing is that landowners focussed their investment on villages around their principal country residence, where their reputation was under closest scrutiny, and where their own estate workers felt the benefit. This is summed up in the theory of distance decay, which supposes that the landlord's influence declined the further one travelled from their main seat.[111] In 1899 J.L. Green remarked that the worst estate cottages were found where owners were non-resident and Wade Martins has argued that the greatest investment on the Earl of Leicester's Norfolk estate was confined to Holkham village.[112] The evidence of neglect on the Leicestershire estate of the seventh Earl of Stamford and Warrington, whose principal residence was at Enville Hall in Staffordshire, gives some support to this model. However, on closer scrutiny it is clear that not all investment was reserved for archetypal estate villages. The Duke of Bedford is a striking example of an absentee owner who invested strongly in his far-flung estates. The Digby, Ilchester, Sturt and Westminster families all had residences in Dorset, but their estates were by no means compact and all show investment in many different villages. In north-east Leicestershire the Dukes of Rutland invested across a large number of villages and on the Dysart estate, although the most distinctive villa-style estate cottages were constructed in the estate village of Buckminster, re-building was undertaken across the estate. Neither was residence a guarantee of high-quality provision. Lord Rivers and the Weld family made little investment in the villages surrounding their residences at Rushmore House and Lulworth Castle, respectively. Therefore, as F.M.L. Thompson has argued, 'an owner had to show interest in his estate, rather than prolonged residence on it'.[113]

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[108] DCRO D/PIT:E240. 'Lord Rivers' trust, list of moneys expended in improvements', May 1880.
[109] Beckett, *Aristocracy in England*, p. 319.
[110] Spring, *English Landed Estates*, pp. 142, 175.
[111] Williamson and Bellamy, *Property and Landscape*, p. 128.
[112] Green, *English Country Cottages*, p. 31; Wade Martins, *Great Estate at Work*, p. 255. See also Mills, *Lord and Peasant*, p. 76.
[113] F.M.L. Thompson, *English Landed Society in the Nineteenth Century* (1963), p. 181.

Indeed, it was the nature of this interest in their estates that appears to have played a large part in the extent of investment made in estate housing. As we have seen, those landowners who undertook a large-scale cottage building programme, including the seventh Earl of Shaftesbury, Earl Howe, and the Dukes of Bedford, appear to have held an expansive view of their paternalist role encompassing investment in churches, schools and allotments. However, there was no fixed definition of the paternalist duties of landowners and, as David Roberts has argued, paternalism offered 'a highly personal, quite unsystematic, and extremely variable social system'.[114] The amorphous nature of paternalism left space for individuals to develop their own definitions of their duties, which might not include cottage improvement. Thus, while paternalist rhetoric was widespread the physical representations of paternalism, including estate housing were essentially patchy, as both F.M.L. Thompson and David Roberts have argued.[115]

Indeed, the idiosyncratic nature of paternalism can be linked to some of the most glaring gaps in the provision of high-quality estate housing identified above. Despite the poor quality of housing on his estate General Pitt Rivers, who inherited in 1880, was not afraid to present himself as attentive to his paternalist duties when seeking election to the first County Council in November 1888. In a speech to electors at Sixpenny Handley he asked: 'who provided allotments for every man that wanted one; who built recreation grounds and provided bands and a museum for the amusement and instruction of the people; who found work for the people that were out of employ … every year'.[116] Pitt Rivers, therefore, saw his laying out of public gardens and the construction of a museum to hold the finds from his many archaeological digs (that also provided employment in the neighbourhood), as beneficial to his tenants. However, Rivers' opponent in this election was Humphrey Sturt, son of Lord Alington who was well known as a provider of good housing. He exploited the General's idiosyncratic paternalist vision, claiming that the money laid out on museums 'would do more good if spent in providing good cottages for the labouring class'.[117] Although Bowden has argued that the General was 'sincere in his belief that the concerned local landowner was the best friend the agricultural labourer could have', he was defeated.[118]

Similarly, the neglect visible in the housing stock on the Leicestershire estate of the earls of Stamford and Warrington did not extend to all areas of paternalist activity, with

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[114] Roberts, *Paternalism*, p. 130.
[115] Thompson, *English Landed Society*, pp. 211-2.
[116] *Dorset County Chronicle*, November 29 1888, p. 7.
[117] Cited in M. Bowden, *Pitt Rivers: the Life and Archaeological Work of Lieutenant-General Augustus Henry Lane Fox Pitt Rivers DCL, FRS, FSA* (Cambridge, 1991), p. 43.
[118] Bowden, *Pitt Rivers*, p. 40.

donations being made to sick clubs, clothing clubs and village schools.[119] However, these were items that consumed only between 1.9 and 2.5 per cent of total income from the Leicestershire estate in the early 1850s.[120] This is despite the fact that the family estates had an annual net income of over £21,000 by 1883, largely because of its extensive urban and industrial property at Stalybridge and Ashton under Lyne in Lancashire.[121] Furthermore, the seventh Earl of Stamford and Warrington enjoyed shooting, entertaining, and gambling. In 1856 he constructed a new mansion house at Groby on the Leicestershire estate in which he lived during the shooting season.[122] This was a lavish building with a stable block that is reputed to have cost £30,000 alone.[123] The Earl retains something of a reckless reputation and Colin Ellis has argued that 'it took forty years after his death to clear the mortgages and charges from his widespread estates'.[124] Therefore, although paternalist duties were not entirely neglected, expensive investment in estate housing was avoided, while the Earl's attention focussed on expressly non-paternalist leisure activities.

The importance of individual landowners' interpretations of their duties is confirmed where the inheritance of an estate by a new owner can be linked to a shift in policy. The seventh Earl of Shaftesbury was determined to address the low standard of housing upon his inheritance to his father's estate, and an increase in investment in housing and schools can also be seen following the succession of George Wingfield Digby to his Dorset estate in 1856.[125] A similar increase in attention to paternalist duties occurred on the Dysart estate in Leicestershire following the inheritance of the ninth Earl in 1878. At Buckminster he built a new school and village institute in the 1890s, provided prizes for the school children, assistance to injured estate workers and supplied Christmas parcels to widows.[126] He also set about improving the standard of housing on the estate, and William Bear praised the cottages built 'since the death of the late Earl who appears to have neglected his property'.[127]

This evidence proves that landowners' personal conceptions of their paternalist duties have to be seen alongside structural features such as income and residence as an important influence on the level of their investment in housing. Indeed, although little remarked on in the existing historiography, this is in line with the findings of other studies.

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[119] Enville Hall, Staffordshire, uncatalogued. Stamford and Warrington estate accounts 1845-1855. In 1873 the Countess provided new schools at Groby. *Kelly's Directory of Derbyshire, Nottinghamshire, Leicestershire and Rutland* (1888), p. 527.
[120] Enville Hall, Staffordshire, uncatalogued. Stamford and Warrington estate accounts 1850 and 1855.
[121] ROLLR DE 453/195. Stamford and Warrington estate accounts, 1883.
[122] White, *History, Gazetteer, and Directory*, p. 705.
[123] J. Stevenson, *Memories of Newtown Linford and Bradgate House* (Newtown Linford, 1994), p. 36.
[124] C.B.D. Ellis, *Leicestershire and the Quorn Hunt* (Leicester, 1951), p. 86.
[125] On the paternalism of George Wingfield Digby see Smith, 'Life of generous beneficence', pp. 7, 9-11.
[126] Clinton, *When Bacon was Sixpence*, p. 4.
[127] Bear, 'Report upon the Poor Law Union of Melton Mowbray', p. 139.

Wade Martins noted that expenditure on housing on the Holkham estate increased greatly under the second Earl of Leicester and that the greatest changes in expenditure were caused 'not by the national or international economy, but by family affairs'.[128] Havinden has also found that Lord Wantage's belief that 'it was the duty of landlords ... to help the poor by whatever practical means lay within their power' had an important impact on his estate management.[129] This evidence is problematic because, as David Brown has argued in his study of landowners and agricultural improvement, this is a 'fundamentally unquantifiable' influence on patterns of investment.[130] Nevertheless, this is no reason to ignore the evidence that landowners' individual interpretations of their role in society had a considerable influence on the variation in levels of investment in housing between different estates.

The management of housing on landed estates

It is, therefore, also important to investigate the extent to which the management of estate housing can be understood in a paternalist context. Following the decline of archaic tenure landowners let the cottages on their estates in two principal ways: either directly to the occupants, or to tenant farmers who sub-let these 'tied' cottages to their own farmworkers. A survey carried out by the Land Agents' Society in 1916 found that across England 58 per cent of estate cottages occupied by agricultural labourers were held as tied cottages and 42 per cent were let directly from a landowner, although there were wide geographical variations.[131] Indeed, the letting of cottages with farms was more extensive in Dorset than in Leicestershire, as will be discussed further below. However, even where tied cottages were commonplace most large estates let a proportion of cottages directly to their tenants, either because they were not fully employed on an estate farm, or because a deliberate decision had been made to retain control of the housing stock. Where this was the case many landowners let their cottages on a short-term basis, enabling them to set conditions on the occupation of their cottages, with the threat of eviction if they were not

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[128] Wade Martins, *Great Estate at Work*, pp. 93-6, 217. Compare this with the influence of members of the Calthorpe family on the development of the Birmingham suburb of Edgbaston. See D. Cannadine, *Lords and Landlords: the Aristocracy and the Towns* (Leicester, 1980), p. 91.
[129] Havinden, *Estate Villages Revisited*, p. 82.
[130] D. Brown, 'Reassessing the influence of the aristocratic improver: the example of the fifth Duke of Bedford, 1765-1802', *Agricultural History Review* 47 (1999), p. 195.
[131] Land Agents' Society, *Facts About Land: a Reply to "The Land", The Report of the Unofficial Land Enquiry Committee* (1916), p. 93. For further information on the national distribution of tied housing see Little, *General Report from the Senior Assistant Agricultural Commissioner*, p. 114.

complied with.[132] The most insecure were weekly tenancies, as used on the estates of the Dukes of Bedford, the Earls of Lanesborough, and the Bankes family.[133] Other owners, including the Earl of Dysart, Earl Howe and Lord Alington, let their cottages on a monthly basis, which also gave tenants little long-term security.[134] The Land Enquiry Committee report of 1913 argued that weekly tenancies left the occupants 'to a great extent dependent on the goodwill of the landowner or his agent' and recommended that six months' notice should be required for any tenant to give up their cottage.[135] By the late nineteenth century some landowners appear to have recognised this, possibly as a response to rural depopulation. In the 1890s the Duke of Rutland let cottages by the year, subject to six months notice to quit.[136] However, this was not standard practice for most of the period under review.

The insecurity of estate cottage tenants is reflected in the ability of landowners to move them arbitrarily between cottages. On the Leicestershire estate of William Perry Herrick in 1849 he placed his joiner rent free in a cottage and noted that he 'put Stevenson', the existing tenant, 'into one of the new Cottages at Woodhouse'.[137] As John Brymer built new cottages in the mid-1860s in the Dorset village of Puddletown, the estate accounts show that existing tenants were moved around the older cottages.[138] Brymer's control over the allocation of cottages was described in *The Daily Telegraph* in 1872: 'A house to let would be a phenomenon in Piddletown. Were it to get abroad six months beforehand that John Nokes was giving up his place, or going to be turned out, the question of who was to succeed him would excite Piddletonian gossip into convulsions'.[139] The eleventh Duke of Bedford found that such movement on his estate was a 'fertile source of grievance' and he recorded the complaints of a widow who, when asked to share with another, declared 'I want the house to myself, and do not want to be messed about'. To Bedford this was not more

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[132] Unfortunately, very few tenancy agreements have survived in estate archives and, given that many estates did not issue leases to their farmers, it is possible that few drew up formal agreements. The Duke of Rutland's cottage tenants had only a printed memorandum on the back of their rent receipts. W.J. Moscrop, 'Report on the Farming of Leicestershire', p. 305. See also Green, *English Country Cottages*, p. 114.

[133] On the Bedford estate see Caird, *English Agriculture*, p. 437 and Bedford, *Great Agricultural Estate*, p. 82. For the Lanesborough estate see NA IR 58/51189, 51194. Finance Act (1909-10) Field Books for Swithland. On the Bankes estate see DCRO D/BKL 8B/114 tenancy agreements, 1891-1916.

[134] On the Dysart estate see Bear, 'Report upon the Poor Law Union of Melton Mowbray', p. 140; Howe estate NA IR 58/76741-3 Finance Act (1909-10) Field Books for Shackerstone; Alington estate, NA IR 58/67818-20 Finance Act (1909-10) Field Books for Witchampton.

[135] Land Enquiry Committee, *The Land: the Report of the Land Enquiry Committee Vol. 1: Rural* (1913), pp. 149-51.

[136] Bear, 'Report upon the Poor Law Union of Melton Mowbray', p. 140.

[137] ROLLR DG9/2025. Herrick estate rental, 1832-52.

[138] DCRO D/BOP:C3/4. Brymer estate rental, 1865.

[139] F.G. Heath, *The English Peasantry* (1874), pp. 35-6.

than 'the natural feeling of irritation which is created by necessary changes', but to the tenants this represented unwanted interference in their daily lives.[140]

This insecurity of tenure has often been linked to attempts to enforce codes of morality and behaviour ascribed by landowners and their agents. It is clear from the evidence discussed in chapter three that many landowners acted to remove the rights of squatters and lifeholders whose habits were thought to be unruly and potentially threatening to a stable rural society. In 1868/9 Viscount Portman stated that he disliked yielding control over his cottages to tenant farmers because 'the occupiers ... have sometimes been persons whom I have wished to get rid of'. 'Sometimes', he remarked, 'they have been men guilty of petty acts of thieving' and 'sometimes their families have included daughters of such a character as to exercise a demoralizing influence upon the whole place'. Portman insisted that his cottages were open to his inspection so that any tenant 'considered by me to be an improper person' could be discharged.[141] Female morality was clearly a concern of many estate owners.[142] In September 1859 the agent to the Dysart estate in Leicestershire reported that he had ceased giving a pension to Joseph Hextall's widow of Buckminster, who had 'become in the Family way' and had 'for a long time past, been connected etc. with more than one Man'.[143] It is, therefore, possible to argue that expenditure on housing and schools was supported by the regulation of morality through the monitoring of cottage occupants.

Concern over the morality of cottage tenants can certainly be seen in cases where estates demanded that they attend church. This was reported on the Tollemache estate at Helmingham, in Suffolk, where tenants had to attend a place of worship on a Sunday and 'the farmers had to see that you went'.[144] On the Berkshire estate of Lord Wantage attendance at the parish church was expected twice on Sundays and absence required explanation.[145] Unfortunately, because few tenancy agreements have survived, it is impossible to be sure about the prevalence of such arrangements. It has been recorded that those who failed to attend the parish church on the Brymer estate at Puddletown 'were in danger of losing their cottage'.[146] On some estates, however, the requirement was merely that attendance had to be at some place of worship, thereby admitting tolerance to dissenters. Such was the case on a small number of holdings owned by the Revd Walter of Haselbury Bryan in Dorset in the 1830s.[147] Although there was widespread dislike of religious dissent

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[140] Bedford, *Great Agricultural Estate*, pp. 84-5.
[141] 'Evidence accompanying the Report of the Hon. Edward Stanhope on the counties of Dorset etc.', p. 32.
[142] See examples in F.E. Green, *Tyranny of the Countryside* (1913), pp. 31-2.
[143] Buckminster Estate Office, Leicestershire. General and Regular Reports Vol. 3, report of A. Manners, agent to the Dysart estate, September 12 1859.
[144] Evans, *Where Beards Wag All*, p. 123.
[145] Havinden, *Estate Villages Revisited*, p. 193.
[146] O.D. Harvey, *Puddletown* (Puddletown, 1968), p. 32.
[147] J. Draper, *Discover Dorset: Regency, Riot and Reform* (Wimborne, 2000), p. 52.

among the landed classes, shown by the fact that non-conformist chapels were frequently excluded from the most 'close' parishes,[148] there was some variation in the attitudes of individual landowners. A letter written in 1868 by Kitty Packe Reading, owner of a small estate at Great Glen in Leicestershire, illustrates that dislike of religious nonconformity might not be translated into eviction. She stated: 'I would not willingly let a cottage or a Farm to a dissenter ... but those already in possession I would not turn out'.[149] Therefore, although support for the Church of England was widespread among the landed classes, it is unclear how far this was enforced through direct threats of eviction.[150]

It is also important to recognise that, in line with a paternalist outlook, estates not only penalised those who transgressed their codes of morality but rewarded and assisted those who were seen as 'deserving' members of the community. A valuation of the estate of the Earl of Stamford and Warrington in 1857 noted the character of some cottage tenants. William Timson and his wife, both aged over 70, were described as 'Steady industrious people' and their rent was not to be raised in their lifetime. However, such benefits were not extended to widow Stevenson who was 'said to be a Hypocrite and Imposter' who 'feigns dropsy and has actually padded her body in order to deceive'.[151] There is also evidence to suggest that on some estates housing of different standards was allocated on the basis of tenants' reputations. The *Daily Telegraph* report on Puddletown recorded that 'The women ... have to bear a good character' because this influenced Brymer's decision whether they were 'to be pushed out of the way under a mouldy thatched roof, or to be raised to a place of honour in one of the new cottages'. It was also noted that the new estate cottages were let at £7 per annum, but that there were 'tenants of a long standing, who, on account of their respectability, paid only a rental of £5', a claim that is borne out by the estate accounts.[152] On the Digby estate in Dorset it was ordered that the best cottages should be reserved for the best workers, while 'The lower rented cottages ... must be kept for the poorer and poorest labourers'.[153] Therefore, on many estates, the benevolence of paternalism was principally reserved for those seen to be worthy of such assistance.

Those who did not seriously offend the estate management might also expect greater security of tenure. On the Bankes estate individual tenancy agreements increased the

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[148] K.D.M. Snell and P.S. Ell, *Rival Jerusalems: the Geography of Victorian Religion* (Cambridge, 2000), pp. 373-5.
[149] ROLLR DE 849/23. Letter from Kitty Packe Reading to her son William, August 10 1868.
[150] The eleventh Duke of Bedford makes no reference to enforcing church attendance in his *Great Agricultural Estate*. On the Norfolk estate of the earls of Leicester every estate village, apart from Holkham itself, contained a non-conformist place of worship. Wade Martins, *Great Estate at Work*, p. 201.
[151] ROLLR DE 453/89. Stamford and Warrington estate valuation, 1857.
[152] Cited in Heath, *The English Peasantry*, pp. 35-6. See also DCRO D/BOP:C3/4. Brymer estate rental, 1865.
[153] Smith, 'Life of generous beneficence', p. 10.

standard weekly tenure for periods of between one month and one year.[154] There are also examples of occupants being able to take over the tenancy of cottages from their parents. On the Herrick estate in Leicestershire Charles Shaw continued in occupation of a cottage held by his father after his death in 1846 and when William Roe died in 1851 he was succeeded by his sons.[155] This was more formalised on some larger estates. The Duke of Rutland's cottages were said to 'descend under the system of primogeniture' and the Duke of Bedford also allowed cottages to descend in families.[156] Bedford argued that 'Such hereditary tenants ... form a healthy nucleus of population which does not seek the glare and excitement of the towns'.[157] However, it is likely that such security was only available to those seen to be 'deserving' and such advantages could be withdrawn. In 1902 Rider Haggard noted that the tenure of cottages on the Portman estate in Dorset had been reduced from a quarterly to a weekly basis 'owing to the frequency of strikes'.[158]

However, the extent to which the morality of cottage tenants was monitored should not be exaggerated. The level of surveillance on any estate rested to a large degree on the role of the landowners' agents who, as E.J.T. Collins has stated, were not only 'the link between landlord and tenant' but to most of the tenants '*were* the estate'.[159] The Duke of Bedford appointed a special staff of cottage foremen and understudies, in part to gather 'personal knowledge' of his tenants and their families.[160] Although few estates were extensive or wealthy enough to justify such expense, some other absentee owners employed a highly structured administration to monitor their property. The eighth Earl of Dysart was largely resident in London, but employed an agent and inspector to make frequent detailed reports about developments on his estate.[161] On others surviving correspondence illustrates close contact between landowner and agent.[162] In December 1847 Lord Rivers wrote to his agent, R.R. Harvey, expressing his 'obligation and gratitude' 'for the prompt and efficient manner, in which ... you have endeavoured to further my Interests'.[163] Where contact was so close it is relatively easy to envisage landowners' moral codes being enforced by an active agent.

Nevertheless, such close relationships were by no means universal. This was starkly illustrated by the case of the seventh Earl of Shaftesbury who was defrauded of many

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[154] See DCRO D/BKL 8B/114. Bankes estate tenancy agreements, 1891-1916.
[155] ROLLR DG9/2025. Herrick estate rental, 1832-52.
[156] On Rutland see Bear, 'Report upon the Poor Law Union of Melton Mowbray', p. 140.
[157] Bedford, *Great Agricultural Estate*, p. 83.
[158] H.R. Haggard, *Rural England*, Vol. 1 (1902), p. 265.
[159] Collins, *History of the Orsett Estate*, p. 46.
[160] Bedford, *Great Agricultural Estate*, pp. 83-4, 91-2.
[161] Buckminster Estate Office, Leicestershire. Dysart Estate weekly report book, Vol. 22, 1864-66.
[162] Enville Hall, Staffordshire. See the collection of correspondence between the sixth Earl of Stamford and Warrington and William Martin, 1834-43.
[163] DCRO D/PIT:E244. Letter from Lord Rivers to R.R. Harvey, December 12 1847.

thousands of pounds by his agent, Robert Waters, between 1851 and 1863.[164] There is also evidence that some landowners were not informed of the physical condition of the cottages on their estates. In 1868 the vicar of Bere Regis in Dorset argued that housing conditions in the village were bad because the chief landowner had 'not until lately become personally acquainted with the state of the property'.[165] This supports Mark Freeman's recent claim that many landowners received only 'infrequent and inadequate reports on their condition from their agents'.[166] Indeed, not all estates employed a resident agent, instead relying on a local firm of solicitors in the nearest market town.[167] Over the course of this period better training increased the standard of agents and the growing complexity of estate work encouraged the employment of a professional agent on most substantial estates by the early twentieth century.[168] However, it is clear that there were striking gaps in the scrutiny of cottages and their tenants by those managing landed estates.

Therefore, it would be wrong to suggest that the surveillance of tenants' lives was anywhere near complete, and the sheer number of tenants on most estates would have prevented families being penalised for every moral transgression. Strict regulation of religious attendance must have been largely confined to core estate villages where either the landowner or agent was able to note who was present. Indeed, evidence of actual eviction on the grounds of wrongful behaviour is not widespread. This is possibly because it was relatively easy to terminate a short-term tenancy and have the offending family moved on, leaving little written evidence. But it also suggests that such evictions were not commonplace. In April 1860 J.C. Mansel stated that in the last eight years only one man had been 'turned out of the parish' of Winterborne Whitchurch, and that was 'at the request of his neighbours for misconduct'.[169] It is likely that bad character was only grounds for eviction if a tenant or his family became known to the estate management through recurrent 'rough behaviour', such as poaching or drunkenness. Even the Land Enquiry Committee argued that 'In the majority of cases … neither landowner nor agent makes a bad use of the power … placed in his hands'.[170] Indeed, the most frequently recorded cases of eviction from landowners' cottages were because of the accumulation of arrears. Even estates with strong paternalist reputations, such as that of the Earl of Shaftesbury, took action in this

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[164] Finlayson, *Seventh Earl of Shaftesbury*, pp. 428-30; B. Kerr, *Bound to the Soil: a Social History of Dorset 1750-1918* (1968; Tiverton, 1993 ed.), pp. 198-227.
[165] 'Evidence accompanying the Report of the Hon. Edward Stanhope on the counties of Dorset etc.', p. 21.
[166] M. Freeman, *Social Investigation and Rural England* (Woodbridge, 2003), pp. 50, 163.
[167] J.V. Beckett, 'Agricultural landownership and estate management', in E.J.T. Collins (ed.), *AHEW, Vol. VII, 1850-1914* (Cambridge, 2000), pp. 731-4.
[168] Beckett, *Aristocracy in England*, pp. 143-7.
[169] Letter to the editor of the *Dorset County Chronicle*, April 12 1860, p. 734.
[170] Land Enquiry Committee, *The Land*, p. 149.

respect.[171] Nevertheless, a tenant's character could still count because a family with a 'rough' reputation might expect a much lower tolerance of arrears in comparison to those seen to be 'deserving'. Therefore, rather than developing a picture of total control it is likely that it was in these more subtle ways that estates deployed their knowledge of their tenants' character.

Estate housing, politics and trade unionism

The influence of landowners has also been seen in the political sphere, a matter that grew in importance after the extension of the parliamentary franchise to the rural working class in 1884. After 1872 the secret ballot meant that owners could not have voting monitored directly, although they could place an agent outside of polling booths to see who had voted.[172] Given that village ballot boxes were individually counted, and the results published, suspicion of having voted for the opposition might have been enough to ensure eviction.[173] Although there is little evidence of such direct monitoring, there are a number of published examples of political influence, usually exercised by Tory landowners against supporters of the Liberal party.[174] George Edwards, the agricultural trade union leader was evicted following the 1885 election because of his Liberal campaigning in Norfolk.[175] In 1891 Lord Wantage's estate in Berkshire was described as a Tory stronghold and 'a political dead sea', although Wantage denied any improper influence.[176]

The strongest evidence of pro-Conservative pressure in the two case-study counties comes from the townships of Woodhouse and Woodhouse Eaves, in north-west Leicestershire. The chief property owner, between 1876 and her death in 1915, was Mrs Sophia Perry Herrick, who was well known as a strong supporter of the Conservative Party.[177] However, Woodhouse was situated in the Liberal-dominated Loughborough constituency and Mrs Herrick did her best to prevent the Liberals gaining a foothold on her estate. The matter was brought into sharp focus following the 1900 election, which left the Liberal party with a narrow majority of 67 votes. This encouraged the sitting MP, Maurice Levy, to acquire a site at Woodhouse Eaves on which he built a meeting room that could be

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[171] *Dorset County Chronicle*, October 28 1880.
[172] Such activity was recorded on the estate of Lord Wimborne in east Dorset as late as 1910. A. Digby, 'The local state', in E.J.T. Collins (ed.), *AHEW, Vol. VII, 1850-1914* (Cambridge, 2000), pp. 1432-3.
[173] Electoral intimidation is discussed by Beckett, *Aristocracy in England*, p. 456 and M. Pugh, *The Making of Modern British Politics* (Oxford, 1993), p. 11.
[174] However, the Guest family attempted to influence their tenants to follow them from the Conservative to Liberal parties in the early twentieth century. See Cannadine, *Decline and Fall*, p. 145.
[175] G. Edwards, *From Crow-Scaring to Westminster: an Autobiography* (1922; 1957 ed.), p. 48.
[176] M. Havinden, 'The model village', in G.E. Mingay (ed.), *The Rural Idyll* (1989), pp. 32-3. For a discussion of a number of other cases see Green, *Tyranny of the Countryside*, pp 210-5.
[177] See obituary in the *Coalville Times*, July 30 1915.

used for Liberal Party purposes. This was opened in January 1903 when *The Loughborough Herald* remarked that 'Hitherto ... influence of no light weight has been brought to bear for the maintenance of Conservative Power. All this has had its day, and "Liberty Hall", as its name denotes is to be the home of political freedom'.[178] Although there is no direct reference to political pressure having been applied to cottage tenants one can infer that this formed part of the obstruction to Liberal politics in these villages.

However, documentary evidence of threatened eviction on political grounds has been hard to come by in the two case study counties, although there is anecdotal evidence of a dislike of Liberal candidates. C.J. Garratt, who was agent on the Stamford and Warrington estate from the late 1890s to 1913, is remembered as a staunch Conservative. One family put up a Liberal poster which he tore down, an act recently remembered as 'a brave gesture, as the family could have been turned out of their house'.[179] A history of Puddletown states that 'the potential Liberal voter' faced threats of eviction from Brymer estate cottages, and the fact that W.E. Brymer was the Conservative MP for South Dorset between 1891 and 1906 lends this allegation some credibility.[180] However, eviction appears to have been relatively rare and possibly confined to estates where the landowner was actively engaged in politics. Indeed, although tenants were open to political pressure from their landlords, the Conservative dominance of rural southern England in the early twentieth century was attributable more to the Party's superior organisation, through bodies such as the Primrose League, than to threats of eviction.[181]

Arguably the greatest threat to the established rural order in this period came not from the Liberal Party but from the agricultural trade union movement. Greater union activity from the mid-1860s reached a peak in the period 1872-74, largely under the auspices of the National Agricultural Labourers Union, led by Joseph Arch. The union's time of greatest strength was relatively short-lived as the East Anglian 'Great Lockout' of 1874 drained the union of funds, and its supporters of morale. Even at its height the union was patchy in its geographical strength. Union membership was greater, and militancy more widespread, in areas of medium and large sized farms that employed a substantial labour force, and in districts of thriving non-conformity.[182] The arable districts of Dorset saw relatively high union membership and some strike activity, while in Leicestershire smaller

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[178] *Loughborough Herald and North Leicestershire Gazette*, January 15 1903.
[179] Stevenson, *Newtown Linford*, p. 41 and Stevenson, *Memories of Newtown Linford*, p. 29.
[180] Harvey, *Puddletown*, p. 32; F.W.S. Craig (ed.), *British Parliamentary Election Results 1885-1918* (Aldershot, 1989), p. 251.
[181] Pugh, *Making of Modern British Politics*, pp. 55, 57, 73, 76.
[182] Howkins, *Reshaping Rural England*, p. 188.

pastoral farms and greater diversity of employment meant that trade unionism struggled.[183] Nevertheless, both counties saw some union activity and Alun Howkins has argued that it 'raised the consciousness of the labourer even when he or she was not directly involved'.[184]

Indeed, historians have argued that the most important effect of trade unionism lay in encouraging agricultural labourers to challenge aspects of the existing rural power structure.[185] This can be seen in the report of a public meeting in Dorchester in January 1874 at which a union delegate announced that 'the labourers ... recognize that things which have seemed to mitigate their lot – Christmas doles, soup at the squire's, charity, coals, list tippets (sic), and the like – have but served to cover the real evils of their low condition'.[186] Thomas Hardy, believed that such arguments made a lasting impact on the attitudes of rural workers and Howkins has argued that union activity 'hit at the core of the paternalist social structure'.[187] Unsurprisingly, many landowners perceived this as a direct threat to their conception of a hierarchical rural society. The sixth Duke of Rutland argued in a letter to the press that strike activity jeopardised the existing system, under which he claimed that the farmer 'treats the labourer as a man whose family and children are to be cared for and protected'.[188] In a very public propaganda battle Rutland was arguing that it was the union that was jeopardising the well-being of the labourer, rather than the farmers and landowners, by threatening existing goodwill.

In their ownership of housing, albeit concentrated in the most 'close' parishes, landowners had a very important weapon in the war against union membership. In October 1874 the *Labourers Union Chronicle* (*LUC*) reported a lack of interest in the union at Branston in north-east Leicestershire, owned principally by the Duke of Rutland. It recorded that 'the men with the cottages are under one landlord ... and ... they dare not listen either to Unions or agitators'.[189] Similarly, at the village of Slawston, under the Countess of Cardigan, no union meeting was held 'as no place could be secured, neither would the men come forward in the open air'.[190] At Portesham, in Dorset, one landowner was said to have 'discharged four of the men for joining the union' and 'threatened to turn every man out of

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[183] On trade unionism in Dorset see J.P.D. Dunbabin, 'The incidence and organization of agricultural trades unionism in the 1870s', *Agricultural History Review* 16 (1968), pp. 127-30. On Leicestershire see P. Horn, 'The Leicester and Leicestershire Agricultural Labourers' Society, 1872-73', *The Leicestershire Historian* 1 (1969), pp. 152-8.
[184] Howkins, *Reshaping Rural England*, p. 187.
[185] One of the best summaries of the importance of the agricultural trade union movement is contained in Howkins, *Reshaping Rural England*, pp. 185-93.
[186] *Dorset Free Press*, January 2 1874.
[187] T. Hardy, 'The Dorsetshire Labourer', in D.J. Morrison (ed.), *Thomas Hardy Stories and Poems* (1883; 1970 ed.), pp. 15-16; Howkins, *Reshaping Rural England*, p. 186.
[188] *Weymouth, Portland and Dorchester Telegram*, May 22 1874, p. 10.
[189] *Labourers Union Chronicle* (hereafter *LUC*), October 3 1874, p. 7.
[190] *LUC*, December 12 1874, p. 7.

work and out of home'.[191] Therefore, many landowners directly sided with their tenant farmers.

In Dorset there are examples of union activity being met by actual eviction. On the Glyn estate in north Dorset it was reported that 'Several families have been turned out of doors and their goods thrown out into the streets'.[192] The largest-scale evictions took place in the mid-Dorset village of Milborne St. Andrew. A strike in the village in 1872 led to an increase of wages from 10s. to 12s., but in April 1874 demands for a further increase to 15s. per week was met by a number of evictions from tied cottages. The local press reported that a pile of belongings was left on the roadside as 'a warning to others of the summary punishment they may expect from their employers if they demand an advance of wages'.[193] Then, in May, J.C. Mansel Pleydell, the local landowner, summonsed six further labourers to attend Blandford Forum county court.[194] There, the landowner's representative stated that the defendants occupied cottages attached to estate farms and as they were on strike they 'would be required for other labourers'. The judge explained that proper notices to quit had been served and issued orders for possession in three weeks.[195] When the eviction took place the Dorset union secretary arranged for a photographer to be present so that 'these diabolical acts of cruelty ... may be handed down ... in the ages to come' (Figs 4.19-20).[196] Interestingly, Mansel Pleydell was well-known as a prominent paternalist, having built estate cottages, supported the village's National school, funded a restoration of the parish church, and established a reading room. During the strike he attempted to negotiate a return to work by the labourers and he was prepared to offer them some concessions in improved wages and freedom to work where they chose.[197] However, these offers appear to have been rejected and the evictions suggest that he ultimately backed the farmers' desire to undermine the union.[198] Indeed, the evictions must have severely shaken any belief in the paternalist framework in the village and as late as 1948 it was recorded that the strikes of 1874 were remembered with great bitterness in Dorset.[199]

Not all landowners, however, responded in a manner that challenged their paternalist role. Wade Martins has noted that the Earl of Leicester did not act against union membership on his Norfolk estate and even in Dorset there is evidence of a more relaxed

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[191] *LUC*, January 24 1874, p. 6.
[192] *LUC*, August 29 1874, pp. 6-7.
[193] *Poole and South Western Herald*, April 30 1874.
[194] *Weymouth, Portland and Dorchester Telegram*, May 1 1874.
[195] *Poole and South Western Herald*, May 21 1874, p.5.
[196] *Weymouth, Portland and Dorchester Telegram*, June 19 1874.
[197] *Dorset Free Press*, June 12 1874, p. 6.
[198] Some landowners gave farmers control over their housing in a deliberate attempt to break the power of the union, although there is no evidence of such a move in either Dorset or Leicestershire. See Newby, *Deferential Worker*, pp. 73, 78.
[199] R. Groves, *Sharpen the Sickle!: the History of the Farm Workers' Union* (1948), p. 74.

Evictions of Striking Labourers, 1874



Source: J.H. Bettey, *Man and the Land: Farming in Dorset, 1846-1996* (Dorchester, 1996), p. 9.

Fig. 4.19 Supporters of striking labourers on a march through Milborne St Andrew, Dorset, April 1874.



Source: G.E. Mingay, *Rural Life in Victorian England* (1976; Stroud, 1990 edn), p. 106.

Fig. 4.20 Evicted labourers with families and belongings on the roadside, Milborne St Andrew, Dorset, 1874.

attitude in some 'close' parishes. In June 1874 the *LUC* reported a meeting between a union delegate and the Earl of Shaftesbury at which the Earl 'highly commended … the labourers for their exemplary conduct and stigmatised the farmers for locking out their labourers'.[200] He also offered the union the use of the schoolroom at Wimborne St. Giles.[201] Shaftesbury's actions may have been exceptional, but it is clear that not all owners prevented the formation of union branches in their villages. At East Lulworth, in the same parish as the Weld family residence of Lulworth Castle, it was reported that there was 'a good branch' with 'hardly one man … out of the union'.[202] Successful branches were also founded at Frampton, on the Sheridan estate, and at Witchampton on that of Lord Alington.[203] This suggests that a number of owners showed some tolerance towards union activity.

Moreover, when one examines the actions of union representatives they were not opposed to all aspects of paternalism. The *LUC* praised the cottages and allotments at Wimborne St Giles and reported approvingly that Shaftesbury was going to build a temperance hall. It expressed a hope 'that other noblemen will follow his praiseworthy example'.[204] In matters such as temperance for the working classes landowners and union leaders shared some common ground. The *LUC* described the village of Sturminster Newton as a place where 'too much drinking prevails … and consequently the union seed does not take root and thrive as we could wish'.[205] Furthermore, in respect of housing the union reserved its strongest criticism for tied housing, expressing an opinion in favour of direct letting from a landowner.[206] In 1885 Samuel Pike, an agent for the NALU in Dorset, argued that 'The men would be perfectly satisfied to rent their cottages direct; they generally find … more fair play than they can hope to get from the sub-letting system'.[207] Therefore, despite the strength of some anti-landowner rhetoric, this suggests that the union activity of the 1870s did not destroy the chance of a positive deferential response to paternalism.

Tied housing

However, where landowners did employ tied housing this clearly placed considerable strain on social relations. Of the two case study counties this was a much larger issue in Dorset. Tied housing was already present by the late eighteenth century, and

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[200] *LUC*, June 6 1874, p. 6.
[201] *LUC*, November 7 1874, p. 6.
[202] *LUC*, July 25 1874, p. 5.
[203] *LUC*, September 26 1874, p.5; P. Horn, *Labouring Life in the Victorian Countryside* (1976), p.133.
[204] *LUC*, June 6 1874, p. 6.
[205] *LUC*, July 11 1874, p. 5.
[206] *LUC*, July 18 1874, p. 5.
[207] Evidence of Samuel Pike in the *First Report of the Commissioners on the Housing of the Working Classes*, p. 549, q. 14646.

increased with the growth of farm size and slow decline of customary tenure prior to 1800.[208] Tied housing continued to increase throughout the nineteenth century and a comparison of the valuations of the 1830s and 40s with those from 1909 shows an increase in eleven of the sample of twenty Dorset parishes. The county's large average farm size, especially on the arable chalk uplands, led to a high demand for labour, and tied cottages were seen as a useful device to attract farm workers. As lifeholds fell in hand they were sometimes re-let as tied housing, as were other cottages vacated during the population decline of the late nineteenth-century.[209] New cottages were also built on many post-enclosure farmsteads that were remote from villages, which benefited farmers by reducing the energy expended by labourers in walking to work. Although tied housing was less common in the pastoral vales of the north and west of the county, it was used on some of the larger farms to house workers in animal husbandry so that they could be on-call when required.[210] Thus, tied housing was described as widespread by the 1880s and 1890s.[211] Indeed, the Land Agents' Society survey of 1916 showed that 70.6 per cent of a sample of 517 estate cottages occupied by agricultural labourers in Somerset and Dorset were let as tied cottages.[212]

Tied housing was far less prevalent in Leicestershire. The Land Agents' Society survey reported that 53.4 per cent of estate cottages occupied by labourers in Leicestershire, Rutland and Northamptonshire were held as tied cottages. However, this is probably an overestimate in respect of Leicestershire, reflecting the larger arable farms and greater prevalence of landed estates in Northamptonshire.[213] Indeed, Druce recorded in 1882 that 'few estate cottages are let with the farms' and 'generally they are let direct to the labourers'.[214] In 1893 William Bear reported from the Melton Union that it was usual for waggoners, stockmen, cowmen and shepherds to receive a cottage rent free under the farmer, although this was rarely so for general labourers.[215] Tied housing was more common on some estates in the west of the county, possibly reflecting the greater demand for labour

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[208] The origins of tied cottages are obscure. See R. Gasson, *Provision of Tied Cottages* (Cambridge, 1975), p. 34. On tied housing in Dorset prior to 1830 see W. Stevenson, *General View of the Agriculture of the County of Dorset* (1815), pp. 428-36.

[209] On re-letting of lifeholds as tied cottages see J. Brocklebank, *Affpuddle in the County of Dorset, AD 987-1953* (Bournemouth, 1968), pp. 72-4.

[210] For examples of tied cottages in west Dorset parishes see Stevenson, *General View*, p. 436 and Haggard, *Rural England*, Vol. 1, map of Dorset facing p. 257.

[211] Little, *Report of the Royal Commission on Agricultural Interests*, p. 28; Spencer, 'Report upon the Poor Law Union of Dorchester', pp. 27, 29-30; Rew, 'Report on the county of Dorset', p. 279.

[212] Land Agents' Society, *Facts About Land*, p. 93. This survey is of limited value because it covered a relatively small number of cottages.

[213] Land Agents' Society, *Facts About Land*, p. 93.

[214] Mr Druce, 'Report of Assistant Commissioner Mr. Druce', *Royal Commission on Agricultural Interests* XV (1882), p. 48.

[215] Bear, 'Report on the Poor Law Union of Melton Mowbray', p. 135.

on the arable and mixed farms in this district. It was reported in 1867 that Earl Howe let one-third of his cottages to tenant farmers and the number attached to some farms on the estate of the Earl of Stamford and Warrington increased in the mid-nineteenth century.[216] However, the smaller size of landed estates and the lower demand for labour on its mainly pastoral farms all contributed to much less tied housing in Leicestershire than in Dorset.

Where tied housing did increase this was underpinned by a strong demand from many tenant farmers, and farm handbooks wrote favourably of the benefits. Dean remarked in 1851 that if cottages were 'erected near the steading, the workmen will be near their work, the eye of the master will be then more upon them, and their assistance more readily obtained in cases of emergency'.[217] Edwin Chadwick argued that employers gained 'in the power for the prevention of disturbances, and the removal of tenants of bad character and conduct'[218] and in 1868 Stanhope also argued that tied cottages close to their farms gave farmers 'far more control over their labourers'.[219] Clearly, not all of the demand for tied cottages was due to a desire for increased control. Farmers also saw the benefits to productivity of having cottages close to the farms and believed that good quality cottages would attract a high standard of workman.[220] Nevertheless, the element of coercion was an important one and in handing cottages over to tenant farmers landowners were exposing labourers to the full risk of exploitation.

It was this that attracted a large amount of criticism to the system of tied housing. In the late 1860s the Dorset poet William Barnes argued that 'It opens room for cases of great tyranny on the part of the employer' and the Revd Roberts of Milton Abbas stated that he had 'known very hard cases result from it'.[221] The Select Committee on Housing of 1906 concluded that 'It would be to the ultimate benefit of all concerned if the tied cottage system were done away with' and the Land Enquiry Committee also recommended abolition.[222] This is not to say that all farmers were bad employers, as a reputation for ill treatment would have made it difficult to secure a good workforce. One farmer from the 'Western Counties' wrote to the *Daily News* in September 1891 that it 'intensifies labour troubles when in case of a disagreement the workmen are evicted ... There should be no eviction except for the

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[216] Stanhope, 'Report on the counties of Lincoln, Nottingham and Leicester', p. 332. ROLLR DE 453/3. Earl of Stamford and Warrington estate valuation, 1857 with later revisions.
[217] G.A. Dean, *The Land Steward* (1851), p. 213.
[218] E. Chadwick, in M. Flinn (ed.), *Report on the Sanitary Condition of the Labouring Population and on the Means of its Improvement* (1842; 1968 ed.), p. 299.
[219] Stanhope, 'Report on the counties of Dorset etc.', p. 25.
[220] See Wilson Fox, *Report on the Wages and Earnings of Agricultural Labourers*, p. 23.
[221] 'Evidence accompanying the Report of the Hon. Edward Stanhope on the counties of Dorset etc.', pp. 13, 19.
[222] Cited by W.G. Savage, *Rural Housing* (1915), p. 173; Land Enquiry Committee, *The Land*, pp. 144-5, 151.

non-payment of a fair rent'.[223] Nevertheless, even the Land Agents' Society argued that although the evils of tied housing had been exaggerated 'the system of letting cottages direct to labourers is preferable'.[224]

There is certainly abundant evidence that labourers strongly objected to living in tied cottages. It was widely felt that they were pressured into working long hours and could make no complaint about working conditions, wages, or the state of their cottages for fear of eviction. Stanhope reported in 1868 that labourers had 'the strongest objection to the system', partly because it brought them 'too much under the power of their employers'.[225] In 1885 Samuel Pike, a former farm labourer, stated that tied housing in Dorset was 'the greatest grievance that I could tell you of'. The cottages were held on a week's notice, so that 'if they offend in the least way they are turned out of house and home'.[226] A number of the reports to the Royal Commission on Labour also record the grievances of labourers, including the effect of keeping down wages.[227] In 1913 the Land Enquiry Committee cited instances of interference by farmers in tenants' politics and a fear of being ejected on retirement.[228] Such objections illustrate how tied housing undermined claims by many landowners to be the labourer's protector. Indeed, M.K. Ashby remarked that in the district of Tysoe in Warwickshire, the farm workers preferred 'any job rather than one involving a tied cottage'.[229]

There is also evidence that tied housing helped to undermine the prospect of a stable rural society. In Dorset tied cottages were frequently occupied on the basis of an annual hiring that was associated with regular movement among tenants. Thomas Hardy described the migration in 1883, and recorded one farm where 'the whole number of tenants were changed at Lady Day just past, and this though nearly all of them had been new arrivals on the previous Lady Day'.[230] Hardy saw this 'flitting' as a matter of strength, acting to curb farmers' arrogance towards their employees because they knew they were no longer afraid to depart.[231] As late as 1902 Revd Pickard Cambridge of Bloxworth stated that many labourers 'changed their situations every year'. This he attributed partly to a 'universal

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[223] L. Bellamy and T. Williamson (eds), *Life in the Victorian Village: the Daily News Survey of 1891*, Vol. 2 (1999), p. 45.
[224] Land Agents' Society, *Facts About Land*, pp. 115-8.
[225] Stanhope, 'Report on the counties of Dorset etc.', pp. 25-6.
[226] Evidence of Samuel Pike in the *First Report of the Commissioners on the Housing of the Working Classes*, p. 54, qq. 14536, 14539.
[227] Little gives a summary of the local reports in *General Report from the Senior Assistant Agricultural Commissioner*, p. 114. See also Bear, 'Report upon the Poor Law Union of Melton Mowbray', p. 139.
[228] Land Enquiry Committee, *The Land*, pp. 138-43, 147.
[229] Ashby, *Joseph Ashby of Tysoe*, p. 160.
[230] Hardy, 'The Dorsetshire labourer', p. 12. See also Spencer, 'Report upon the Poor Law Union of Dorchester', p. 30.
[231] Hardy, 'The Dorsetshire labourer', p. 14.

feeling of restlessness', but also to the 'lingering influence of the teaching of Joseph Arch' whose 'great maxim' had been 'Don't bind yourself at any rate for longer than a year'.[232] Such movement was also reported from other counties, including Oxfordshire, although there is no evidence that this occurred in Leicestershire.[233] Indeed, it might be hypothesised that the lack of tied housing in Leicestershire contributed to better farmer-labourer relations. Although this would require greater research it may have contributed to the limited trade union activity in that county.[234] Where annual movement did occur it can clearly be seen as an act of defiance against the power of tenant farmers, and was antithetical to a settled rural society bound by deferential social relations.

Landowners who let cottages to their tenant farmers were, therefore, seriously undermining any claims to be exercising a paternalist duty of care over a workforce bound to the estate by a long-standing attachment. It was possibly a realisation of this that encouraged some owners to retain control over their estate housing. J.L. Green noted that a number of landowners believed that letting cottages direct to farming tenants introduced undue stress in the landlord tenant relationship.[235] Some landowners took a middle path, allowing farmers to nominate the occupiers of farm cottages, but retaining control of the cottages themselves in order to prevent farmers using eviction in labour disputes.[236] The Rutland, Dysart, Portman, Westminster and Bedford estates all generally let cottages direct to labourers. The eleventh Duke of Bedford noted that the estate cottages had formerly been let with the farms and that there were benefits to that system because it left 'little for the steward to do beyond the half-yearly collection of rents'. However, he also believed that such a system had 'grave defects' and at some point a decision had been made to take back control over estate cottages.[237] Therefore, just as individual landowners' conceptions of their duties impacted on the supply of housing, they are also likely to have influenced the way in which the housing stock was managed. Indeed, as late as the 1970s a study found that 80 per cent of the distribution of tied housing was influenced by unquantifiable factors such as the policy of individual landowners, rather than topography and agriculture.[238]

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[232] Haggard, *Rural England*, Vol. 1, p. 268.
[233] See letters to the *Daily News*, September 16 1891, reprinted in Bellamy and Williamson (eds), *Victorian Village*, pp. 13-4.
[234] Horn attributes the weakness of agricultural trade unionism in Leicestershire to the breadth of alternative employment and the smaller, more isolated labour force required on the county's pastoral farms. P. Horn, 'Agricultural labourers' trade unionism in four Midland counties, 1860-1900', (Unpub. Ph.D. thesis, University of Leicester, 1968), p. 39.
[235] Green, *English Country Cottages*, p. 84.
[236] See Little, *General Report from the Senior Assistant Agricultural Commissioner*, pp. 113-4; Wade Martins, *Great Estate at Work*, p. 244; and Evans, *Where Beards Wag All*, p. 119. See also Stanhope 'Report on the Counties of Dorset etc.', p. 26.
[237] Bedford, *Great Agricultural Estate*, pp. 93-4.
[238] Gasson, *Provision of Tied Cottages*, p. 30.

Conclusion

Therefore, rather than drawing an axiomatic link between the intensity of property ownership, high quality housing and elements of social control, the association between these factors has to be seen as contingent on a number of influences on individual landowners. In terms of quality, there were economic reasons for investment, but the low level of rent that could be charged meant that direct profit was rarely an incentive for large-scale building projects. Although improved building could also be a matter of prestige, strands of a paternalist outlook can often be detected. These include a philanthropic concern for the living standards of labourers along with a desire to foster a deferential rural society, most clearly seen where investment was also made in churches, schools and reading rooms. Indeed, investment was frequently inspired by press criticism of the extent to which landowners were fulfilling their paternalist duties. Despite this pressure for improvement, there remained considerable variation in standards of estate housing, which can in part be explained by differences in estate incomes and the owners' residence. But this variation was also strongly influenced by landowners' personal interpretations of the paternalist ethos, as illustrated in the examples of policy changes following the inheritance of a new owner. Even those of a paternalist outlook could restrict the amount of new building, reserving new cottages for the best workers or the most 'respectable' village inhabitants. However, although the variable practice of paternalism left many gaps in the provision of high-quality estate cottages, it would be unfair to state that investment was made by a small minority of landowners after 1850, and wrong to ignore the paternalist discourse of which it was part.

The importance of individual landowners' beliefs can again be seen in the management of estate cottages. Some owners were willing to leave control of their housing to their tenant farmers, with all the strain that this placed on social relations. The widespread resentment of the tied cottage among labourers must have made the landowner appear a remote figure, limiting the development of any paternalist attachment. Even where landowners retained the control of their cottages it is clear that many did not exercise their influence in a wholly benevolent manner, threatening eviction for a range of reasons including Liberal voting, joining a trade union or behaving in an 'immoral' manner. Nevertheless, the intensity of control should not be exaggerated. The problems of surveillance alone were enough to prevent the prosecution of every transgression and the development of trade unionism shows that many estate tenants retained an independence of mind. It is likely that only those who were perceived to be the worst offenders were actually evicted and many labourers believed that they had greater security of tenure when cottages were held directly from a landowner. Indeed, some families were given the benefits of

retaining their cottages over generations and the payment of lower rents. Once again, this combination of benevolence with aspects of control suggests that a paternalist model is appropriate on many estates. Even where tied housing was prevalent, if it was accompanied by the provision of schools and allotments, it cannot be seen as a complete abandonment of paternalism. Therefore, there is clear evidence that many landowners hoped to establish a framework to encourage what they saw as a more moral and stable society.

However, despite their investment in housing, schools, churches and charities, landowners conspicuously failed to bring about anything approaching ideological hegemony on their estates. Given the complex and sometimes conflicting strands within paternalism this is perhaps unsurprising, and by 1914 their position was clearly weaker than it had been forty years previously. Not only had agricultural depression and the introduction of death duties weakened their economic power, but their political and ideological hold over the rural population had also been challenged by the experience of agricultural trade unionism, the extension of the franchise, and the growth of religious non-conformity. The pace of rural depopulation showed that many labourers were disillusioned with rural life and estate villages were far from immune from this trend. Population decline affected even the estates of renowned paternalists. In Leicestershire, Shackerstone and Sibson, under Earl Howe, and Knipton, owned by the Duke of Rutland, lost between 20 and 30 per cent of their population between 1851 and 1911. So did the Dorset parishes of Moor Crichel, under Lord Alington, Motcombe, on the Westminster estate, and Puddletown under the Brymers. Rider Haggard was bemused by the experience of the Portman estate in Dorset: 'In addition to their model cottages ... the labourers have pensions, clothing, and coal clubs, ... liberal allowances in the case of sickness, allotments, and every other conceivable advantage. ... Yet they go, and what is more strike at hay-time or other inconvenient seasons, and are generally troublesome'.[239] If one of the key aims of many landowners had been to secure a settled and loyal workforce on their estates, one may conclude that the paternalist management of their resources had little effect.

And yet, despite this, the paternalist ethos of many landowners was far from extinct by 1914. Although falling incomes had placed limits on the expenditure devoted to paternalist activities, many landowners continued to spend a proportion of their income on charitable donations and contributions to churches and schools into the early twentieth century.[240] As discussed above, some estates continued to build cottages and the obituaries of many landowners still praised their benevolent interventions. In 1904 the obituary of Lord

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[239] Haggard, *Rural England*, Vol. 1, p. 265.
[240] See DCRO D/PIT:E226. Pitt Rivers estate accounts, 1900 and ROLLR, 26 D53/2440-2457. Ferrers estate accounts 1884-1905.

Alington of Crichel remarked on his cottage building and stated 'To the villagers of Crichel, Witchampton, etc., his lordship was always a beneficent friend, and many are the deeds of unostentatious generosity and kindly visitation which could be recorded'.[241] The landed classes could also see that their estate management was by no means a complete failure. Although agricultural trade unionism was again growing in strength in some English counties by 1914, its progress had been severely dented in the 1870s. There is also evidence to support F.M.L. Thompson's assertion that 'nowhere before 1914 did local communities altogether repudiate their traditional leadership or throw off their traditional respect'.[242] On the death of the third Earl Howe in September 1900 his tenantry marched in procession behind his coffin and in September 1905 the cottagers of the estate were entertained at Gopsall Hall following the heir's coming of age.[243] Snell and Ell have argued that family celebrations gave the inhabitants of estate villages 'a clear and acquiesced in sense of place and hierarchy'.[244] In 1913 Rowntree and Kendall noted that 'The old feudal relationship has not completely disappeared, and ... from a material point of view the labourer directly or indirectly under the sway of some paternal if autocratic landed proprietor is better off'.[245] Therefore, it is probable that some tenants of estate cottages responded positively to such conditions and George Ewart Evans considered it possible that some inhabitants 'did not feel the paternalism of the squire in any way oppressive'.[246] Thus, without ignoring the widespread disillusionment with rural life in the early twentieth century, it is clear that not all estate tenants were united in opposition to landowner influence and the decline of landowners' influence within rural society by 1914 should not be exaggerated.

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[241] *East Dorset Herald*, February 25 1904. See also obituary to Sophia Perry Herrick, *Coalville Times*, July 30 1915.
[242] Thompson, *English Landed Society*, p. 212.
[243] ROLLR DE 1553/58. Notes for 1900-1905 in reverse of the diary of Revd Andrew Bloxham of Twycross, 1839-1866.
[244] Snell and Ell, *Rival Jerusalems*, p. 388.
[245] Rowntree and Kendall, *How the Labourer Lives*, p. 320.
[246] Evans, *Where Beards Wag All*, p. 123.

Chapter Five

The provision of housing by local government and the influence of parish ratepayers

Having so far focussed on the role of private landlords the aim of this chapter is to examine the provision of rural housing by local government between the introduction of the new poor law and 1914. This encompasses both housing owned by parish vestries, accumulated under the old poor law, and housing built by rural district councils under the Housing Acts of 1890 and 1909. These are both subjects that are greatly under-researched. John Broad has published an important analysis of parish-owned property under the old poor law.[1] However, it has often been assumed that parish housing was rapidly disposed of after 1834, and this has discouraged any attempt to study the pattern of its decline or the impact of its survival.[2] Furthermore, although a number of historians have discussed the development of national housing policy from the late nineteenth century, and its generally limited impact in rural districts,[3] little attempt has been made to analyse debates over council housing at a local level prior to 1914. This chapter, therefore, aims to address these gaps in our knowledge, and develop a new perspective by analysing the intervention of local government in rural housing over this period as a whole. This enables a reflection on the willingness of those serving in, and funding, local government to provide housing for the rural poor across a period that saw substantial changes in both legislation and rural society.

Of particular importance in such a study is the role of rural ratepayers, who bore the cost of local government housing throughout this period. Under the old poor law the parish vestry was the principal body of rural local government, which David Eastwood has described as akin to a 'ratepayers' republic'.[4] However, Eastwood also acknowledges that it was a republic with 'strong oligarchical tendencies', because the most regular participants in vestry meetings were the clergy, farmers and larger tradesmen.[5] Furthermore, under the Select Vestries Act of 1819 the open vestry could elect a smaller group to administer matters of poor relief, who again tended to be the major ratepayers.[6] In most parishes this group comprised of farmers and resident landowners. In more 'open' parishes the next largest

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[1] J. Broad, 'Housing the rural poor in southern England, 1650-1850', *Agricultural History Review* 48 (2000), pp. 151-70.

[2] Some have wrongly assumed that the Poor Law Amendment Act made the sale of parish housing compulsory. See, for example, Broad, 'Housing the rural poor', p. 167.

[3] See especially J. Burnett, *A Social History of Housing, 1815-1985* (1978; 1986 ed.), pp. 137-9; G.E. Mingay, 'The rural slum', in S.M. Gaskell (ed.), *Slums* (Leicester, 1990), pp. 121-3.

[4] D. Eastwood, *Government and Community in the English Provinces, 1700-1870* (Basingstoke, 1997), p. 43.

[5] Eastwood, *Government and Community*, p. 43. See also D. Eastwood, *Governing Rural England: Tradition and Transformation in Local Government, 1780-1840* (Oxford, 1994), p. 36 and W.E. Tate, *The Parish Chest: a Study of the Records of Parochial Administration in England* (1946, Chichester, 1983 ed.), p. 19.

[6] Eastwood, *Government and Community*, pp. 45-6; Tate, *Parish Chest*, p. 22.

contributors were tradesmen, craftsmen and middle-class 'private residents', while labourers were small contributors because of the low rateable value of their housing, and because many were excused payment through poverty.[7] Thus, as J.S. Taylor has argued, in the early 1830s 'power and responsibility in most parishes rested with a small group of men who possessed the confidence of the ratepayers and a willingness to serve'.[8]

From 1834, however, the freedom of local ratepayers to formulate relief policy within the parish vestry was reduced by the Poor Law Amendment Act. This saw the introduction of boards of guardians representing unions of parishes who were to implement the policies of the Poor Law Commissioners (PLC) in London. The principal aim of the PLC was to curtail the granting of outdoor relief to the able-bodied, which was seen as a primary cause of the heavy poor rates of this period. The key to achieving this was seen to be the construction of union workhouses in order to 'test' the destitution of those seeking relief. However, although most southern and eastern unions had built workhouses by the late 1830s, there are very different views among historians about the extent to which rural ratepayers followed the wider relief regulations of the Commissioners. David Eastwood has argued that parishes were 'politically enervated' after 1834 and Karel Williams has argued that the granting of relief to the able-bodied poor was effectively prohibited.[9] By contrast, other historians, including Anne Digby and Steven King, have emphasised a strong continuity in relief policy.[10] These debates are of key importance to our understanding of the extent to which rural ratepayers continued to provide housing for the rural poor. Although the Poor Law Amendment Act did not outlaw the possession of parish property an Act was passed in 1835 to facilitate its sale.[11] An assessment of the extent to which local ratepayers took advantage of this measure can provide an insight into the degree to which their outlook was in line with that of the PLC, and also enable an examination of the relationship between local elites and the poor.

A closer examination of activity under the later housing legislation also raises

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[7] See S.G. & E.O.A. Checkland, (eds), *The Poor Law Report of 1834* (Harmondsworth, 1974), pp. 83, 368. A system of compounding was established under the adoptive Small Tenements Rating Act, 1850 which was designed to overcome the problems of rate collection by encouraging landlords to collect the rates. This gave many owners of small tenements an increased interest in local government expenditure. Compounding was outlawed in 1867 but re-introduced in 1869. See M.J. Daunton, *House and Home in the Victorian City: Working-Class Housing, 1850-1914* (1983), pp. 203-5.

[8] J.S. Taylor, *Poverty, Migration, and Settlement in the Industrial Revolution: Sojourners' Narratives* (Palo Alto, 1989), p. 21.

[9] D. Eastwood, *Government and Community*, p. 166; K. Williams, *From Pauperism to Poverty* (1981), pp. 82-9.

[10] A. Digby, 'The rural poor law', in D. Fraser (ed.), *The New Poor Law in the Nineteenth Century* (Basingstoke, 1976), pp. 149-70; S. King, *Poverty and Welfare in England, 1700-1850* (Manchester, 2000), pp. 229, 238-48.

[11] Act to facilitate the Conveyance of Workhouses and other Property of Parishes (5 & 6 William IV c. 69). Hereafter referred to as the Parish Property Act.

interesting questions about the power of local ratepayers, in what is often thought of as a period of increased centralisation. The role of boards of guardians expanded greatly from the 1860s, gaining powers over settlement and removal in 1865 and becoming rural sanitary authorities under the Public Health Act, 1872. In some respects this galvanised the strength of larger ratepayers who dominated the guardians' boardrooms. However, these new powers also brought greater supervision from central government, under the Local Government Board (LGB), and this period has been seen as marking an important stage in the 'end of localism'.[12] The two most important pieces of housing legislation in this respect are the Housing of the Working Classes Act, 1890 and the Housing and Town Planning Act, 1909. The former gave local authorities permissive powers to construct council housing, and these were made mandatory, where a housing shortage could be proven, under the Act of 1909. The direct influence of ratepayers over local government was also weakened by the Local Government Act of 1894, which introduced greater democracy to local elections. And yet, despite these developments, historians have noted that very little council housing was built prior to 1914. Gordon Mingay has argued that this was straightforwardly because 'Economy was the watchword, and councillors were more concerned to keep down the rates' than to build council houses.[13] This is an important point, but it tells us little of the relationship between rural local government and the central state. Were ratepayers simply able to ignore the new housing legislation or was there greater contact between the centre and localities? In a study of the LGB Christine Bellamy has argued that the actions of central government were constrained by a respect for the power of ratepayers at a local level, and this deserves closer examination in respect of rural housing.[14] An analysis of debates at a local level also enables us to explore the power of landowners, ratepayers, and the rural working classes within the reformed system of local government on the outbreak of the First World War.

This chapter is, therefore, divided into two principal sections: the first dealing with the provision of housing by parish vestries, and the second by district councils. The first opens with an analysis of the extent and distribution of parish provision and whom it was provided for. This is followed by a discussion of the impact of the introduction of the new poor law, focussing on the pattern of sales of parish property, the reasons why some parishes retained their housing stock, and what this tells us of rural social relations. The second section opens with an assessment of changes to local government and the wider housing supply from the 1860s. The aims of the Housing Acts of 1890 and 1909 are briefly examined before an analysis is made of the power of local ratepayers within this new

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[12] R. Price, *British Society, 1680-1880* (Cambridge, 1999), pp. 185-91.
[13] Mingay, 'The rural slum', p. 121.
[14] C. Bellamy, *Administering Central-Local Relations, 1871-1919: the Local Government Board in its Fiscal and Cultural Context* (Manchester, 1988), pp. 11-16, 272.

legislative framework, both in relation to central government, and within rural communities. This enables us to explore power relations in rural England prior to 1914, and to reflect on the continuities and changes over the preceding eighty years.

The provision of parish housing

Although not a new feature of poor relief, the provision of housing formed an important part of the response of parish vestries to the combination of high population growth and extreme poverty in the late eighteenth and early nineteenth centuries. Not only was the regular payment of a weekly rent difficult to afford for many families, especially those who had reached a poverty-related stage of the lifecycle, but evidence of subdivision and overcrowding suggests that the poor were also facing an absolute shortage of housing in this period. Therefore, faced with a legal duty to relieve destitution, that included the provision of shelter, parishes became involved both in the payment of rents for pauper households and the ownership of housing on their own account. The payment of rents was identified as the most common form of outdoor relief in 1834, and occurred in both Dorset and Leicestershire.[15] Some parish vestries also rented property on their own account to be allocated to those requiring relief. In many of the parishes of the Sturminster Newton union in Dorset it was reported in December 1835 that 'the Overseers are the Tenants of various Cottages in which paupers are permitted to reside Rent free' and Richard Hall reported similar activity in Leicestershire in 1836.[16] It is, unfortunately, difficult to measure the prevalence of such activity, because of the lack of detailed information in overseers' accounts.[17] However, the letting of cottages on an annual basis offered parishes flexibility in the amount of housing under their control, and the payment of rents for individual paupers was an important form of temporary relief to guide families over interruptions in their income.

Many parishes also found it necessary to provide housing on a more permanent basis to house some of their settled poor. The occupants of these cottages were often those classified as the impotent poor, including the old, infirm and widows. However, in the 1830s

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[15] Checklands (eds), *Poor Law Report*, p. 82. On the Blandford Forum division of Dorset see *Report from His Majesty's Commission on the Administration and Practical Operation of the Poor Laws: Appendix BI, Answers to Rural Queries, Part II*, XXXI (1834), p. 137b. On Leicestershire see R. Hall, 'Report on the counties of Leicester, Derby, Rutland, and part of Stafford', *Second Annual Report of the Poor Law Commissioners*, 1836, p. 434.

[16] NA MH12/2846. Letter from the clerk to the Sturminster Newton Guardians to the PLC, December 23 1835. NA MH32/34. Letter from assistant commissioner Richard Hall to PLC, May 16 1836.

[17] Checklands (eds), *Poor Law Report*, p. 86.

parishes also housed labouring families, some of whom were in employment.[18] Thus, at Carlton in west Leicestershire the parish housed two labourers, and at Wareham St. Martin, in Dorset, the parish cottages were occupied partly by paupers and partly by labourers.[19] The occupants of these cottages were in many cases allowed to live rent free, as at Iwerne Courtney in Dorset where this was seen 'as a species of relief'.[20] In other instances rents were collected, although these were often very small sums. At Hilton in Dorset in 1846 three cottages were let at six pence per week[21] and in 1847 twenty-seven cottages at Billesdon in Leicestershire were let for the total of only £8 17s. per annum.[22] Thus, many parishes clearly felt the need to provide cottages in which to house both the able-bodied and impotent poor who could not find affordable accommodation.

This property had been acquired in an ad-hoc manner over preceding centuries.[23] The 1601 Act provided for the construction of cottages on manorial wastes, although this practice declined with enclosure and the increased regulation of the waste described in chapter three.[24] Other parishes bought existing dwellings, even into the 1830s. Six cottages were purchased in Great Glen in Leicestershire in 1831 and Okeford Fitzpaine in Dorset bought the lease of a cottage in March 1834.[25] Some parish houses had previously been workhouses, as at Wool, in Dorset, between 1797 and 1814.[26] At Newton Harcourt, in Leicestershire, a house of industry was built in 1807 but was soon 'divided into separate habitations'.[27] Okeden found in 1832 that workhouses had been 'almost abandoned in Dorsetshire'[28] and George Body has noted that after 1814 the decline of many rural industries undermined the profitability of workhouse production.[29] However, the greatest problem with indoor relief was that it proved to be more expensive than out-door allowances, due to the cost of clothing and workhouse dietaries. As early as 1815 William Stevenson reported one Dorset resident's belief that it was 'less expensive to relieve the

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[18] A study of parish housing in Lincolnshire found that parishes provided housing 'both for those on relief and for those in employ'. J.A. Perkins, 'The parish and the housing of the working class in Lindsey, 1790-1850', *Lincolnshire History and Archaeology* 12 (1977), p. 65.
[19] NA MH12/6568. Answers to queries in reference to Carlton parish property, June 24 1838. NA MH12/2862. Request from Wareham St Martin to sell parish property, August 18 1838.
[20] NA MH12/2727. Request from Iwerne Courtney for sale of parish property, June 22 1853.
[21] NA MH12/2725. Letter re. Hilton parish property, November 21 1846.
[22] NA MH12/6414. Request from Billesdon for sale of parish property, January 26 1847.
[23] For a summary of the acquisition of parish property see Broad, 'Housing the rural poor', pp. 160-6.
[24] See S. Birtles, 'Common land, poor relief and enclosure: the use of manorial resources in fulfilling parish obligations 1601-1834', *Past and Present* 165 (1999), p. 90.
[25] NA MH12/6413. Form 1 for sale of Great Glen parish property, June 1 1837.
[26] G.A. Body, 'The administration of the poor laws in Dorset, 1760-1834: with special reference to agrarian distress', (Unpub. Ph.D. thesis, University of Southampton, 1967), p. 170.
[27] NA MH12/6413. Letter from Henry Halford to the PLC re. sale of the Newtown Harcourt poor houses, October 4 1842.
[28] D.O.P. Okeden, 'Third Report', *Report from His Majesty's Commission on the Administration and Practical Operation of the Poor Laws: Appendix AI, Reports from Assistant Commissioners, Part I*, XXVIII (1834), p. 12a.
[29] Body, 'The administration of the poor laws in Dorset', p. 168.

poor at their own homes'.[30] The parish authorities of Woodhouse, in Leicestershire, also converted their workhouse to separate tenements because it was 'less expensive than maintaining them in a Poorhouse'.[31] This supports Anne Digby's argument that by 1834 financial realities were tending towards a reinstatement of relieving the poor in their own homes, or indeed in parish-owned cottages.[32]

Workhouses were more prevalent in Leicestershire in the 1830s, due to the existence of at least eight incorporations and Gilbert unions, each including a number of parishes that contributed to their funds.[33] These workhouses were usually run on very different lines to the regulations introduced after 1834. Indeed, those established under Gilbert's Act of 1782 were restricted to providing for the impotent poor and the 1834 report found that most were akin to a 'large almshouse', home to the young and the aged.[34] Moreover, the cost again meant that these workhouses were little used by contributory parishes. In 1834 it was reported that Ashby-de-la-Zouch workhouse, which was supported by nineteen other parishes, had only thirty-four occupants, despite the fact that Ashby itself had 128 families of regular poor. Henry Pilkington, the assistant commissioner for Leicestershire, condemned the argument that outdoor relief was less expensive as 'shortsighted parsimony'. However, it is clear that many parishes preferred a flexible system of outdoor relief that incorporated both the payment of rents and the provision of cottages.[35] This was probably seen to offer the best balance between relieving the destitute and restricting the poor rate.

In order to examine how far this changed after 1834, it is important to establish the extent of the parish provision of housing at that date. Unfortunately, there is no single record of this, although data can be drawn from a number of sources. The first and most complete is the documentation generated by the sales of parish property under the Parish Property Act of 1835. Every sale had to be approved by the PLC and details have been retained within the MH12 series at the National Archives.[36] However, this documentation is bound in hundreds of volumes, among thousands of other items of correspondence between central and local government. Therefore, the chief source of the data used here are the detailed summaries of the sales that were printed in the annual reports of the central poor law authorities until

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[30] W. Stevenson, *General View of the Agriculture of the County of Dorset* (1815), p. 452.
[31] *Report on the Poor Laws: Appendix BI, Part II*, p. 288b.
[32] A. Digby, *Pauper Palaces* (1978), p. 3.
[33] Hall, 'Report on the counties of Leicester, Derby etc.', p. 436.
[34] Checklands, *Poor Law Report*, p. 127. On the nature of workhouses under the old poor law see Digby, *Pauper Palaces*, pp. 1-12, 34-48 and King, *Poverty and Welfare*, p. 25.
[35] H. Pilkington, 'Leicestershire', *Report from His Majesty's Commission on the Administration and Practical Operation of the Poor Laws: Appendix AI, Reports from Assistant Commissioners, Part II*, XXIX (1834), p. 86a.
[36] For a brief discussion of this source see John Broad, 'Housing the rural poor', p. 167.

1885.[37] Although this provides the majority of the information used in this analysis, it does not provide a complete record. In a small number of cases parish property was retained after 1885 and some cottages were copyhold, leasehold or rented under local landowners. Where estate papers make reference to long-term letting of 'parish houses' these have been included in this survey. The county rate valuations from the late 1830s have also been used although, as discussed in chapter two, this source has its own limitations.[38] Information has also been gleaned from an 1842 parliamentary return of parish debt in 1834, a significant proportion of which was incurred in the provision of housing.[39] The parish queries of 1832 also asked about parish property.[40] Finally, where the parish papers used in the preparation of this thesis refer to parish housing, this has also been taken into consideration. This data can, therefore, be used to provide a strong estimate of the proportion of parishes that provided housing in the final years of the old poor law, and also the proportion of housing provided by vestries within individual parishes.

Tables 5.1 and 5.2 give a breakdown of the proportion of parishes that owned housing, or rented it on a long-term basis, within the poor law unions of Dorset and Leicestershire. These suggest that 46.0 per cent of rural parishes across the two counties provided housing in the 1830s.[41] The percentage is very similar in both counties, being 46.9 per cent in Leicestershire and 45.1 per cent in Dorset. However, there were distinct variations within their boundaries, caused by the interaction of a number of factors. Once again, landownership appears to have been of key importance. In Dorset it is striking that the four unions with below-average provision of parish housing were all in the chalk district of the county where many aristocratic and gentry landowners held substantial estates. The erosion of wasteland and archaic tenures was often achieved earlier here than in the vales, giving parishes less opportunity to build. Although the link with landownership is less clear-cut in Leicestershire, the Belvoir union, dominated by the Duke of Rutland, had the least provision of all and the presence of the Howe estate in the Market Bosworth union may also have depressed parish ownership there. Even in the manufacturing districts of Barrow,

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[37] Until 1885 all sales were recorded in the annual reports of the central poor law authority, listing the sale price and how the funds were to be applied. See the annual reports of the Poor Law Commissioners (1837-48), Poor Law Board (1849-71) and Local Government Board (1872-85). The accuracy of the reports have been checked against a sample of the NA MH12 material from both counties.

[38] See the county rate valuation returns for Dorset DCRO D/QFR 2: County and Police Rate Basis (4 vols) and for Leicestershire, ROLLR QS 27/2.

[39] *A return of all debts, liabilities, and engagements claimed against the poor rates of any parish at the time of the passing of the Act Will IV 4 & 5 c. 76*, XXXV (1842), pp. 18-19, 40-47.

[40] Parish ownership of cottages is sometimes mentioned in replies to questions 16 and 22. *Report on the Poor Laws: Appendix BI, Answers to Rural Queries, Part II*, pp. 137b-145b (Dorset), and pp. 279b-288b (Leicestershire).

[41] This is a similar proportion of parishes to the counties of Bedfordshire and Buckinghamshire, in which 50 per cent of parishes held either parish or charity owned housing. Broad, 'Housing the rural poor', p. 169.

Table 5.1 Parish housing by poor law union, Dorset

Union	District	Agriculture/ Industry	Total Parishes (*excluding union town)	Number with Parish Housing	Percentage with Parish Housing
Bridport and Axminster*	West	Dairy Farming with Net and Sail Manufacture	23	15	65.2
Poole*	East	Mixed Farms, Pottery	7	4	57.1
Cerne Abbas	Mid-West	Dairy Farming, Sheep and Corn	21	12	57.1
Shaftesbury, Mere and Wincanton*	North	Dairy Farming	21	12	57.1
Beaminster	West	Dairy Farming	24	12	50.0
Sturminster Newton	North	Dairy Farming	19	9	47.4
Weymouth*	South	Sheep and Corn, Dairy Farming	17	8	47.1
Sherborne*	North	Dairy Farming	24	11	45.8
Wareham and Purbeck*	South-East	Mixed Farms, Stone Quarrying and Clay Mining	24	10	41.7
Dorchester*	Mid	Sheep and Corn	37	14	37.8
Blandford Forum*	Mid-East	Sheep and Corn	33	10	30.3
Wimborne and Cranborne*	East	Sheep and Corn	25	7	28.0
Total			275	124	45.1

NB. The union names have been adapted to incorporate all Dorset parishes originally included in other union counties.

Table 5.2 Parish housing by poor law union, Leicestershire

Union	District	Agriculture/ Industry	Total Parishes (*excluding union town)	Number with Parish Housing	Percentage with Parish Housing
Market Harborough*	South-East	Grazing, Framework Knitting in north	22	17	77.3
Lutterworth and Rugby	South-West	Grazing	31	22	71.0
Hinckley*	West	Dairying, Arable, Framework Knitting	10	6	60.0
Castle Donington	North-West	Arable, Framework Knitting	7	4	57.1
Blaby	Mid-South	Grazing, Arable, Framework Knitting	21	12	57.1
Hallaton	South-East	Grazing	11	6	54.5
Market Bosworth and Atherstone	West	Dairying, Arable, Coal Mining, Framework Knitting	36	16	44.4
Loughborough *	North	Grazing, Arable, Framework Knitting	12	5	41.7
Barrow-upon-Soar	North	Grazing, Arable, Framework Knitting	29	12	41.4
Ashby-de-la-Zouch*	North-West	Arable, Coal Mining	17	7	41.2
Melton Mowbray and Oakham*	North-East	Dairying, Grazing and Ironstone Works	54	21	38.9
Billesdon	East	Grazing	36	9	25.0
Belvoir	North-East	Dairying, Arable	8	1	12.5
Total			294	138	46.9

NB. Extra parochial places have been excluded from the total number of parishes in each union.
The unions named are as established in 1894 and have been adapted in order to incorporate all Leicestershire parishes originally included in other union counties.
The proportion of parishes listed as owners of housing in four of the above unions is possibly an underestimate because the valuation lists for the East Goscote Hundred of Leicestershire do not survive. This affects 59 per cent of parishes in the Barrow union, 42 per cent in the Loughborough union, 39 per cent in the Billesdon union and 13 per cent in the Melton union. However, if the valuation list data is excluded for all Leicestershire parishes the rank order of these unions is affected by no more than two places in the table, suggesting that the overall distribution of parish housing in the county is relatively unaffected.

Ashby and Loughborough, a number of 'close' parishes held no parish property.[42] By contrast, parish provision was greatest in the most western parishes of Dorset, and in the southern districts of Leicestershire, which were both areas where landed estates were less well established.

Landownership was also an important influence on the extent of provision within parishes. This is clear from an analysis of the forty parishes used as a sample in chapter two. Only one of the twelve parishes in which the largest single landowner owned over 60 per cent of the housing stock provided any parish cottages. This compares with twelve of the fourteen parishes in which the largest landowner owned 10 per cent and under. In seven of these parishes the parish officers were the largest single house-owners.[43] Indeed, there is a strong positive relationship between the number of landowners in a parish and the number of parish houses, with a correlation coefficient of 0.66. Given the association between the intensity of property ownership and population size identified in chapter two it would be surprising if large property owners had permitted parish officers to burden their parish with resident paupers. Indeed, landowners' restrictions on the housing supply placed greater pressure on the housing stock in more 'open' parishes, increasing the demand for parish intervention there.

However, the relationship between landownership and parish housing was not of the strongest order, and some of the limitations are revealed in Table 5.3 which lists the eighteen parishes within the sample that owned parish housing. In Holnest the largest landowner owned 82 per cent of the housing stock, but the parish still owned nearly 14 per cent.[44] This possibly reflects the survival of older tenures as Holnest had undergone a striking intensification of property ownership since the late eighteenth century.[45] The link between property ownership and parish housing was also weakened by cases of more 'open' parishes that lacked large-scale parish provision. The Leicestershire parishes of Stoke Golding, Barwell and Woodhouse each had over thirty landowners, and yet only Barwell owned as much as a single cottage. It is not easy to deduce why these parishes made such little provision, although it is possible that local elites were reluctant to borrow money to provide cottages. In other cases parish officers may have judged that intervention through the payment of rents was sufficient to meet the housing needs of the poor. Clearly, although

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[42] These included Garendon and Prestwold in the Loughborough union, Swithland and Wanlip in the Barrow union, and Staunton Harold and Cole Orton near Ashby.
[43] The seven were Haselbury Bryan, Hinton St Mary, Ibberton and Powerstock in Dorset, along with Burbage, Husbands Bosworth and Sharnford in Leicestershire.
[44] DCRO D/QFR:2/2. Holnest county rate valuation, Sherborne Division.
[45] R. Machin, *Houses of Yetminster* (Bristol, 1978), pp. 151-2.

Table 5.3 Parish property in a sample of Leicestershire and Dorset parishes, 1837 and c. 1840

Parish	County	No. of landowners	Percentage of Houses Valued Belonging to Largest Landowner	No. Parish Houses Owned	Percentage of Inhabited Houses (1831) owned by Parish
Barwell	L	60	2.6	1	0.4
Langton Matravers	D	16	10.7	1	0.7
Spetisbury	D	6	45.9	1	0.8
Bradpole	D	53	2.1	3	1.4
West Lulworth	D	6	55.8	2	2.1
Stoney Stanton	L	36	0.7	7	5.2
Haselbury Bryan	D	66	1.5	7	5.5
Burbage and Sketchley	L	63	2.1	19	5.5
Blandford St. Mary	D	5	29.9	4	5.7
Higham on the Hill	L	28	5.5	8	7.3
Sibson and Hamlets	L	7	27.3	5	7.8
Powerstock	D	82	5.7	15	8.0
Sharnford	L	30	1.9	9	8.4
Husbands Bosworth	L	55	3.2	17	9.3
Hinton St Mary	D	41	10.0	9	12.2
Holnest	D	4	82.1	3	13.6
Great Glen	L	34	3.6	24	14.6
Ibberton	D	22	5.6	7	15.6

Source: See the county rate valuation returns for Dorset DCRO D/QFR 2: County and Police Rate Basis (4 vols) and for Leicestershire, ROLLR QS 27/2. For exact parish references see the bibliography.

landownership was an important influence on the provision of parish housing, it was not the sole determinant.

Indeed, a number of other factors were also important influences. First among these was the nature of agriculture and the employment structure of different areas. In Dorset, all of the unions in which more than 50 per cent of parishes provided parish housing, with the exception of the smaller Poole union, were in the northern and western vales.[46] In these pastoral districts the demand for labour was low, and fluctuated less over the year than in arable districts. This was also the case in the southern unions of Leicestershire, where grazing farms dominated, and where a very high proportion of parishes owned housing. In these districts it was possible that there was greater structural unemployment, leading to more long-term assistance for the labouring poor. The key exceptions to a link between pastoral agriculture and relatively high provision were the largely pastoral unions of Melton Mowbray and Billesdon, in east Leicestershire. Here, a large number of parishes had very small populations, limiting the demand for parish housing. In the Melton union 56 per cent of parishes had less than 250 inhabitants in 1831, and in the Billesdon union this figure was as high as 78 per cent. This compares with only 36 per cent of parishes in the Lutterworth and Market Harborough unions. In arable areas E.L. Jones has remarked that even at the peak of the rural population boom surplus labour could find employment during the harvest months.[47] Therefore, in districts such as mid-Dorset and in the more mixed farming parishes of west-Leicestershire, temporary assistance in the form of rental payments from the poor rates may have been seen as a preferable alternative to the permanent provision of housing. This may also have been the case in Leicestershire's manufacturing parishes where trade slumps threw large numbers of workers out of employment. Another factor of some importance in Leicestershire's manufacturing parishes was its Gilbert unions and incorporations. Gilbert's Act of 1782 enabled constituent parishes to sell their existing property to finance the workhouse, and raising funds for this purpose is likely to have deterred some parishes from providing housing.[48] Therefore, the provision of early workhouses was one of a number of interconnected factors that influenced the supply of parish housing, along with landownership, employment structure and population size.

Finally, in this section, this material also enables an estimate of the percentage of housing owned by parish authorities in individual parishes. The sample parishes listed in Table 5.3 owned a range of between 0.4 and 15.6 per cent of the housing stock, with the

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[46] The high percentage of parishes providing housing in the Poole union is in part influenced by its small size. It is also possible that provision was greater in Poole's hinterland because of the depressed state of its trade after 1815. On this see C. Cullingford, *A History of Poole* (1988; Chichester, 2003 ed.), pp. 188-90.
[47] E.L. Jones, 'The agricultural labour market in England, 1793-1872', *EcHR* 2nd Ser. 17 (1964), pp. 325-6.
[48] Broad, 'Housing the rural poor', p. 168.

majority owning less than 10 per cent. This picture is confirmed by Table 5.4, which gives a breakdown of the data from the valuation lists for both counties, along with a sample from the MH12 papers.[49] This shows that 54 per cent of the sample parishes in Leicestershire, and 81 per cent of those in Dorset owned less than 10 per cent of the housing stock.[50] There were, however, contrasts between the two counties. Whereas only 5 per cent of the Dorset parishes owned more than 20 per cent of the housing stock, this was the case in 22 per cent of those in Leicestershire. The reasons for this contrast are by no means obvious. In some instances the larger provision may reflect the weaker association between manorial control and landownership in Leicestershire than in Dorset. However, even in many of Dorset's more 'open' parishes the provision of housing was comparatively small. One important factor was that in Dorset a third of the parishes owned only a single dwelling, often referred to as a 'poor house' or 'parish house' in which a number of families were housed. The number of people occupying parish-owned houses in these villages may not, therefore, have been less than in other parishes that owned a higher proportion of the housing stock. This practice was much less common in Leicestershire where only 9 per cent of the parishes owned a single dwelling. The reasons for this contrast require much further research, and may reveal different relief cultures under the old poor law. Nevertheless, it is clear that the majority of parishes in both counties owned a relatively small percentage of the housing stock.

Table 5.4 Parish property in a larger sample of Dorset and Leicestershire parishes

Percentage of 1831 Inhabited Houses Owned by Parish	Number of Dorset Parishes	Percentage of Dorset Sample Parishes	Number of Leicestershire Parishes	Percentage of Leicestershire Sample Parishes
Under 5 per cent	40	63.5	24	32.4
5 - 9.99 per cent	11	17.5	16	21.6
10 – 14.99 per cent	7	11.1	12	16.2
15 – 19.99 per cent	2	3.2	6	8.1
Over 20 per cent	3	4.8	16	21.6
Total	63	100.1	74	99.9

Sources: County rate valuation returns for Dorset DCRO D/QFR 2: County and Police Rate Basis (4 vols) and for Leicestershire, ROLLR QS 27/2. Also a sample of NA MH12 papers for the poor law unions of Beaminster, Blandford Forum, Sturminster Newton, and Wareham and Purbeck in Dorset, and Barrow on Soar, Billesdon and Market Bosworth in Leicestershire (see bibliography for details).

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[49] This data is taken largely from the valuation lists for the two counties. It includes a sample taken from the MH12 papers listed in the bibliography. The parishes included in Table 5.4 represent 51 per cent of property-owning parishes in Dorset and 54 per cent of those in Leicestershire.

[50] Broad found that 90 per cent of parishes in Bedfordshire and Buckinghamshire owned less than 10 per cent of the housing stock, including charity-owned housing. Broad, 'Housing the rural poor', p. 168.

It is, therefore, likely that the supply of parish housing in most parishes was too small to house many of the able bodied poor. Indeed, King has underlined the fact that the poor law was only one available source of welfare at this date. The poor were also supported by charities, sometimes by friendly societies and often by kinship networks. He argues that 'the majority of people who might be deemed poor had either no relationship with communal welfare or a very intermittent one'.[51] Thus, in terms of housing, the poor were more likely to attempt to get assistance with other household expenses in order to help them with rent payments, or to lodge with family members, rather than seek out parish housing. Receipt of parish rent subsidies, and finally life as the tenant of the parish officers were likely to be avenues of last resort. Nevertheless, it could still play an important part in the life of certain groups within the poor, especially the aged and infirm, and labourers with large families. Until 1834 parish housing undoubtedly provided an essential buffer between those who had exhausted other opportunities and a life of makeshift shelter in the fields.

The survival of parish housing post-1834

After the introduction of the new poor law, however, the context of parish housing changed, and it became a potential buffer between the poor and life in a union workhouse. The PLC strongly objected to this, and the payment of rents, because both were seen as sources of relief in aid of wages, which was strongly associated with extensive pauperism. Parish housing was also condemned for its low standard and in 1843 the PLC reported that 'complaints are often proffered to us of the serious injury to public health and morality, arising from the wretched state of these dwellings and their inmates'.[52] However, the Poor Law Amendment Act of 1834 stopped short of abolishing parish housing. It was possibly hoped that the introduction of union workhouses would simply make parish housing appear obsolete. The Parish Property Act of 1835 was introduced to encourage sales, but its disposal was never made compulsory.[53] Nevertheless, a new system of auditing overseers' and union accounts was deployed against parish involvement. Under regulations issued by the PLC auditors were to strike out payments made for cottage rents which then became a surcharge on the overseers. The occupants of any property that was retained also had to pay rent that was to be recorded in the parish accounts to go before the auditor.[54] This was to be the only source of funds for repairing parish property, as no money was to be paid from the

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[51] King, *Poverty and Welfare*, pp. 170, 175-6.
[52] *Ninth Annual Report of the PLC* (1843), p. 28.
[53] This is in line with the adoptive nature of much legislation in this period. See J. Prest, *Liberty and Locality: Parliament, Permissive Legislation, and Ratepayers' Democracies in the Nineteenth Century* (Oxford, 1990).
[54] NA MH12/6566. Letter from PLC to Mr. Edwards, auditor of Market Bosworth Union, November 1837.

poor rate for this purpose.[55] Therefore, although parish intervention in housing was not outlawed, the PLC clearly believed that it had great potential to undermine the effective implementation of the new poor law and sought to deter both the payment of rents and the continued possession of parish housing.

The greatest success of the PLC lay in the action taken against the payment of rents. In the months following the establishment of poor law unions many parishes enquired whether they could continue to assist the poor in this way but they invariably received a negative reply.[56] In October 1836 the clerk to the Market Bosworth board of guardians reassured the PLC that 'they have not sanctioned the payment of any Rents for Paupers' in the previous quarter.[57] In the same year Sir John Walsham, assistant commissioner for Dorset, reported that 'the pernicious system' of rent payments had been 'abolished' in the Cerne and Dorchester unions.[58] The fact that parish officers were rarely listed as cottage tenants in the valuation lists from the late 1830s suggests that the practice of renting cottages for paupers had also been strongly curtailed. However, it should be remembered that the end of direct rent payments could be compensated for by the increase of other payments. Indeed, Walsham acknowledged that in the Dorchester Union the discontinuance of house rents had 'in many instances occasioned some little augmentation' of weekly allowances.[59] Therefore, the 'success' of this policy in terms of the erosion of outdoor relief, must not be over-stated.

In respect of parish housing it is clear that many parishes took action soon after the introduction of the Parish Property Act to sell their housing stock, which is unsurprising given its often-dilapidated state. There were also important financial incentives for vestries to sell. Under the 1835 Act the proceeds had to be spent in a manner defined as of 'permanent benefit to the parish' and it was the hope of the PLC that they would be used to fund each parish's share of the construction costs of the union workhouses. Indeed, the annual reports of the PLC show that a majority of parishes allotted funds at least partially towards that cause, which may reflect initial enthusiasm for the deterrent effects of these new institutions. Another incentive to sell was to clear the debts incurred by many parishes under the old poor law, and an act of parliament was passed in 1837/8 to enable this.[60] Parishes were also permitted to apply the proceeds to the payment of parish valuations, the

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[55] H.J. Davis and H.A. Owston, *Overseers' Manual* (1864), p. 45.
[56] See, for example NA MH12/6566. Correspondence between Revd Cooper of Orton on the Hill, Leicestershire, and the PLC, October 30 and November 8 1834.
[57] NA MH12/6566. Correspondence between the clerk to the Market Bosworth guardians and the PLC, October 5 and October 20 1836.
[58] 'Report of Sir John Walsham', *Second Annual Report of the PLC* (1836), pp. 373-4. Rental payments had largely ceased in Lincolnshire by the 1840s. See Perkins, 'Housing of the working class in Lindsey', p. 67.
[59] 'Report of Sir John Walsham', p. 374.
[60] A description of this act (1 & 2 Vict. c. 25) is contained in the *Seventh Annual Report of the PLC* (1841), p. 37.

erection of schools, and emigration. These incentives led to a rush of sales and 57 per cent of the parishes across both counties, that sold property prior to 1885, had disposed of at least part of their housing stock by 1847.

Table 5.5 Cumulative pattern of sales of parish property in Dorset and Leicestershire, 1838-1885

	Dorset Parishes (cumulative percentage)		Leicestershire Parishes (cumulative percentage)	
Period (Year of Report)	First Sales	Last Sales	First Sales	Last Sales
1838-42	34.7	28.7	46.3	32.4
1843-47	53.5	49.5	61.1	45.4
1848-52	57.4	53.5	67.6	54.6
1853-57	71.3	65.4	78.7	66.7
1858-62	79.2	74.3	84.3	74.1
1863-67	85.2	81.2	90.7	82.4
1868-72	88.1	85.2	92.6	88.9
1873-77	95.1	95.1	98.2	95.4
1878-85	100.0	100.0	100.0	100.0

NB. This table lists the cumulative percentage of parishes making property sales. The column headed 'First sales' records those selling property for the first time in that period; 'Last sales' measures the date that parishes made their last recorded sale.
Source: From the *Fourth* to the *Fourteenth Annual Reports of the Poor Law Commissioners* (1838-48), *First* to the *Twenty-third Annual Reports of the Poor Law Board* (1849-71) and the *First* to the *Fourteenth Annual Reports of the Local Government Board* (1872-85).

However, as shown in Table 5.5, many parishes retained at least part of their housing stock into the second half of the nineteenth century. Some staggered the sale of their property, as at Ibberton in the north Dorset vales where five tenements were sold in 1844 to fund the repair of another four dwellings.[61] Indeed, it was the mid-1860s before three-quarters of parishes had made their final sale. Therefore, many mid-nineteenth century vestry minutes still refer to the management of parish housing. In Billesdon, in east Leicestershire, a number of poor tenants occupied parish houses at rents as low as 6d. per annum before their disposal in 1856 and Oadby parish in central Leicestershire received the rents of cottages until 1875.[62] In December 1873 three parish cottages at Farnham, in north Dorset, were occupied by one rent-paying tenant and two paupers 'allowed to be there only out of Charity'.[63] A small number of parishes even retained their property after 1885. The

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[61] NA MH12/2848. Letter from Henry Davis, Rector of Ibberton to the PLC, March 25 1844.
[62] ROLLR DE 5873/14. Billesdon vestry minutes, 1836-83. ROLLR DE 1383/51. Oadby nineteenth-century rate book.
[63] DCRO D/PIT:T272. Letter from Frank Tanner, clerk of the Wimborne Minster board of guardians to the Pitt Rivers estate, December 24 1873.

survival of parish houses in the Melton Mowbray union was remarked on in 1893, and in Dorset the parish of Margaret Marsh retained its cottages until 1925.[64] The impact of this survival must not be over-stated as we have already established that most parishes held a relatively small proportion of the housing stock. Moreover, as a total of all parishes within the two counties those that sold property after 1847 amount to only 17 per cent of parishes in Dorset and 14 per cent of those in Leicestershire.

Nevertheless, the retention of parish housing was a significant feature of poor relief into the 1850s and this suggests considerable resistance by local ratepayers to the regulations of the central poor law authorities in London. Some parishes, such as Belgrave, near Leicester, retained their housing 'for aged and infirm paupers'.[65] Such provision for the impotent poor did not openly breach the regulations of the PLC. However, there is evidence that other parishes housed the able-bodied. In June 1837 most of the occupants of the parish houses at Great Glen were said to be 'now receiving relief being out of employment'.[66] At Hilton in central Dorset the disposal of the parish cottages was discussed in July 1837 but they were retained 'because some parishioners considered they would be useful for labourers with large families'.[67] Such practice exasperated the PLC who stated in 1846: 'We regret to find that, in many places there is a determined resolution … to retain their old workhouses, as receptacles into which they allow paupers receiving outdoor relief to be crowded'.[68] Indeed, given the financial incentives to dispose of such property it is important to establish why so many parishes retained their housing stock.

In a very small number of parishes this was because they remained outside of the new poor law. Such was the case at Higham-on-the-Hill until 1851 when it joined the Hinckley union.[69] In other parishes the housing was possibly retained because of inadequate workhouse provision. For example in the Blandford union in Dorset the old poor law workhouse was retained until 1856 and was described as small and overcrowded in 1849.[70] However, the principal reason for the retention of parish housing appears to have been a continued fear of the cost of indoor relief. In February 1838 the Billesdon union protested against being forced to place young widows with families in the workhouse, stating that it

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[64] W.E. Bear, 'Report upon the Poor Law Union of Melton Mowbray', *Royal Commission on Labour: The Agricultural Labourer, England* XXXV (1893-4), p. 139. NA MH68/36. Papers on the sale of parish property in Margaret Marsh, Dorset, 1923-5.
[65] NA MH12/6399. Letter from Revd Stephens, vicar of Belgrave to the PLC, May 1845.
[66] NA MH12/6413. Application from Great Glen for sale of parish property, June 1 1837.
[67] NA MH12/2726. Discussion recorded in letter from the auditor of the Blandford union to the PLB, April 14 1849.
[68] *Twelfth Annual Report of the PLC* (1846), p. 29.
[69] Higham was then merged into the Hinckley union. See ROLLR 45D 31/12/7/8, 9 and 13. Higham on the Hill parish collection.
[70] NA MH12/2726. Letter from Hilton parish officers to the PLC, May 7 1849. The Billesdon union in Leicestershire also retained an old workhouse until 1846.

'is much more expensive ... than the little assistance afforded in times of difficulty'.[71] In 1850 Revd Robert Farquharson, Chairman of the Blandford board of guardians stated that 'Men have been put on the highways in some instances from the fear of the expense of sending them to the Union-house'.[72] Thus, the PLC were forced to acknowledge in 1846 that 'the appearance of a saving to the parish ... proves to be an insurmountable barrier' to the disposal of parish property.[73]

This finding is in line with the work of a number of historians that has stressed the continuity of practice between the old and new poor laws. Anne Digby has argued that this was not only linked to the costs of indoor relief, but was also underpinned by the desire of farmer guardians to retain a resident labour force for haymaking and harvest.[74] Indeed, there is considerable evidence that outdoor allowances also continued to be paid to the able-bodied. In some cases this was achieved by subverting the PLC's regulations permitting emergency relief in case of sickness.[75] Parish officers also funded outdoor relief from other parish rates in order to prevent detection by the union auditors. The *Report on Local Taxation* of 1843 found that 'the great object of controlling and restraining of out-door relief to the able-bodied' had partly failed because the PLC had 'not prevented a portion of that species of relief from being cast upon the Highway Rate', and the church rate.[76] In some parishes these funds were appropriated for the repair of parish property. The Hilton parish officers transferred their cottages to the churchwardens in 1839 and in 1842/3 £32 5s. was spent on repairs from the church rate.[77] In making such decisions parish ratepayers were clearly subverting the regulations of the central poor law authorities.

This can be seen even more clearly where parish vestries collected 'private rates'. These were voluntary contributions collected on the basis of the rateable value of property. Anne Digby has described such activity in Norfolk, but she found that this was largely confined to the south of the county during the late 1830s.[78] However, there is evidence that private rates made a greater contribution to the continuance of outdoor relief after 1834 than has hitherto been realised.[79] Revd S.G. Osborne stated that there was 'a great deal of what

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[71] NA MH12/6413. Letter from clerk of the Billesdon guardians to the PLC, February 5 1838.
[72] J. Revans, 'Report to the Poor Law Board on the Operation of the Law of Settlement in Dorsetshire, Hampshire and Somersetshire', *Reports to the Poor Law Board* XXVII (1850), p. 122.
[73] *Twelfth Annual Report of the PLC* (1846), p. 29.
[74] See Digby, 'The rural poor law', pp. 153, 7.
[75] Digby, 'The rural poor law', p. 157. See also King, *Poverty and Welfare*, p. 248 and evidence of Revd S.G. Osborne, *Sixth Report from the Select Committee on Settlement and Poor Removal* XI (1847), p. 167 q. 5874.
[76] *Report of the PLC on Local Taxation* XXI (1843), p. 2. See also references in Digby, 'The rural poor law', p. 158; Digby, *Pauper Palaces*, p. 88.
[77] NA MH12/2726. Letter from the auditor of the Blandford union to the PLB, April 14 1849.
[78] Digby, *Pauper Palaces*, pp. 88. 99.
[79] Private rates are briefly mentioned in A. Randall and E. Newman, 'Protest, proleterians and paternalists: social conflict in rural Wiltshire, 1830-1850', *Rural History* 6 (1995), p. 215.

may be called private rate' in the Blandford Union in 1847.[80] His remarks are borne out by complaints from the assistant poor law commissioners for Dorset and Leicestershire in 1839 and 1843.[81] The latter claimed that a system of 'private rates' 'prevails more or less in almost Every Union in the County'. The funds raised had been applied to a variety of causes, including the repayment to Overseers 'of Charges disallowed by the Auditor and occasionally for such paupers as had ... in the opinion of the Parish ... not received sufficient relief by the Guardians'.[82]

Indeed, the evidence of private rates is not confined to the early years of the new poor law, or to either 'open' or 'close' parishes. At both Knipton and Bottesford on the Duke of Rutland's estate private rates were collected.[83] In the latter a private rate was collected in April 1881 for the 'necessary repairs of the Poor Houses'. In Dorset, the vestry of West Lulworth, owned mainly by the Weld estate, raised a 'voluntary rate' in April 1871 partly to pay for 'the rent and repairs of the Parish poor houses'.[84] The sum raised under a private rate at Moreton, on the Frampton estate, in 1883 was partly spent on the rent for two paupers recently discharged from the workhouse.[85] The 'open' manufacturing parish of Oadby, south of Leicester, also levied a private rate in 1861.[86] The vestry of the scattered open parish of Whitchurch Canonicorum, in west Dorset, resolved to make a private rate in September 1839 for those who were 'not allowed any relief out of the Union House', although local opposition appears to have prevented these plans reaching fruition.[87] Therefore, the collection of private, highway and church rates, enabled parish elites to exercise a degree of financial independence that gave them some flexibility in the granting of outdoor relief, including the provision of parish housing.

Parish housing and rural social relations

Caution must, however, be exercised over the extent to which this can be portrayed as a reaction by local elites against the harshness of the new poor law. The origins of parish housing could be placed in the context of the old poor law as a 'welfare state in miniature', and recent work has stressed the 'benevolent' side to relief policy in southern England prior

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[80] Evidence of Revd S.G. Osborne, *Sixth Report from the SC on Settlement and Removal*, p. 166 q. 5872.
[81] NA MH12/2725. Letter from E. Tufnell to the PLC, February 25 1843.
[82] NA MH12/6566. Letter from Edward Senior to the PLC, May 1 1839.
[83] ROLLR DE 1505/19. Knipton vestry minutes, 1851-66. ROLLR DE 829/8. Bottesford Vestry Minutes, April 18 1876, April 4 1881 and December 13 1883. Exceptionally, the private rate account was still maintained by the Parish Council in March 1906. ROLLR DE 542/1. Bottesford Parish Council Minutes, March 19 1906.
[84] DCRO PE/WLUl:VE1/1. West Lulworth vestry minutes, April 3 1871.
[85] DCRO D/FRA:E13. Frampton family estate account book, 1849-84.
[86] ROLLR DE 1383/51. Oadby overseers accounts, 1861.
[87] DCRO PE/WCC:OV10. Whitchurch Canonicorum vestry minutes, September 15 and 19 1839.

to 1834.[88] But there is little to suggest that the retention of parish housing should be seen in a 'generous' context. Certainly, some parishes made periodic attempts to repair their housing stock, in some cases funded by a private rate. However, the parish houses of Leicestershire were described in 1842 as 'half-ruined cottages … where the inmates live at the risk of their health'. The author stated that 'the parishes to which the houses belong will not repair'.[89] One of the worst cases in the two counties was the poor house at Yetminster, in Dorset, which had sixty inhabitants. In 1846, Revd S.G. Osborne reported: 'It is in all truth the very cesspool of everything in which anything human can be recognised – whole families wallowing together … in rooms in which they are so packed, and yet so little sheltered, that one's wonder is that the physical existence can survive'.[90]

These conditions went hand-in-hand with extreme insecurity of tenure for the occupants of parish houses, who were often moved between tenements by parish officers. At Higham on the Hill in January 1835 'it was determined that … Joseph Clark shall be desired to quit the Parish House No. 7 and that Samuel Cooper shall go into the same'.[91] In 1848 Revd St John of Hilton, in central Dorset, stated that the parish houses 'from time to time occasion a great deal of ill-feeling between the Inmates and the Parish Officers from the necessity of shifting them about'.[92] Indeed, tenants could find themselves subject to eviction. At Hilton in March 1842 a committee was formed to consider 'the removal of such of the Paupers as they may think unfit to remain',[93] and at Rothley, in Leicestershire, in 1841 the tenants were 'removable at the pleasure of the parish'.[94] Where tenants were asked to pay rents they were particularly vulnerable. At Billesdon, in Leicestershire, in October 1839 the vestry gave two tenants a week's notice to leave their houses following the non-payment of rent.[95] The experience of the occupants of parish housing was often, therefore, one of squalor and insecurity.

Moreover, although there is evidence that parish housing was part of a wider survival of outdoor relief to the able bodied after 1834, there is little to suggest that the range of relief granted under the old poor law continued into the 1840s. Despite the periodic use of

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[88] M. Blaug, cited in J.D. Marshall, *The Old Poor Law, 1795-1834* (Basingstoke, 1968), p. 45. King, *Poverty and Welfare*, p. 257.
[89] E. Senior, 'On the causes of disease affecting the labouring classes in the counties of Leicester, Lincoln, Nottingham and Rutland', *Sanitary Condition of the Labouring Population: Local Reports for England and Wales* HL XXVII (1842), p. 154.
[90] Revd S.G. Osborne, Letter to *The Times*, August 24 1846, in A. White (ed.), *The Letters of S.G.O.: A series of letters on public affairs written by the Rev. Lord Sidney Godolphin Osborne and published in "The Times", 1844-1888* Vol. 1 (1888), p. 18.
[91] ROLLR 45D 31/8. Higham on the Hill vestry minutes, January 28 1835. Similar movement is recorded in ROLLR DE 4565/7. Ibstock vestry minutes, 1824-90.
[92] NA MH12/2726. Letter from Revd Andrew St John, September 15 1848.
[93] DCRO PE/HIL:VE1. Hilton vestry minutes, March 1842.
[94] NA MH12/6399. Application for sale of Rothley parish property, January 12 1841.
[95] ROLLR DE 5873/14. Billesdon vestry minutes, October 4 1839.

highway, church and private rates it is unlikely that this could compensate for the national decline in relief expenditure from the poor rate of 28 per cent between 1834 and 1840.[96] As Anne Digby has remarked this suggests that there was 'a more vigorous definition of need and a reduction in the amount of relief given'.[97] Furthermore, Keith Snell has argued that the threat of being sent to a union workhouse for refusing employment enabled farmers and other employers to suppress labourers' wages.[98] In 1846 Revd Osborne argued that outdoor relief was given in order 'to hide the effect of the scantiness of the wages paid to the labourers ... so that the nice line which divides a stinted from a starving diet shall not be passed'.[99] The campaigning of Osborne shows that there was concern for the poor among elite groups at this date, but the continuation of outdoor relief rarely represented a generous welfare system, but one that protected low wages and offered many labourers only a subsistence existence.

This picture of parish housing as part of a relatively harsh relief policy also places further important caveats on the open and close parish model. The poor appear to have been no more able to exert influence on the vestry politics of the 'open' than on the 'close' parish.[100] Indeed, Roger Wells has argued that even under the old poor law parish relief could be deployed as a means of punitive social control in parishes with divided property ownership. This argument was built around a study of the parish of Burwash, in East Sussex. Despite being 'open' in terms of landownership, and home to many craftsmen and shopkeepers, poor relief was administered by a select vestry that was 'dominated by a handful of the greater farmers and the largest resident landowner'.[101] This group removed employment from those 'not attending to their work as they ought', applicants for relief had to give up their pet dogs and paupers were moved at will between parish houses.[102] Thus, Wells claims that this 'open' parish had an 'aura of oppression' due to the 'power exercised by an affluent, arbitrary minority', similar to that in 'close' parishes.[103] Indeed, the evidence

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[96] 'An account, showing the amount of money expended for the relief and maintenance of the poor', 1834-40, *Copies of Orders, etc. Issued by the PLC Relating to the Poor Law Amendment Act* XXI (1841), pp. 88-9.
[97] A. Digby, *The Poor Law in Nineteenth-Century England and Wales* (1985 ed.), p. 23. Apfel and Dunkeley have played down the survival of outdoor relief in Bedfordshire, but their statement that 'the realm of public aid severely shrank' after 1834 appears accurate. W. Apfel and P. Dunkley, 'English rural society and the New Poor Law: Bedfordshire, 1834-47', *Social History* 10 (1985), p. 47.
[98] K.D.M. Snell, *Annals of the Labouring Poor: Social Change and Agrarian England, 1660-1900* (Cambridge, 1985; 1987 ed.), pp. 124-31.
[99] Revd S.G. Osborne, Letter to *The Times*, May 28 1846, in White, *The Letters of S.G.O.*, p. 8.
[100] Recent research has found that open parishes in Oxfordshire were much more likely than close parishes to appoint a select vestry. B.K. Song, 'Landed interest, local government, and the labour market in England, 1750-1850', *EcHR* 2nd Ser. 51 (1998), pp. 477-9.
[101] R. Wells, 'Social conflict and protest in the English countryside in the early nineteenth century: a rejoinder', in M. Reed and R. Wells (eds), *Class, Conflict and Protest in the English Countryside, 1700-1880* (1990), p. 67.
[102] Wells, 'Social conflict and protest', pp. 69-70.
[103] Wells, 'Social conflict and protest', pp. 70-1.

of squalor and insecurity of tenure cited above from parishes with divided patterns of property ownership, such as Billesdon, in Leicestershire, and Yetminster, in Dorset, goes some way to support this. Nevertheless, the control of a select vestry could never be as extensive as that of a landowner and his agent in a parish in which their estate was the sole property owner. The supply of housing by a myriad of small owners, who were often absentees, and a variety of employers offered greater independence to those who were rarely or infrequently dependent on relief. The larger population size of such parishes also meant that the knowledge held by elites of individual paupers was often less complete than in small 'close' communities. However, the above evidence does suggest that for those who required long-term relief there were strict limits to the egalitarianism often associated with the survival of smaller property owners.

The disposal of parish property

It is, therefore, clear that where parish housing was retained it was because it was perceived to be in the interest of the largest parish ratepayers, and was managed in line with their concerns. However, it is also clear from Table 5.5 that by the 1860s the majority of vestries had decided to dispose of their property. This was not only due to the financial incentives discussed above. After 1850 the pressure on the existing housing stock eased as population growth slowed and then declined in the rural districts of both counties. As labour markets tightened in mid-century, wages slowly improved and the extreme poverty of the 1830s and 1840s lifted.[104] The standard of living of the rural working classes remained low, as did the quality of much of their housing, but there was less absolute pressure on local authorities to subsidise rents or provide shelter. In parishes undergoing a process of 'closure' landowners were also keen to acquire parish property in order to bring it under direct estate management. For example, in Leicestershire Earl Howe and the Packe family acquired former parish property, as did the Rivers and Weld families in Dorset.[105] Reform of the basis on which parishes contributed to union funds in 1861, and of the settlement laws in 1865, also reduced the financial incentive for parishes to house and employ their own settled poor out of the workhouse.[106] Furthermore, greater controls on parish funds through the reform of

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[104] Jones, 'Agricultural labour market in England', pp. 328-30, 338.
[105] For Leicestershire see NA MH12/6566. Correspondence re. Twycross parish property, September 2 1840; NA MH12/6414. Great Glen parish property, March 5 1847. For Dorset examples see DCRO D/PIT:T197. Conveyance of Cerne Abbas poor house to Lord Rivers' Trustees March 20 1844; DCRO D/FRA:E21a. Correspondence re. Wool poorhouse, December 28 1839.
[106] The Irremovable Poor Act, 1861 introduced the principle that each parish should contribute to the common fund of each union on the basis of their rateable value rather than on previous expenditure on the poor. The Union Chargeability Act, 1865 placed the costs of all settled poor on this common fund.

highway management in 1862 and the ending of compulsory church rates in 1869 removed some of the financial independence of parish vestries.[107] Clearly, as time progressed, rural ratepayers no longer felt the need, or the ability, to provide housing for their resident poor.

The disposal of parish property also had ramifications for social relations within rural parishes. The purchasers of parish property often insisted on the eviction of existing tenants. All of the tenants of the parish cottages at Catthorpe, Gilmorton and Peatling Magna in the Lutterworth union of Leicestershire were served with eviction notices.[108] In 1836, Richard Hall stated that when rented tenements were surrendered to their landlords they also tended to insist on possession, 'obliging the Overseers to turn out the occupants'.[109] Such was the case at Langton Matravers in Dorset when, in October 1852, the vestry resolved to return the poor house to the lord of the manor and make 'orders for Admission to the Workhouse' for those 'who have no place to go to'.[110] Not all occupants will have ended up in the workhouse if they were able to find alternative accommodation. In 1836 it was reported that on the closure of Marnhull workhouse only eight of twenty-eight residents were transferred to the new union workhouses, the others being housed by relatives and friends.[111] However, there rarely appears to be much concern expressed for the fate of the former tenants of these cottages.

Nevertheless, pauper tenants should not be portrayed as entirely powerless, as there are many instances where they attempted to obstruct these sales by claiming a right to the property themselves. Three tenants of the poor houses at Nether Broughton, in north-east Leicestershire, managed to ensure that a condition of the sale of their dwellings was that they remained tenants for life at a fixed rent.[112] The parish vestry of Belgrave, north of Leicester, decided to cede a cottage to one of their tenants to avoid legal costs.[113] However, although tenants could often delay their eviction, few managed to avoid it altogether.[114] At Catthorpe, in March 1841, one tenant 'refused to quit the possession of the house claiming a title thereto by possession'. It was November before the petty sessions gave a judgement in favour of the parish but police officers then swiftly 'turned his goods into the Highway and

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[107] The adoptive Highways Act of 1862 led to the establishment of Highway Boards in many districts. Responsibility for the highways was finally transferred to rural district councils in 1894. See Tate, *Parish Chest*, p. 250.
[108] ROLLR DE 1379/35, 36 and 38. Papers re sale of Catthorpe, Gilmorton and Peatling Magna parish property, 1840-42.
[109] NA MH32/34. Report by Richard Hall, May 16 1836.
[110] DCRO PE/LAM:OV1/1. Langton Matravers vestry minutes, October 14 1852.
[111] Evidence of the chairman of the Sturminster Newton board of guardians, 'Report of Sir John Walsham', p. 372.
[112] NA MH12/6611. Correspondence re. sale of Nether Broughton parish property, August 19 1846.
[113] NA MH12/6399. Correspondence re. Belgrave parish property, May 1845, January 2 and April 17 1846.
[114] For other cases of resistance to the sale of parish property by pauper tenants in Dorset see NA MH12/2847. Papers re. Child Okeford, December 1839 and DCRO D/PIT:T272. Papers re. Farnham in 1861. For further Leicestershire examples see ROLLR DE 1379/36. Papers re. Gilmorton, 1842.

delivered up ... possession to the Parish Officers'.[115] Ultimately, therefore, the power of pauper tenants to defend their interests was limited, and parish elites were clearly prepared by the 1840s to use the full force of the law to enforce the eviction of their poorer neighbours, even in 'open' parishes.

Such activity is illustrative of the power of larger ratepayers in rural communities in the mid-nineteenth century. Indeed, the slow disposal of parish property, in the context of continued outdoor relief to the able bodied, also suggests that the parish vestry continued to provide a forum in which these local elites could exercise power in contravention of the policies of central government. This is not to deny that local actions were moderated by the regulations of the central poor law authority, as shown by the discontinuation of direct rent payments. After 1834 regular vestry meetings to consider relief matters ceased and the range of relief given to the poor shrank. However, David Eastwood's argument that rural parishes were 'politically enervated' after 1834 requires some modification.[116] The use of highway and church rates, along with the collection of private subscriptions, enabled the parish to retain a degree of financial independence. Another factor of note is that poor law guardians were frequently appointed at parish vestry meetings, often until the formation of parish councils in 1894.[117] Therefore, it is likely that the interests of larger ratepayers were well represented around the board table, whenever their guardian was in attendance. This supports Anne Digby's argument that 'the administrative mechanisms of the rural poor law facilitated a continuation ... of parochial interests in relief policies'.[118]

Parish elites and the implementation of the Housing Acts

Nevertheless, the restrictions on parochial financial independence introduced in the 1860s, and the loss of power over settlement and removal, undoubtedly marked a further attack on the ability of parish ratepayers to defend their interests at parish level.[119] Indeed, it has been argued that 'bit by bit, function by function ... vestries lost their powers and duties' and that by the 1870s power had drifted to district level.[120] At first sight this appears to have been particularly true of housing and sanitation. The Nuisance Removal Acts of 1846 and 1848 gave rural boards of guardians duties as public health authorities and, although

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[115] ROLLR DE 1379/35. Legal account re. sale of Catthorpe parish property, 1842.
[116] Eastwood, *Government and Community*, p. 166; Eastwood, *Governing Rural England*, pp. 183, 187.
[117] For Leicestershire examples see ROLLR DE 1505/19 Vestry minutes for Knipton, 1851-62 and DE 933/27 Sapcote, 1810-56. For Dorset parishes see DCRO PE/BRE:VE1/2 Vestry minutes for Bradpole, 1868-1962 and DCRO PE/HON:VE1/1 Holnest, 1855-1912.
[118] A. Digby, 'The local state', in E.J.T. Collins (ed.), *AHEW, Vol. VII, 1850-1914* (Cambridge, 2000), p. 1439.
[119] The Union Assessment Committee Act, 1862 also saw the vestry lose some of their powers over the assessment of the rateable value of property.
[120] B. Keith Lucas, *The Unreformed Local Government System* (1980), p. 102.

legislation in 1855 and 1866 gave parish vestries certain sanitary powers, the Public Health Act of 1872 established poor law unions as rural sanitary authorities.[121] In that year the first annual report of the LGB stressed the inappropriate nature of the vestry as a body to enforce sanitary improvement. It stated: 'As the work to be done is costly and largely increases rates, it is certain to meet strenuous local resistance from those who feel the pressure of the rates more than that of the evil'. It was hoped that the transfer of powers to rural unions would undermine the ability of ratepayers to obstruct improvement works within their own parishes. The creation of rural sanitary authorities was intended to 'create an efficient machinery for executing the powers conferred, and fulfilling the duties imposed by the legislature'.[122]

Therefore, it was to the rural sanitary authorities that powers were granted under the Housing of the Working Classes Act, 1890.[123] Although in part motivated by the public outcry over housing conditions in the metropolis this was the first Act to carry specific clauses for rural parishes.[124] The Act was in three parts. The first regulated slum clearance programmes and only applied to urban areas.[125] The second part gave rural authorities powers 'to improve the sanitary conditions of the dwellings of the poor' through inspection and closure of properties identified as unfit for human habitation. However, potentially the most significant section of the Act was 'Part III', as it enabled local authorities to 'erect any buildings suitable for lodging houses for the working classes'. This was only adoptive, but for the first time since 1834 it gave local government the power to house 'the working classes' outside of the workhouse. This legislation can, therefore, be seen as part of the slow erosion of the policy of less eligibility from the late nineteenth century that was linked to the development of a new understanding of the nature of poverty, and an awareness that it affected even the 'deserving' poor.[126] Indeed, unlike much parish-owned housing, council housing was not designed to provide only basic shelter, but high-quality accommodation.

This legislation was sorely needed, despite the construction of better quality housing in some districts. Many large landowners had built high-standard housing for the workers on

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[121] See Nuisance Removal Act, 1846; Nuisance Removal and Diseases Prevention Act, 1848; Nuisances Removal Act, 1855; Sanitary Act, 1866; Public Health Act, 1872. From 1872 the urban parishes of poor law unions were generally formed into urban sanitary authorities.

[122] *First Annual Report of the LGB* (1872), pp. xlvi, l. Interestingly, Section 13 of the Public Health Act 1872, permitted the formation of parochial committees that could exercise powers that were delegated by the sanitary authority itself.

[123] On the development of national housing policy between 1870 and 1890 see A.S. Wohl, *Endangered Lives: Public Health in Victorian Britain* (Cambridge, 1983), pp. 92-107, 221-54 and Burnett, *Social History of Housing*, pp. 137-8.

[124] The origins of the Act are discussed in D. Englander, *Landlord and Tenant in Urban Britain, 1838-1918* (Oxford, 1983), pp. 101-2.

[125] A summary of the provisions of the Act is given in Wohl, *Eternal Slum*, p. 252.

[126] D. Fraser, *The Evolution of the British Welfare State* (1984 ed.), pp. 132-7. D. Englander, *Poverty and Poor Law Reform in Nineteenth-Century Britain, 1834-1914: From Chadwick to Booth* (1998), pp. 27-8.

their estates and in districts where the working classes had access to better-paid employment private enterprise had also provided some improved housing.[127] Improvement was also encouraged by the adoption of bye-laws to regulate new house-building in some villages under the Public Health Act, 1875. However, this improvement was limited in scope and in those villages that remained predominantly agricultural, which was the case in most of Dorset and eastern Leicestershire, the perennial problem of low wages continued to inhibit investment in both house building and repairs. Although wages had reached 12s. in Dorset by the early twentieth century and 16s. in Leicestershire, this was still well below Rowntree and Kendall's assessment of a poverty line of 20s. 6d. per week for a family of two adults and three children.[128] Restricted opportunities for female labour, outside of the hosiery districts, left many families with a hard struggle to make ends meet. Rents show some signs of having edged upwards in the late nineteenth century, but the Land Enquiry Committee reported that they were still only 2s. per week in Dorset and between 2s. and 2s. 6d. in Leicestershire. The report concluded that these would have to be doubled to make the building of high-quality cottages profitable.[129]

Changes in the rural population were also a mixed blessing in terms of housing quality. The population of rural Dorset fell by 17.0 per cent between 1851 and 1901, and that in the southern and eastern districts of Leicestershire by 13.0 per cent.[130] There was considerable local variation, but this did ease the extreme overcrowding and poor sanitation experienced in the 1830s and 1840s, although this easing of demand was another factor in the failure of rents to rise to an economic level. The lack of new building also meant that those that remained were left to occupy a continually ageing housing stock which owners were reluctant to repair. The low standard of much housing is clear from the reports on the Melton Mowbray and Dorchester unions, made to the Royal Commission on Labour of 1893-4. Although neither report described an absolute housing shortage it is clear that many cottages were in a poor state of repair, and that many of those that were in good condition

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[127] In Dorset there was house-building at Wyke Regis, near Weymouth, for workers in the local torpedo factory. J. Waymark, 'Landed estates in Dorset since 1870: their survival and influence' (Unpub. Ph.D. thesis, University of London, 1995), p. 254. Marilyn Palmer has highlighted the improvement in housing in Leicestershire's framework-knitting villages in the late nineteenth-century. M. Palmer, 'The East Midlands framework knitters: the transition from domestic to factory production', *Knitting International* 97 (1990), p. 61.

[128] B.S. Rowntree and M. Kendall, *How the Labourer Lives: a Study of the Rural Labour Problem* (1913), pp. 28-30. For information on wages and perquisites see B. Afton and M. Turner, 'Wages', in E.J.T. Collins (ed.), *AHEW, Vol. VII, 1850-1914* (Cambridge, 2000), pp. 2000-2001.

[129] Land Enquiry Committee, *The Land: the Report of The Land Enquiry Committee, Vol. I: Rural* (1913), pp. 46, 116-8.

[130] As stated in chapter one, the parishes of the western manufacturing districts of Leicestershire saw population growth of 24.2 per cent over this period.

were often small and considered to be overcrowded.[131] This situation was exacerbated in the first decade of the twentieth century by renewed population growth in many districts. The rural population of Dorset rose by 2.1 per cent in this decade and that of southern and eastern Leicestershire by 2.3 per cent. Paradoxically, as Rowntree and Kendall remarked: 'On the one hand, there is overcrowding, on the other numberless cottages are falling into ruin because no landlord finds it worth his while to repair them'.[132]

However, despite this recognition of the need for improved housing, the hopes of reformers on the passing of the 1890 Act were largely unrealised. Nationally, between 1890 and 1909 only fifty-four cottages were built by local authorities in six rural districts.[133] This was partly due to the 'cumbrous machinery' that had to be put in place to adopt the legislation, involving an application to the county council for an inquiry into the housing needs of a district.[134] However, the principal reason for inactivity appears to have been the resistance of local ratepayers. Building was to be funded by loans from the Public Works Loan Commissioners. However, the low rents affordable to those most in need could not cover the level of repayments, especially as the loans for building had to be repaid over the relatively short period of forty years.[135] Therefore, most housing schemes required funding from the rates and were consequently unpopular among ratepayers. As early as 1880 Richard Jefferies argued that 'village rates are becoming a serious burden', and this perception is unlikely to have weakened in the following decades of agricultural depression and rural depopulation, which lessened the number of ratepayers to contribute to local government expenditure.[136] After 1896 the Agricultural Rates Act introduced grants in aid to reduce the rates payable on land by half, but as Offer has remarked rural ratepayers continued to complain that their burden was 'onerous'.[137] Tradesmen, shopkeepers and other lower middle class residents were also likely to oppose local government expenditure, as they did in many towns.[138] Martin Daunton has argued that small property owners often

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[131] See Bear, 'Report upon the Poor Law Union of Melton Mowbray', pp. 139-40 and A. Spencer, 'Report upon the Poor Law Union of Dorchester', *Royal Commission on Labour: The Agricultural Labourer, England* XXXV (1893-4), pp. 29-31.

[132] Rowntree and Kendall, *How the Labourer Lives*, p. 330.

[133] W.W Crotch, *The Cottage Homes of England* (1908), pp. 62-3, 93.

[134] H. Aronson, *Our Village Homes: Present Conditions and Suggested Remedies* (1913), p. 62, describes the obstacles to adopting the 1890 Act. The rural district councils that made application are listed in Crotch, *Cottage Homes of England*, p. 93. The only application for powers under part III in the two case study counties was from Barrow on Soar rural district in Leicestershire, which was unsuccessful. Unfortunately the council minutes do not survive for this period.

[135] W.G. Savage, *Rural Housing* (1915), p. 38.

[136] R. Jefferies, *Hodge and His Masters* (1880), pp. 83-4.

[137] A. Offer, *Property and Politics, 1870-1914: Landownership, Law, Ideology and Urban Development in England* (Cambridge, 1981), pp. 208-10, 226-7. Farmers had been campaigning for a reduction in their rates since the late 1860s through county-based Chambers of Agriculture. See J.R. Fisher, 'Agrarian politics', in E.J.T. Collins (ed.), *AHEW, Vol. VII*, 1850-1914 (Cambridge, 2000), pp. 334-43.

[138] Wohl, *Endangered Lives*, p. 167; P.J. Waller, *Town, City and Nation: England 1850-1914* (Oxford, 1983), p. 258.

relied on rental income, especially in their old age, and did not want to see this eroded by rate payments.[139]

The reforms introduced by the Local Government Act of 1894 also appear to have done little to challenge the ability of local ratepayers to oppose spending on housing schemes. This Act established the rural parishes of poor law unions as rural district councils, which became the rural sanitary and highway authorities.[140] It also introduced greater democracy into local elections, removing the system of plural voting by ratepayers and the right of participation of ex-officio guardians. However, despite this, most rural district councils came to be dominated by farmers and other substantial ratepayers. A survey of election results reported in the Dorset press in 1894 shows that farmers took twenty-three of the thirty-nine listed seats. Landowners' agents and clergymen took a further five seats between them, with the remainder being shared among a number of tradesmen, professionals and private residents.[141] Even in the Hinckley rural district of Leicestershire, with its manufacturing villages, farmers, landowners and clergy still made up the largest single group of councillors in 1910/11. They held eight of the twenty-two seats with a further five occupied by 'private residents': working-class candidates took none.[142] A similar picture has emerged from recent research on Oxfordshire and Essex, and it is clear that working-class district councillors were few and far between.[143] Nationally, the greatest success by labouring candidates was probably made in Norfolk, with its better-organised agricultural trade unionism.[144] However, Marion Springall has argued that even in that county most district councils were akin to a 'rural House of Lords', made up of farmers and clergy of a conservative outlook.[145]

This Act also introduced parish councils, which often had a more popular membership. Figures published in 1895 from a survey of a number of southern and eastern counties, excluding Dorset and Leicestershire, showed that labourers and artisans generally took between 20 and 25 per cent of seats, although in Norfolk, Suffolk and Wiltshire this percentage was between 43 and 44 per cent.[146] However, although the significance of this should not be overlooked, this once again meant that on most parish councils labourers were

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[139] Daunton, *House and Home*, p. 104.
[140] A.H. Graham and S. Brodhurst, *A Practical Guide to the Parish Councils Act, 1894* (1894), pp. 76-81.
[141] See *The Dorchester and Weymouth Telegram*, December 25 1894 *and Kelly's Directory of Dorsetshire* (1895) for occupations.
[142] See ROLLR DE 3640/141. Hinckley RDC minutes, 1908-12. Also *Kelly's Directory of Leicestershire and Rutland* (1912).
[143] On Oxfordshire and Essex see P. Lynch, *The Liberal Party in Rural England 1885-1910: Radicalism and Community* (Oxford, 2002), pp. 113-4.
[144] G. Edwards, *From Crow-Scaring to Westminster: an Autobiography*, (1957 ed.), pp. 68, 85.
[145] L.M. Sprignall, *Labouring Life in Norfolk Villages 1834-1914* (1936), p. 119. On the membership of rural district councils in Norfolk see P. Hollis, *Ladies Elect: Women in English Local Government, 1865-1914* (Oxford, 1987), p. 372.
[146] Lynch, *Liberal Party in Rural England*, p. 107.

in a minority and sat alongside members of the traditional rural elite. Moreover, the powers of parish councils were strictly limited. They did gain control over secular parish charities and had power to provide allotments, which were measures of considerable significance to rural workers.[147] But, in terms of housing their powers were limited to the ability to complain to district medical officers of health over the condition of specific dwellings and their entire annual expenditure was limited to the equivalent of a rate of 6d. in the pound.[148] Indeed, the discussion of capital expenditure could meet harsh electoral consequences. In the village of Kings Langley in Hertfordshire those parish councillors supportive of a housing scheme were voted off in the 1907 elections.[149] Therefore, although there were some local successes, the reforms of 1894 did little to prevent ratepayers successfully objecting to local government expenditure.

However, by the early twentieth century concern was again being expressed over the continued low standard of the rural housing stock. Debates over national efficiency and the effects of rural depopulation on urban living standards caused increased interest in the subject.[150] Following the introduction of a private member's bill and the report of a select committee, which found that rural district councils did not efficiently carry out their duties under the 1890 Act, the Liberal government introduced the Housing and Town Planning Act in 1909.[151] Sections 15 and 17 of the Act made it the duty of every rural district to make a full inspection of local housing, and, where defective, to issue orders either to bring it into a habitable state, or to close it as unfit for human habitation.[152] The Act also extended the length of time over which loans from the Public Works Loan Commissioners could be repaid.[153] Most importantly, it made Part III of the 1890 Act compulsory in all rural districts. This did not make the introduction of housing schemes inevitable, but it did introduce important new procedures for initiating such a scheme. Section 10 of the Act enabled a county council, parish council or any four inhabitant householders to complain to the LGB that a rural district council had 'failed to exercise their powers' under Part III of the Act.[154] This was potentially of great importance in giving power to any four residents to go straight to central government with a complaint against their social superiors. If, after a public inquiry, the LGB found the local authority to be in default it could issue an order for housing to be built.

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147 On the activities of parish councils in Norfolk see Hollis, *Ladies Elect*, pp. 361-72.
148 Graham and Brodhurst, *Guide to the Parish Councils Act*, pp. viii, 41-58.
149 Aronson, *Our Village Homes*, p. 64.
150 See M. Freeman, *Social Investigation and Rural England* (Woodbridge, 2003), p. 161.
151 On the development of national policy see M. Swenarton, *Homes Fit for Heroes: the Politics and Architecture of Early State Housing in Britain* (1981), pp. 31-2. See also Aronson, *Our Village Homes*, p. 67.
152 Savage, *Rural Housing*, pp. 40-1.
153 Aronson, *Our Village Homes*, p. 69 and Savage, *Rural Housing*, p. 44.
154 Housing and Town Planning Act, 1909 (9 Edw. 7 c. 44), Sect 10.

Therefore, the 1909 Act should have been highly effective, and there was an increase in activity. In the year ending March 1912 the number of notices issued to place houses in a fit state for human habitation was almost equal to the total issued in the two preceding years. However, these were issued by only 303 of the 655 rural districts.[155] Similarly, although 1,453 dwellings were closed in 1912, these were in only 364 rural districts. Progress had also been made in house building. Between 1910 and October 1912 loans totalling £75,000 had been sanctioned to build 398 council houses in twenty-nine rural districts. This was a striking improvement on progress under the 1890 Act when only ten loans were sanctioned over almost twenty years. However, notable as this improvement was, one commentator could not avoid the conclusion that due to closure orders the Act had led to an increased dearth of cottages.[156] Indeed, although the number of schemes approved increased again in the following year, only 470 houses had been sanctioned by April 1913 and in the case study counties only thirty council houses had been built in three different villages by 1915.[157] Thus, in its report for 1914, the LGB was forced to admit that 'the progress in the provision of new houses has not been so great as we could have wished'.[158] Nevertheless, local evidence suggests that rural housing was discussed on a much wider scale than ever before and an examination of this provides us with an opportunity to assess power relations in rural communities on the outbreak of the First World War.

Council housing and power relations, 1909-14

A frequent obstacle to the implementation of housing schemes was the power of the landed elite. It is clear that in many 'close' parishes landowners went to considerable efforts to accumulate cottage property in order to ensure that their influence went unchallenged. It was, therefore, unlikely that such landowners would welcome the building of cottages by a rural district council on which their own influence was watered down by the presence of representatives of neighbouring parishes. Council housing had the potential to weaken the control of estate owners and their tenant farmers by freeing labourers not only from fear of eviction on religious or political grounds, but also from the everyday sense of obligation to work as and when their employer demanded. This in turn meant that the intimidation that could be unleashed on potential complainants made it unlikely that residents would request

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155 Aronson, *Our Village Homes*, pp. 77-83.
156 Aronson, *Our Village Homes*, p. 83. It was widely reported at the time that local officials refrained from issuing further closing orders because of the prospect of making families homeless. See Savage, *Rural Housing*, p. 193; Waymark, 'Landed estates in Dorset', p. 249.
157 Savage, *Rural Housing*, pp. 176-7. A fourth scheme was carried out by the Lutterworth RDC in the market town of Lutterworth.
158 *Forty-third Annual Report of the Local Government Board* (1913-14), p. xlii.

intervention. Indeed, it has also been argued that medical officers of health risked dismissal if they highlighted a housing shortage.[159]

Nevertheless, the 1909 Act did facilitate some complaints to the LGB in respect of parishes in which members of the gentry and aristocracy were major landowners. One example was the village of Winterborne Stickland, near Blandford in Dorset that was owned predominantly by Everard Hambro, of Milton Abbas. However, his dominance was not complete as the village had two non-conformist chapels and it had seen some trade union activity in the 1870s. From 1894 the parish council also had a relatively popular membership with two agricultural labourers, two woodmen, a bootmaker and a painter/plumber outnumbering the single farmer elected to the council.[160] The council membership had changed little by March 1911 when it was unanimously resolved 'that more houses may be provided either by the landlord or failing that by the Rural District Council under the 1909 Housing Act'.[161] Following this the medical officer of health for the district inspected the village and found that 'the condition of many cottages was obviously conducive neither to health nor yet morality'.[162]

In September 1911 Hambro wrote to Blandford RDC that he had looked into the matter and decided that 'if I gradually got rid of those who did not work in the parish there would be plenty of room for those who did'. Thereupon six eviction notices were issued, the recipients of which included the chairman and vice-chairman of the parish council.[163] This activity placated the RDC who postponed further discussion of the matter. But in December 1911, after the receipt of more notices to quit, the parish council resolved to make application to the LGB 'for the enforcement of the Housing and Town Planning Act'.[164] The Board sent an inspector, although the proceedings were held in private and no papers from the inquiry have survived. However, the rural social investigator and journalist F.E. Green reported that Hambro agreed to build four new cottages, and consequently the inspector found that private enterprise would meet the demand for housing. By October 1912 most of the eviction notices had also been withdrawn.[165] Therefore, to some extent this can be seen as a success on the part of the parish council. Nevertheless, the threats of eviction to the council leaders also show the intimidatory tactics that estates could employ. Although the

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[159] See Mingay, 'The rural slum', p. 118. For urban equivalents see Wohl, *Endangered Lives*, pp. 188-90.
[160] DCRO PC/WSD:1/1. Winterborne Stickland parish council minutes, December 4 1894. Councillors' occupations are taken from the 1881 census returns and *Kelly's Directory of Dorsetshire* (1895), p. 213.
[161] DCRO PC/WSD:1/1. Winterborne Stickland parish council minutes, March 17 1911.
[162] F.E. Green, *Tyranny of the Countryside* (1913), p. 126.
[163] Green, *Tyranny of the Countryside*, pp. 127-8.
[164] DCRO PC/WSD:1/1. Winterborne Stickland parish council minutes, December 29 1911.
[165] Green, *Tyranny of the Countryside*, pp. 130-1.

construction of these cottages might ease overcrowding, the power relations in the village would be largely unchanged.

It is, however, noticeable that the only two rural parishes in Dorset in which council housing was built in this period were both dominated by landed estates. These were Studland and Langton Matravers in the Wareham and Purbeck rural district. Studland was by far the most 'close', with a large proportion of the land and a majority of the housing stock owned by the Bankes estate. This family also owned property in Langton, and in 1909 they and three other estate owners held 93 per cent of the land between them.[166] Both these parishes were the subject of complaints to the LGB from four inhabitant householders under the 1909 Act, as was the nearby parish of Corfe Castle that was also owned by the Bankes estate and three other major landowners. All three of these villages saw LGB housing inquiries in 1912-13. This spate of activity is linked to the fact that Henry Jephson, chairman of the National Land and Home League, had a residence in the nearby resort of Swanage.[167] His wife, Julie Jephson, appears to have played an important role in ensuring that the complaints from each of the parishes took the correct legal form. Outside activity was therefore of great importance in getting inquiries held, and the National Land and Home League also sponsored a solicitor, Ernest White, to represent the householders in each parish. However, the fact that only two of these three inquiries led to house building proves that this intervention was not in itself enough to guarantee action and the response of individual landowners was also important in the ultimate decision of the LGB.

The first of the three inquiries was held in Studland in November 1912. Ernest White undertook extensive house-to-house investigations and presented a picture of dampness and overcrowding that was 'a disgrace to civilisation'.[168] He also gave evidence to the inquiry that the Bankes estate had a long-established policy to 'not permit any building' and described a housing shortage that forced young couples to delay marriage for want of accommodation. The RDC disputed these arguments, claiming that the cottages were 'clean and water tight and well cared for'.[169] However, having made his own investigation, the LGB inspector concurred with White's view, reporting that 'as a whole the conditions may be taken as some of the very worst description'. He concluded that 'there is no probability of the necessary accommodation being provided otherwise than by the Council' and issued an order that twelve cottages should be constructed.[170] On January 30 1913, following further refusals by the Bankes estate to build, the RDC reluctantly resolved that 'although the

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[166] DCRO NG/V:LM/1. Langton Matravers Valuation Book, 1909.
[167] NA HLG:1/1001. Letter from Julie Jephson to the LGB, March 12 1913.
[168] NA HLG:1/1001. Report of inquiry into housing at Studland, November 11 1912.
[169] DCRO, uncatalogued. Wareham and Purbeck RDC minutes, October 10 1912.
[170] NA HLG:1/1001. Report of inquiry into housing at Studland, November 11 1912.

Council is still of opinion that the Cottage accommodation is sufficient ... it will build the cottages required'.[171] They were ready for occupation by early 1915 and were the first council houses to be built in rural Dorset.[172]

It was following this success that the complaints were sent from Corfe Castle and Langton Matravers, leading to LGB inquiries in August 1913. At Langton the estate owners again refused to build more housing, and on this occasion the RDC did not even seek to dispute White's evidence.[173] The RDC, therefore, appears to have anticipated a finding that private enterprise had failed to meet demand and it voluntarily constructed six cottages. At Corfe Castle, however, the need for council intervention was hotly contested. White's case was weakened by the fact that he only called two witnesses, neither of whom were tenants of the worst cottages. He argued that this was because many feared victimisation. Such claims were strongly denied, although White claimed to have a letter from one of the four original complainants stating that he would not attend 'for fear of being turned out of his house'.[174] The LGB inspector did not, however, order the construction of cottages, as at Winterborne Stickland, because two local estates offered to build six new cottages between them, and refurbish a number of others.[175] This clearly reflects the importance placed by the LGB on the need to establish whether private enterprise would meet housing requirements: rural district councils were not to build houses to free tenants from tied cottages or potential threats of eviction.

Nevertheless, where the LGB was alerted to evidence of housing shortage it could also initiate inquiries into the actions of local councils. In 1912 it investigated housing provision in the Belvoir rural district, in Leicestershire, which was possibly the most aristocratic-dominated in England. It contained only nine parishes, in eight of which the Duke of Rutland was a substantial landowner.[176] Although not an elected member of the council, the Duke was appointed its chairman and his agent also sat as the councillor for Belvoir.[177] The concern of the LGB was first aroused by the medical officer of health's annual report for 1911, which mentioned a lack of available cottages in the district. Although this was denied by the RDC, an LGB inspector visited the district in early 1913.[178] He found overcrowding resulting from 'the dearth of cottages with sufficient bedroom

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171 DCRO, uncatalogued. Wareham and Purbeck RDC minutes, January 16 and 30 1913.
172 DCRO, uncatalogued. Wareham and Purbeck RDC minutes, December 17 1914.
173 DCRO, uncatalogued. Wareham and Purbeck RDC minutes, April 24 1913.
174 *Dorset County Chronicle*, August 21 1913, p. 11.
175 DCRO, uncatalogued. Inspectors' report transcribed in Wareham and Purbeck RDC minutes, October 23 1913.
176 The Belvoir rural district was formed as a result of the 1894 reorganisation of local government.
177 Under Section 59 of the Local Government Act, 1894 the chairman of an RDC 'may be elected from outside the Councillors'. See Graham and Brodhurst, *Guide to the Parish Councils Act*, p. 67.
178 ROLLR DE 1075/5. Belvoir RDC minutes, September 9 1912.

accommodation for a family'. As there was no prospect of this need being met by private enterprise he recommended that cottages with three bedrooms be built in the villages of Bottesford, Croxton, Muston, Knipton, and Redmile.[179] In response the RDC appointed a committee in October 1913, but it was to focus only on the parish of Bottesford. This was by far the most populous parish in the district, in which Rutland was only one of five principal landowners.[180] Therefore, activity was focussed on the most 'open' parish in the district, possibly to protect the Duke's monopoly of interest in the parishes surrounding Belvoir and Knipton. By February 1914 the committee was proposing the construction of six cottages at Bottesford, but even this scheme did not come to fruition.[181] Therefore, although the Housing Act of 1909 confronted landowners with a challenge to their dominance it appears that their opposition was rarely overcome.

It would, however, be wrong to argue that the low level of council house building was the sole responsibility of aristocratic and gentry landowners. The vast majority of parishes in which property ownership was fragmented also built no council housing, suggesting that the ranks of smaller ratepayers remained generally opposed to spending on housing schemes. Evidence of this was seen at an LGB inquiry at Markfield, in west Leicestershire, in November 1912, again held in response to a complaint by four inhabitant householders. It was relatively open in terms of property ownership and was at 'the centre of a considerable working class population engaged in quarrying and mining'.[182] At the inquiry one Mr G.E. Bouskell represented the objections of 112 of the 243 ratepayers in the parish to any proposed housing scheme, and he firmly asserted that private enterprise was capable of meeting demand.[183] This suggests that opposition was in part motivated by an ideological attachment to private enterprise and the LGB reported in 1914 that 'in certain districts there is still a strong sentiment in opposition to the municipal provision of housing'.[184] At Markfield, the ratepayers' opposition was over-ruled by the inspector whose report led to the construction of twelve council houses in the village by December 1914.[185] However, the absence of council house building in the overwhelming majority of 'open' villages suggests that ratepayer opposition was usually more successful. Indeed, the Hinckley RDC, with its many substantial industrial villages made no discussion about increased provision of working class housing prior to 1914.[186] Little progress was also made in the west-Dorset

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[179] ROLLR DE 1075/5. Belvoir RDC minutes, September 8 1913.
[180] *Kelly's Directory of Leicestershire and Rutland* (1912), p. 44.
[181] ROLLR DE 1075/5. Belvoir RDC minutes, February 23 1914. The Bottesford scheme was delayed partly by the death of Rutland's agent and was halted by the outbreak of war.
[182] *Coalville Times*, April 19 1912, p. 7.
[183] *Coalville Times*, November 8 1912, p. 1.
[184] *Forty-third Annual Report of the LGB* (1914), p. xlii.
[185] ROLLR DE 3640/165. Market Bosworth RDC minutes, January 15 1913.
[186] ROLLR DE 3640/138-42. Hinckley RDC minutes, 1894-1917.

districts of Bridport and Beaminster where property ownership was typically fragmented, and where there had been widespread provision of parish housing.[187]

This widespread resistance to expenditure from the rates was encouraged by two other important factors. Firstly, the housing legislation failed to fix which administrative area was liable to fund any housing scheme. Although Section 31 of the 1909 Act stated that the expenses should be levied on the whole rural district, it also permitted district councils to request the LGB to declare that the costs should be 'charged on specific contributory places'.[188] Indeed, in all three housing schemes in the rural parishes of Dorset and Leicestershire the charges were made payable by the individual parishes. Clearly, the councillors of neighbouring parishes did not see it as their responsibility to pay for the construction of cottages elsewhere in their rural district. At the Studland inquiry the clerk of the RDC argued that it would be hard to place the charge on a large district of twenty-four parishes because there 'was no community of interest between say Studland and Lulworth, which were many miles apart'.[189] The responsibility for building costs was an important point of contention that Savage believed was 'a great difficulty in the way of housing construction'.[190] It also illustrates the resilience of the parish as a unit of local government and it is striking that housing need was still assessed on a parish by parish basis in 1914.

Secondly, ratepayers were also becoming aware that there was an alternative to funding house-building solely from the rates. Under the Housing of the Working Classes (Ireland) Act of 1908, the Liberal government had established a fund to make grants-in-aid available to Irish local authorities, thereby easing the burden on the rates.[191] However, this was an exception to a long-established Liberal opposition to such grants and no such policy was introduced for England and Wales.[192] Indeed, the government strongly opposed two Unionist sponsored bills that proposed this in 1911 and 1912.[193] Instead, the LGB argued that housing should be provided at an economic rent so that better-off workers could move into this property, allowing a 'filtering up' into better accommodation. However, the lack of building suggests that this argument was not persuasive to most ratepayers and the perception that grants-in-aid provided a viable alternative to spending from the rates galvanised local resistance to action under the 1909 Act. In August 1913 the clerk to

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[187] DCRO DCC:A1/3/34. 'Annual Report of the Medical Officer of Health for Dorset County Council', 1915.
[188] Section 31 (1), Housing and Town Planning Act, 1909. This built on Section 65 of the Housing of the Working Classes Act, 1890.
[189] NA HLG:1/1001. Report of inquiry into housing loan at Studland, Dorset, August 21 1913. A similar point was made by opponents of the Markfield scheme, see *Coalville Times*, November 8 1912, p. 1.
[190] Savage, *Rural Housing*, p. 142.
[191] Wohl, *Eternal Slum*, p. 336. See also F.H.A. Aalen, 'Ireland', in C.G. Pooley (ed.), *Housing Strategies in Europe 1880-1930* (Leicester, 1992), pp. 132-63.
[192] Offer, *Property and Politics*, pp. 311-2. Lloyd George's personal opposition to such a policy is discussed in Bellamy, *Administering Central-Local Relations*, p. 96.
[193] Bellamy, *Administering Central-Local Relations*, p. 96.

Wareham and Purbeck RDC stated that the housing question 'was never going to be tackled adequately until something was done as in Ireland', and this view was becoming increasingly widely held by this date.[194]

It is also noticeable that although the LGB was able to act in a more interventionist manner under the Housing and Town Planning Act, it could still appear relatively weak in the face of determined local resistance. In the Beaminster rural district, in Dorset, an LGB inquiry in 1913 recommended the construction of six cottages in each of the large and relatively open parishes of Beaminster and Netherbury.[195] In January 1914 a housing committee was appointed but it took little action. Despite a letter in April from the LGB enquiring what was being done, the committee made no report before the outbreak of war in August, when it stated that it 'did not consider the present a time to incur extra expenditure'.[196] Such extensive delays often appear to have been tactical. W.G. Savage, a former county council medical officer of health, stated that the LGB 'finds it extremely difficult to make an inactive and unwilling authority take active measures to remedy housing ... defects'.[197] The Land Enquiry Committee noted that although the LGB could enforce its recommendations by mandamus this had never been done, 'the policy of the Board being to try to avoid it'.[198] Indeed, much of the correspondence between central and local government carries a tone of negotiation, rather than command. For example, although the Board inspector recommended the construction of twenty houses at Markfield it eventually accepted the district council's argument that it should build only twelve at first.[199] This is in line with Bellamy's conclusion that the actions of the LGB were constrained by a long-established reluctance to interfere too strongly in 'local property and political rights', and this enabled many rural districts to avoid full compliance with the LGB's recommendations.[200]

This is not to argue that ratepayers refused to make any expenditure from the rates. Indeed, it is noticeable that in some parishes where there was no discussion of the housing problem, ratepayers' money was spent on schemes of sewerage, drainage, water supply or street lighting. The villages of Barwell, Burbage and Earl Shilton, near Hinckley, all took steps to acquire a water supply in the years prior to the First World War and all the schemes

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[194] *Dorset County Chronicle*, August 28 1913, p. 11. On developing support for grants in aid see E.N. Bennett, *Problems of Village Life* (c. 1914), p. 148 and Aronson, *Our Village Homes*, pp. 102-6.
[195] *Forty-third Annual Report of the LGB* (1914), p. xxv.
[196] DCRO DC/BE:A/1/1/5. Beaminster RDC minutes, August 13 1914.
[197] Savage, *Rural Housing*, p. 201.
[198] Land Enquiry Committee, *The Land*, p. 128.
[199] ROLLR DE 3640/165. Market Bosworth RDC minutes, January 15 and February 26 1913.
[200] Bellamy, *Administering Central-Local Relations*, p. 14.

cost more than the construction of the cottages at Markfield.[201] However, despite the county medical officer of health reporting in April 1914 that all of these parishes required new cottages to relieve overcrowding, no discussion of council housing took place in this period.[202] Ratepayer-parsimony also frustrated many schemes to improve water quality and sanitation, but it does appear that local elites were more willing to sanction payments for improvements that benefited the whole parish, including their own property, than for building housing for a relatively small section of the working class.[203]

Furthermore, in parishes where urban incomers were taking up residence, or where the attraction of visitors was proving profitable for local tradesmen, expenditure was often made according to their priorities. Such an example is the village of Woodhouse Eaves, near Leicester, which became both a tourist attraction and desirable residence for the wealthy in the late nineteenth century because of its proximity to Charnwood Forest. A new water and gas supply had been laid on, and a sewerage system constructed by 1906. The annual report of the parish council for that year described its desire to promote the 'welfare and prosperity of the village'. However, it made no reference to distinctly working-class matters such as allotments or housing, declaring that a priority was 'the provision of conditions which make for the comfort and convenience of the many visitors who make their residence here, during the summer months'.[204] This prioritisation of issues is reminiscent of George Sturt's description of the 'unsympathetic' attitude of middle-class incomers to their working-class neighbours in the village of Bourne in Surrey.[205]

Thus, by 1914 central government was increasingly frustrated by the fact that reports of medical officers of health still showed 'that in many districts the provision of houses is insufficient'.[206] When the Land Enquiry Committee reported in 1913 that there was a shortage of 120,000 cottages in rural districts it was clear that this total would be unachievable under existing legislation.[207] This was of great significance because of Lloyd George's personal interest in a land campaign, aimed at nothing less than the reshaping of rural power relations. This was to be achieved by granting farmers greater security of tenure and giving the labourer a minimum wage, both measures that were designed to limit the influence of large landowners and improve Liberal prospects in rural constituencies.[208] The

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[201] For Barwell and Earl Shilton see ROLLR DE 3640/141. Hinckley RDC minutes, March 18 1912. For Burbage see ROLLR DE 3640/142. Hinckley RDC minutes, January 18 1915. ROLLR DE 3640/165. Market Bosworth RDC minutes, December 31 1913.
[202] ROLLR CC/3/2/14. Report of the Sanitary and Housing Committee to Leicestershire County Council, April 18 1914.
[203] Green, *Tyranny of the Countryside*, p. 23.
[204] ROLLR DE 198/44. Annual reports of Woodhouse parish council, 1900-12.
[205] G. Sturt, *Change in the Village* (1912; 1955 ed.), pp. 120-1.
[206] *Forty-third Annual Report of the LGB*, p. xlii.
[207] Land Enquiry Committee, *The Land*, pp. 132-3.
[208] Offer, *Property and Politics*, pp. 375-6.

provision of better housing was also planned as part of a wider move to improve rural living conditions and stem population decline. Thus, in October 1913 Lloyd George announced that the 'urgent problem' of the rural housing shortage could only be addressed by funding from central government.[209] In July 1914 a Bill was placed before Parliament empowering the Treasury to forward £3 million for rural house-building to public utility societies. Although the houses were to be let at an economic rent, it was argued that rural labourers would eventually be able to afford these following the introduction of a minimum wage.[210] This bill clearly had the potential to significantly reduce both the incentive and ability of rural elites to oppose the construction of council housing. However, the clauses dealing with rural housing were dropped, in order to secure the passing of those referring to the naval dockyard at Rosyth, and the potential of the land campaign to change the balance of power in rural areas was never fully put to the test. [211]

Conclusion

The most striking feature of this study of local government and the provision of housing is the vigour with which landowners, farmers and other substantial ratepayers exercised their power to protect their own interests in rural parishes, despite substantial changes to the structure of local government. The introduction of the new poor law saw the formation of a new tier of local government that was introduced to challenge the power of elites to operate at a parish level, and to increase the influence of central government in order to ensure administrative uniformity. This policy was not without substantial success. Most poor law unions built new workhouses as deterrents to the able bodied poor and there was a national decline in expenditure on outdoor relief. In terms of housing, direct rent payments to landlords were drastically curtailed and approximately half of property-owning parishes had disposed of their housing stock by 1850. However, the retention of property by many other parishes, along with the use of highway, church and private rates as a source of funding outdoor relief, confirms that ratepayers made considerable use of the parochial independence that remained after 1834. The evidence of widespread poverty, overcrowding and eviction illustrates that this was not widely driven by a benevolence towards the poor, but by the belief of many substantial ratepayers that this was the best policy to protect their own economic interests. Indeed, when parish property was finally disposed of it was usually

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[209] *The Times*, October 23 1913, p. 10.
[210] See Offer, *Property and Politics*, p. 373.
[211] See Swenarton, *Homes Fit for Heroes*, pp. 44-6 for detail of the 1914 Housing Bill.

because local elites either wished to make use of the sale proceeds, or because they no longer saw a need to make such provision.

The second half of the nineteenth century saw further extensive alterations in local government and housing legislation that had the potential to erode the power of local elites. However, the limited amount of building in the two case study counties, and across the country as a whole, illustrates both the strength of opposition of most substantial ratepayers to local government expenditure on housing, and the difficulty of overcoming such resistance. Aristocratic and gentry landowners were unwilling either to contribute to housing schemes, or to see their control of housing weakened in parishes in which they were the largest property owners. The farmers, clergy, tradesmen and shopkeepers who actively participated in rural local government were also unwilling to debate housing schemes because of the feared burden on the rates, and a disinclination to interfere with private enterprise. Although many rural workers won seats on parish councils after 1894 these bodies had only limited powers and where they did raise complaints they were open to intimidation. Moreover, the LGB was only willing to intervene where it believed that the failure of private enterprise was indisputable, and even then it was unwilling to use its full legal powers to enforce action by local authorities. These findings, therefore, support Bellamy's argument that prior to 1914 local government continued to represent the rights of property 'at the cost of their ability to promote a general or community interest', and that this 'formed a political and psychological barrier against the creation of directive and coercive central powers'.[212] Thus, the legislative changes of this period appear to have moderated, rather than substantially weakened the power of local elites in rural society, lending support to Anne Digby's argument that the 'tenacity of the old order in the late Victorian and Edwardian countryside needs emphasising'.[213]

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[212] Bellamy, *Administering Central-Local Relations*, pp. 12-14.
[213] Digby, 'The local state', pp. 1430-1.

Chapter Six
Conclusion

Over the preceding chapters it has become clear that the ownership and management of housing played an important part in the experience of power relations in the Victorian and Edwardian countryside. Those in rural society most determined to make use of the power and influence brought by the ownership of rural housing were aristocratic and gentry landowners. It is striking that although the provision of cottages brought little economic benefit the landed classes were nonetheless eager to acquire control over such property in parishes in which they were prominent landowners. This has been seen most strikingly in Dorset where the decline of lifehold tenure and squatting led to a large-scale intensification of house-ownership in the county over the course of this period. In Leicestershire this expansion was geographically less impressive due to the smaller number of estates established prior to the 1830s and the greater tenurial security of smaller property owners. The spread of the framework knitting industry in the west of the county also discouraged investment in parishes that were carrying the burden of poor rates associated with hosiery manufacture. However, even in Leicestershire the process of 'closure' was noticeable within parishes in which landowners wanted to expand their estates by purchase. It is also clear that a number of landowners continued to acquire cottage property into the period of agricultural depression. Furthermore, although the period 1910-14 saw a sharp increase in land sales this was most often of outlying parts of estates, leaving the majority of parishes that had undergone the greatest intensification of ownership relatively untouched.[1]

There is substantial evidence that large landowners were inspired by a range of socio-economic motives to obtain cottage property. It is clear from the evidence discussed in chapter two that the settlement laws were an important incentive to restrict the residence of paupers prior to the introduction of union chargeability in 1865. However, the control of village housing stocks also brought landowners the opportunity to exercise their own form of paternalism, combining both benevolence and regulation to bolster their position at the head of the rural social structure. On some estates older dwellings were replaced by new estate cottages, complete with date stones and family crests, to advertise the generosity of their proprietor, alongside other 'paternalist' investment in schools, churches and allotments. Those seen as deserving and respectable could then be rewarded by low rents and security of

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[1] J.V. Beckett, 'Agricultural landownership and estate management', in E.J.T. Collins (ed.), *AHEW, Vol. VII, 1850-1914* (Cambridge, 2000), p. 719. On the sale of outlying estates in Dorset see J. Waymark, 'Landed estates in Dorset since 1870: their survival and influence' (Unpub. Ph.D. thesis, University of London, 1995), pp. 59, 79.

tenure, while those perceived to be disorderly and immoral could be excluded from estate cottages. On some estates threats of eviction were used to encourage church attendance and Conservative voting. The erosion of small freeholders and other customary tenants was also important for the practical opposition they could raise over issues such as enclosure and religious nonconformity. The demands of farmers for tied cottages, in which to house a workforce that could be requested to work as and when required, could also be met. Indeed, the importance of control over housing became clear to all during the agricultural trade unionism of the early 1870s. It must be stressed that it is unlikely that many estates used their control of housing in all these respects. What house-ownership offered was the potential to take action in these ways and the extent to which that potential was fulfilled varied both between estates and over time, according to the character of individual owners and their agents. This is particularly noticeable in the differing emphases placed by landowners on the construction of high-quality housing as a means of encouraging deferential attachment to their estates. Nevertheless, the evidence makes clear that on a majority of the large estates examined for this thesis attempts *were* made to put their potential power into practice, in at least one of the spheres of influence identified above.

There were, however, strict limits to the extent to which they were successful in generating a stable and deferential society. The direct influence of the landed classes through housing was obviously restricted to their own estate villages, and in a county such as Leicestershire where 'close' parishes were in a minority this influence was limited. Even when moral regulation was attempted, surveillance of the lives of tenants across large estates was always incomplete. Furthermore, as the critics of social control have argued, labourers remained capable of independent thought and, to a lesser degree, action. Indeed, Alun Howkins has argued that the apparent stability of rural society in the 1850s and 1860s concealed a background of poverty, migration, crime and disorder.[2] The 1870s saw these underlying tensions rise to the surface through the agricultural trade union movement, which openly attacked many aspects of landed paternalism. Although the movement was only of limited success in campaigning for better terms of employment, it did help broaden labourers' horizons. Therefore, even where estate and tied housing were prevalent, the power of landowners could be contested, and sometimes moderated, by the resistance of their tenants. Later in the century the decline in the labour force meant that labourers were able to move annually between tied cottages in order to avoid dominance by any one farmer. Furthermore, labourers were leaving the land in their thousands as the railways eased access to the towns, and local newspapers advertised the benefits of emigration to the colonies.

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[2] A. Howkins, *Reshaping Rural England: a Social History, 1850-1925* (1991), pp. 93-137.

Therefore, the power of the landed classes cannot be interpreted as resting on an unchallenged hegemony, even within estate villages.

Indeed, despite their increase in cottage ownership the late nineteenth century can be seen as a time of waning influence for aristocratic and gentry landowners. The depression in agriculture placed financial restrictions on the ability of many to undertake paternalist expenditure. As David Cannadine has argued the unprecedented level of land sales between 1910 and 1914 marked a reversal in the long-term expansion of landed estates.[3] The broadening of the rural franchise in 1884 and the reforms of local government in 1888 and 1894 threatened to disrupt traditional methods of governance, although the impact of these changes was neither revolutionary nor immediate. On a wider front the introduction of death duties in 1894, the taxation policies of the Liberal government after 1906 and reform of the House of Lords in 1911 all mark a reduction in the power of landowners within central government. Indeed, it could be argued that this can be seen in the Housing and Town Planning Act of 1909, under which the housing provided by individual estate owners could be the subject of investigation by a central government inspector, something inconceivable fifty years beforehand. Thus, both nationally and locally there is evidence to support Cannadine's argument that by 1914 the aristocracy and gentry 'were under attack, on the defensive, and in retreat'.[4]

And yet, the evidence suggests that one should not over-state the extent of their decline in influence at a local level by 1914. On many estates there is continued evidence of a mixture of policies of benevolence and regulation that were aimed at maintaining landowners' influence. Perhaps this is best symbolised by the continued construction of estate cottages in the Edwardian period, albeit not on the scale of the 1850s and 1860s. This went along with the celebration of family events within estate villages and the praise of paternalist actions within obituaries in the local press. Neither had the trade unionism of the 1870s entirely destroyed paternalist attachments, especially where landowners had shown some tolerance to union activity and retained housing in their own hands, rather than letting it to their tenant farmers. It is, therefore, likely that some long-term residents of high-quality cottages felt a genuine respect for their landlords. Their continued power is also revealed by the darker side of paternalism, including the threats of eviction made during election campaigns and housing inquiries. Indeed, it is clear that the ability of those that remained tenants of estate-owned housing to actively oppose the interests of their landlord or employer was severely restricted by their insecurity of tenure.

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[3] D. Cannadine, *The Decline and Fall of the British Aristocracy* (1990; 1992 ed.), pp. 89, 110.
[4] Cannadine, *Decline and Fall*, p. 103.

Furthermore, despite the reforms in local government of 1894, landowners and their agents still played an important role on rural district councils until at least 1914. Although the LGB had the power to investigate their housing provision many landowners were able to defeat proposals for council housing in their parishes, thereby preserving their influence and that of their tenant farmers. Therefore, there is considerable evidence from these two counties that landowners were extremely active in defending their interests at a local level. There may have been greater signs of decline in areas worse affected by the agricultural depression. The decline in rents in both Leicestershire and Dorset appear to have been close to the national average between 1872/3 and 1910/11 and it would be useful to examine the practice of paternalism in East Anglia and the arable counties of the south Midlands where rents fell much further.[5] Nevertheless, although the power of the aristocracy as a ruling class in British society was slowly ebbing by 1914, the impact of this on local power relations in many parts of England should not be exaggerated.

This thesis has also analysed the survival and nature of small-scale house ownership in these two counties. The valuation lists from forty sample parishes in the two counties show that smaller owners, of fewer than ten houses, were an important feature of the pattern of property ownership in the 1830s. In the most 'open' parishes of both counties the modal unit of ownership was a single dwelling. The survival of smaller owners was especially strong in Leicestershire, largely as a result of their historic security of tenure. At this date Dorset also contained parishes where smaller property owners thrived, and in those where landownership was already highly concentrated this was largely due to the survival of lifeholding. The existence of smaller owners in such villages was of considerable importance in not only guaranteeing their own independence from the landowner, but also in limiting the landowners' control over residency in these parishes. It was, however, in these villages that the decline of smaller owners over this period took greatest effect, although the resistance of squatters, lifeholders and copyholders meant that the power of landowners to accumulate property was often far from straightforward. Nevertheless, the decline of smaller owners was not universal and there were many parishes in which patterns of property ownership remained fragmented into the twentieth century. Examples include Bradpole and Haselbury Bryan in west and north Dorset, although such cases were more frequently seen in Leicestershire because of the greater number of small freeholders, whose ranks were augmented into the twentieth century by the enfranchisement of copyholders.

If we turn to examine the background of these smaller owners they appear to have had diverse origins and there is little evidence that they can be categorised as a unified social

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[5] F.M.L. Thompson, 'An anatomy of English agriculture, 1870-1914', in B.A. Holderness and M. Turner (eds), *Land, Labour and Agriculture, 1700-1920: Essays for Gordon Mingay* (1991), p. 226.

group. Evidence from mid-nineteenth century lifehold and copyhold records show that trade and craftspeople were typically the largest group of resident owners, alongside smaller numbers of farmers, private residents, professionals, and rural workers. Within this there is some support for Reed's argument that the nineteenth century saw the survival of a group of 'household producers' who 'concerned themselves more with family needs and neighbourhood obligations' than with profit.[6] This can be seen in evidence of owner-occupying trade and craftspeople and the small average size of property holding in 'open' parishes. However, there is also considerable evidence that, even under customary tenures, many small property owners entered house-ownership on a more profit-oriented basis, in line with Dennis Mills' description of smaller proprietors as entrepreneurs.[7] Although there is little evidence of large-scale speculative investment many lifehold and copyhold cottages were subdivided, suggesting an interest in increasing profits. The court rolls of Leicestershire's copyhold manors also list many non-resident proprietors, making it clear that their property was meant to make a return on the money invested, rather than act as the basis of household production. Therefore, although Reed has argued that his household producers could vary from 'semi-proletarians' through to 'rich peasants' it would be wrong to adopt this term as a description of all smaller property owners.[8]

Clearly, the role of these smaller owners in rural society is deserving of much greater research. There was a notable trend, even in the most 'open' parishes, for the average size of holding to increase over the course of this period, and the rate of owner-occupation to decline. Where long-runs of court roll material survive, as in south-west Leicestershire, it may be possible to draw connections with census data, trade directories, newspaper adverts and bankruptcy records to analyse changes in the prosperity of trade and craftspeople and the impact of this on patterns of investment in housing. A search of the smaller collections in county record offices may also reveal documents that yield more information on their investment in such property and of their relationship with their tenants. In terms of the wider power and influence of small property owners in rural society, future research might also investigate the way in which different sized investors aligned themselves with other social groups on specific issues. It is possible that owners of limited means, who might have been on the margins of poverty themselves, retained considerable sympathy with their poorer neighbours. However, it appears that many resident owners and ratepayers aligned

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[6] M. Reed, 'Class and conflict in rural England: some reflections on a debate', in M. Reed and R. Wells (eds), *Class, Conflict and Protest in the English Countryside, 1700-1880* (1990), p. 13.
[7] See D.R. Mills, *Lord and Peasant in Nineteenth-Century Britain* (1980), pp. 16, 46 and D.R. Mills and B. Short, 'Social change and social conflict in nineteenth-century England: the use of the open-closed village model', *Journal of Peasant Studies* 10 (1983), p. 258.
[8] Reed 'Class and conflict in rural England', p. 10.

themselves with tenant farmers and landowners in opposing expenditure from the rates on poor relief and, later in the century, on council housing. This is in line with Avner Offer's argument that there were 'bonds of common interest which acted across social and income class barriers and tied small proprietors into the web of plutocracy'.[9] The relationship between the traditional middling groups of rural society, including farmers, tradesmen and craftsmen, with the growing number of ex-urban middle-class residents is also worthy of greater scrutiny.

The pattern of property ownership was also clearly of great importance to the daily experience of rural workers. The tenants of smaller property owners were generally not obliged to work for a specific farmer or estate, and where property ownership was fragmented the variety of employment was likely to be wider. This was particularly noticeable in Leicestershire where the hosiery and boot and shoe industries were confined to those parishes with many smaller property owners. The statistical data from chapter two shows that these parishes tended to be larger in terms of population, which is likely to have had an impact on social life, leading to the formation of clubs and societies and a greater number of public houses.[10] As Flora Thompson argued the tenants of smaller owners were free to decide whether to attend church or chapel, and also to vote as they pleased.[11] Thus, as Springall argued, 'So long as a man paid his rent, the small proprietor cared little about his morals or his politics'.[12]

This is not to ignore the clear limits to the positive attributes of life in parishes with fragmented patterns of property ownership, including constraints on the 'independence' of some of the inhabitants. The discussion of parish housing in chapter five supports Roger Wells' arguments that those requiring poor relief were to some extent subject to the regulation of the largest ratepayers.[13] Tenants could be moved between parish cottages at will, and they might also be subject to summary eviction. Indeed, eviction was particularly likely when parish housing was disposed of, an occasion that provoked conflict between tenants and parish officers whatever the pattern of property ownership. Despite an improvement in housing standards in Leicestershire's manufacturing villages from the last quarter of the nineteenth century, much of the housing in agricultural 'open' parishes was of

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[9] A. Offer, *Property and Politics, 1870-1914: Landownership, Law, Ideology and Urban Development in England* (Cambridge, 1981), p. 107.
[10] Mills describes Medbourne in Leicestershire as a typical open village with four public houses and a lodge of forresters. D.R. Mills, 'Landownership and rural population, with special reference to Leicestershire in the mid-19th century', (Unpub. Ph.D. thesis, University of Leicester, 1963), p. 135.
[11] F. Thompson, *Lark Rise to Candleford* (1945; 1973 ed.), p. 21.
[12] L.M. Springall, *Labouring Life in Norfolk Villages 1834-1914* (1936), p. 54.
[13] R. Wells, 'Social conflict and protest in the English countryside in the early nineteenth century: a rejoinder', in M. Reed and R. Wells (eds), *Class, Conflict and Protest in the English Countryside, 1700-1880* (1990), pp. 67-76.

a low standard. Many commentators report that higher rents were paid for such property and tenants could still be subject to eviction if they fell heavily into arrears. In terms of local government it is clear that farmers and other ratepayers continued to play an important role in most parishes, even after 1894, and they were generally unwilling to fund council housing as a means of improving the standard of housing for their poorer neighbours. None of this is to dispute the broader social freedoms discussed above, at least for those who were able to maintain themselves largely without the assistance of parish relief. However, when discussing social relations in parishes with different patterns of property ownership it is of utmost importance not to portray the contrast in absolute terms.

What conclusions, therefore, can be drawn about the open and close parish model of rural society? It is clear that the laws of settlement were only one of a number of influences on the housing supply, and the shortage of housing in close parishes was much more the result of a failure to build new cottages than of large-scale demolition in the mid-nineteenth century. Contrasts in parish population levels were not only influenced by current patterns of property ownership, but also by the history of settlement, and the nature of local agricultural and industrial employment. There are also problems in the classification of parishes under open or close labels. Firstly, there were contrasts in social relations between parishes with similar patterns of property ownership. Differences in the paternalist outlook of landowners meant that the experience of social relations could vary widely between parishes with a 'close' pattern of property ownership. Similarly, variations in topography, agriculture and industry meant that the experience of life in 'open' parishes could also be very different. Secondly, the ownership of housing and land were not wholly in line in many parishes, and the influence of a large landowner in a parish in which they held only a minority of the housing stock was considerably weakened. Closely related to this is the question of how a parish containing a large estate and a number of smaller land and house owners can be meaningfully classified. Lastly, fixed labels also obscure the considerable change over time identified in this thesis, and there should be recognition that parishes could undergo processes of fragmentation or intensification of property ownership. Therefore, the open and close model risks over-simplification of an extremely complex situation.

Nevertheless, there are also many reasons why the model cannot be wholly repudiated. The evidence confirms Mills' argument that aristocratic and gentry landowners saw housing as an important means by which rural social relations could be influenced, although the term social control is heavy handed and therefore best avoided. Furthermore, Mills' argument for a sliding-scale approach to parish classification is given some support from the analysis of the statistical data presented in chapter two. That showed that there was a clear association between the concentration of property ownership, population size and, in

the early nineteenth century, population growth. Although the relationships were not perfect, and there were important variations between the counties, these findings were clearly more than coincidental. Indeed, the model does capture the essence of the highly localised variation in property ownership and power relations across large areas of rural England, and this research confirms Mills' initial argument that there were striking differences between parishes within the same agricultural *pays*.[14] Although there is a need to stress the complexity that lies behind the language of open and close parishes, no model can incorporate every nuance of the phenomenon it seeks to describe. Indeed, Mills himself acknowledges that it represents 'only a generalised or idealised form of reality'.[15] Therefore, provided there is no claim that landownership alone was *wholly* predictive of social relations, the terms open and close parishes can be usefully employed to illustrate that the distribution of property ownership was one of the key factors that shaped local variations in the nature of rural society.

This thesis has also argued that housing can provide an insight into the relationship between central and local government in rural England. It is clear that the introduction of the new poor law had an important impact on the housing policies of those in local government from the 1830s, strongly curtailing rental payments and facilitating the sale of a large proportion of parish housing. However, there is also substantial evidence that ratepayers only disposed of parish housing when it appeared to be in their best interests. Furthermore, once parish housing stocks had been depleted there was considerable resistance to the implementation of legislation passed to encourage the construction of council housing, despite the growth of central government and the erosion of parochial independence. Indeed, the discussion of housing provision on a parish basis, and local debates over which unit of local government should meet the cost of housing schemes, reflects the resilience of the parish as a forum for the expression of local power relations. House-building and inspection did increase under the Housing and Town Planning Act of 1909 and the LGB played a relatively pro-active role through the holding of local housing inquiries. However, the lack of compliance with the Board's recommendations and the small number of council houses built are striking illustrations of the considerable influence retained by ratepayers over local housing policy, even after the greater democratisation of local government in 1894.

Clearly, a study of housing alone cannot reveal all aspects of the relationship between central and local government and there are many other angles that are deserving of further examination. Indeed, there is a vast amount of untapped material in the MH12 series at the National Archives. This contains both incoming and outgoing correspondence

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[14] Mills, *Lord and Peasant*, p. 78.
[15] Mills, *Lord and Peasant*, p. 24.

between central government and the majority of poor law unions, sanitary authorities and district councils in England and Wales between 1834 and 1900. This is an overwhelmingly large collection of source material and its sheer volume is problematic for researchers. However, issues of sanitation, public health and vaccination, and the crusade against outdoor relief from the 1870s are all areas deserving of further investigation to test arguments about the role of local ratepayers within a framework of expanding central government regulation.

Many of the issues discussed in this thesis are also deserving of further research over a wider geographical area. Of particular interest are differences in archaic tenures, which appear to have been an important influence on the different distributions of land and house ownership in Dorset and Leicestershire. Much of the detailed research required in estate archives, sale catalogues and manor court rolls is not conducive to a straightforward national survey. However, the records of copyhold enfranchisement under the Copyhold Commissioners, held by the National Archives, are open to analysis on a national basis.[16] Although this is not a reliable guide to the existence of lifeholding, it can point to the survival of the most secure of these tenures, including copyhold of inheritance. The fact that the survival of these tenures was remarked upon in some districts into the early twentieth century suggests that they were still seen as a matter of some importance.[17] In conjunction with this the methodology of comparing valuation list data to assess changes in house ownership also has potential for wider use if, as appears likely, the Quarter Sessions of other counties ordered re-valuations of their county rate basis in the late 1830s. Dorset and Leicestershire were themselves following the example of Lancashire and the West Riding of Yorkshire.[18] A survey of the collections of county record offices would be needed to confirm this, and the reliability of any surviving material would have to be assessed. However, once this was established, a comparison with the Finance Act (1909-10) valuation books does appear to provide a useful method of analysing changes in the pattern of property ownership.

The issue of parish housing is another subject that is open to wider comparative research because of the records of the central poor law authorities. The publication of sales data on a national basis in their annual reports facilitates some comparison of the level of provision and rate of disposal of property in different counties until 1885. As John Broad's research has shown it is also possible to make more detailed studies of a smaller sample of

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[16] Work is already underway in exploring this resource in respect of landownership, see M. Turner and J. Beckett, 'The Lingering Survival of Ancient Tenures in English Agriculture in the Nineteenth Century', in C.E. Nunez (ed.), *Land, Labour and Tenure: The Institutional Arrangements of Conflict and Co-operation in Comparative Perspective. Proceedings of the Twelfth International Economic History Congress*, Vol. B2, Madrid (1998), pp. 104-8

[17] See *SC Report on the Housing of the Working Classes Act Amendment Bill* IX (1906), pp. 71, 74.

[18] *SC Report on County and Highway Rates* XIV (1834), pp. viii-ix.

counties or unions to collect details of the amount of property sold from the documentation retained in the MH12 series at the National Archives.[19] As this does not provide a complete record of parish property some research in a sample of vestry minutes would also be required to assess the retention of parish property. Although this would be time consuming it may yield important evidence of variations in poor relief, and would provide an important basis for scrutinising Steven King's model of a north/south divide in the range of relief under both the old and new poor laws.[20] Indeed, Felix Driver has found evidence of an extensive survival of poor houses in northern England and has argued that in the north 'the real end of the era of township poorhouses' only occurred in the 1870s.[21] A wider investigation of this and other housing-related issues can, therefore, help to build a greater understanding of local and regional variation in social relations in the English countryside.

This research also suggests that our knowledge of nineteenth-century rural society could be improved by the exploration of some of these issues in the centuries preceding 1834. It is clear that by the 1830s the labouring classes were rarely the direct beneficiaries of the security granted by these tenures. Indeed, only rarely, as in the case of the 'strappers' of the east-Dorset heathland, were these tenures the basis of a wider economic independence from wage labour. This is in line with recent work by Leigh Shaw-Taylor on the exercise of common grazing rights who has argued that 'labouring ownership of common-right dwellings was at very low levels throughout the south Midlands and East Anglia' between 1760 and 1810.[22] This, therefore, raises questions over when, and indeed whether, there was a trend away from the owner-occupation of cottages by the labouring classes towards shorter-term tenancy agreements. It is recognised that there was a large degree of squatting on manorial wastes in the seventeenth century, but were some of these cottages built to be sub-let rather than owner-occupied?[23] Greater investigation of the relationship between archaic tenures and access to the resources offered by common land would enable a better understanding of the extent to which the forebears of Victorian farm labourers were able to combine greater security of tenure with independence from wage labour.[24]

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[19] See J. Broad, 'Housing the rural poor in southern England, 1650-1850', *Agricultural History Review* 48 (2000), pp. 166-70.
[20] S. King, *Poverty and Welfare in England, 1700-1850* (Manchester, 2000), pp. 246, 257-8.
[21] F. Driver, *Power and Pauperism: the Workhouse System, 1834-1884* (Cambridge, 1993), pp. 147, 155.
[22] L. Shaw-Taylor, 'Labourers, cows, common rights and parliamentary enclosure: the evidence of contemporary comment c. 1760-1810', *Past and Present* 171 (2001), p. 112.
[23] On squatting in this period see A. Everitt, 'Farm labourers', in J. Thirsk (ed.) *AHEW, Vol. IV, 1500-1640* (Cambridge, 1967), pp. 409-12.
[24] Shaw-Taylor's work challenges Neeson's argument that grazing rights played an important part in enabling the existence of 'a semi-independent workforce who do not always work for wages'. J.M. Neeson, *Commoners: Common Right, Enclosure and Social Change in England, 1700-1820* (Cambridge, 1993), p. 13. Such arguments are clearly deserving of further exploration across the English regions.

This thesis has also raised many issues that are deserving of further research in the inter-war years. The impact of the sale of estate housing as landowners disposed of greater amounts of land after 1918 is a subject of particular interest. What disruption was there to existing tenants when their cottages were sold and to what extent were they able to become owner-occupiers? The greater survival of rate books for the inter-war period enables examination of changes in property ownership in comparison with the Finance Act (1909-10) volumes. It is also likely that farmers increasingly acquired cottages for tied housing as estates sold up and it is important to analyse the impact of this on later agricultural trade union activity. From the inter-war period oral history also becomes an available source to augment documentary material. Although such evidence has its own problems of reliability it does enable a comparison to be made of first hand accounts of relationships between cottage tenants and their landlords.[25] Another important issue is whether the growing number of ex-urban middle-class residents, already an important presence in some villages before 1914, were able to take advantage of the sale of landed estates to acquire housing and building land. The role of middle-class residents in local government, especially in respect of planning regulations, also requires greater scrutiny, as does their relationship with the existing rural elite of farmers and landowners. The impact of this on council housing also deserves exploration.[26] Clearly, there is much worthwhile research still to be undertaken on housing and rural power relations.

Ultimately, therefore, this thesis has demonstrated that the study of rural housing should not be confined to an examination of variations in the quality of the housing stock. Indeed, squalid housing can be seen as a reflection of wider power relations in rural society. Despite regional variations, agricultural labourers and other rural workers were for much of this period low-paid and largely unable to exercise control over local government finance to fund improvement schemes. Furthermore, the history of housing is not only about wages and rents, but also about changes to security of tenure, notions of private property, landlord-tenant relations, and the provision of housing as part of wider welfare strategies. Attention to such issues can reveal important local and regional variations in power relations between different groups in society and can also provide a long-term view of changes to rural social relations. Therefore, the provision of housing should take its place alongside landownership, employment and the poor law as subjects that are key to our understanding of the social history of rural England.

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[25] In the 1970s Howard Newby interviewed farm workers in East Anglia to discover their views on tied housing. See H. Newby, *The Deferential Worker: a Study of Farm Workers in East Anglia* (1977), p. 188.
[26] Some research has already been undertaken on this issue. See A. Martin, 'Working-class housing in rural Norfolk, 1918-23' (Unpub. M.A. dissertation, University of Cambridge, 2001). Barbara Linsley is also currently undertaking research on inter-war council housing in rural Norfolk at the University of East Anglia.

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