

Abstract

The aim of this study is to examine the analyses the socio-economic effects which finance, marriage and land have on three different families over a time period of two hundred years; from 1642-1850. Three estates in southern England were chosen where the same family had occupied their estates continuously since 1700. The three estates were Wardour and Pythouse near Tisbury in Wiltshire, and Shillingee on the Surrey/Sussex border. Socially the people owning the estates were from different backgrounds: the Arundells at Wardour were an old landed family originating in Cornwall who had moved to Wiltshire in the 15th century, the Benetts at Pythouse had been yeomen farmers in Wiltshire before the 15th century and the Turnours at Shillingee were descended from wealthy merchants and professional workers in the City of London.

This study examines different aspects of their lives including their financial position, settlements and their landholdings, but also considers their housing, responsibilities and religious affiliation. Comparisons are made between the three estates to ascertain whether their social origins made any difference to the decisions they made concerning their overall lifestyle, and how they solved them.

The families' origins were found to affect the ways in which they lived their lives between 1642 and 1850. The Arundells found it difficult to adapt to the social and economic changes in England, and failed to match their lifestyle to their falling income. London continued to be an important part in the lives of the Turnours; even after Shillinglee House had been built. They too built up serious debts, which they had difficulties clearing. The Benetts, despite rising both socially and economically, continued see farming as their main occupation. Although, like the other families, they had serious debts on occasions they tried to clear them in each generation.

It is concluded that the original socio-economic background of each family had a considerable effect on the ways in the decisions they made concerning finance, marriage and the land. The Arundells appear to have maintained the same lifestyle and despite several financially advantageous marriages, their debts continued to increase, making it necessary for the sale of many outlying estates. The Arundells' Catholic faith, however, put some constraints on their lifestyle. The Turnours during the time span of this study acquired a title which, in effect, moved them into a different socio-economic group. The land, however, was never an important part of their life and they continued to spend most of their life in London. The Benetts were influenced by their origins, and despite rising fortunes and positions of responsibility, remained true to the land.

Declaration

Whilst registered as a candidate for the above degree, I have not been registered for any other research award. The results and conclusions embodied in this thesis are the work of the named candidate and have not been submitted for any other academic award.

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Any mistakes that remain are, of course, my own.

Introduction

The aim of this study is to examine the influence of external factors in the decisions made by three families whose principal income was from their estates from 1642 to 1850. There has been a good deal of discussion in the literature about the way in which families managed their estates during the period under consideration. Mingay, for example, suggests that by the 18th century merchants were no longer investing in property¹; Bovill² expresses views about the ability of individuals to acquire large estates during the 17th and 18th centuries; Clemenson³ argues that piecemeal purchase was being used to consolidate estates; Beckett⁴ suggests that from 1660 many families began to incur debts which impinged on their management strategies. By examining the ways in which three families of different background reacted to the various influences it is hoped to throw further light on some of these issues.

To accomplish this three estates in Southern England were chosen; two in Wiltshire and one in West Sussex. Each of the three estates had an owner from a differing socio-economic background, and these differences will be considered in order to compare the ways in which decisions made by the landholders were influenced by

¹ Mingay 1963 page 6

² Bovill 1962 chapter 5

³ Clemenson 1982 chapter 1

⁴ Beckett 1986 chapter 9

former life styles. The differences and similarities between the three estates will be analysed and other literature will be considered in order to ascertain whether the findings agree or differ from the findings of other authors.

The original time period under consideration for this study was from 1700-1850, but this was extended to begin in 1642 since there were many changes in each family's circumstances occurring between 1642 and 1700 which, if they were not included, would result in an inaccurate interpretation of the effects of their family origins. The long time period under consideration, more than two hundred years, has made it possible to undertake a long term investigation of the changes occurring within each family, and therefore, both a general overview and an in depth study are available for analysis.

The origins of the families being investigated include those loosely described by Clemenson as⁵: the old landed family, the rising gentry and the professional class. The old landed family is represented by the Arundells whose main seat was situated in Wardour in Wiltshire. The Benett family, who had land adjoining the Wardour estate, clustered around Pythouse, were designated as rising gentry and were formerly described as yeoman farmers. The Turnours, representing the professional classes, had their main estate on the Sussex/Surrey border near Guildford.

⁵ Clemenson 1982 pages 7-8

This study will examine the ways in which each family's position changed from the middle of the 17th century to the middle of the 19th century. This will be accomplished by considering the development of each family over the whole period to see if changes in circumstances affected their ways of dealing with the issues under investigation. At the same time it will also compare the three families to see if their social starting point makes any difference. This will be accomplished by considering the changes in each estate, including an examination of the size of the estate, including downsizing, increases in the holding and consolidation of the land. To improve the understanding of changes occurring on the estates it will be necessary to investigate the part played by marriage settlements, finances, religious affiliation and social background to the growth or decline of their estates.

One of the criteria for choosing the three families was that their estates had been owned by the same family continuously from about 1700 to 1850. The families were identified from suitable records available in the Wiltshire Record Office and the West Sussex Record Office and these suggestions were affirmed by information taken from modern secondary sources. The accessible information confirmed that each family had started from a different position in society, but had occupied their estate continuously since 1700. Wiltshire was judged to be too distant from London to be the first choice of venue for the professional classes, but north Sussex which was at a more convenient distance from London for travel, was a more suitable choice.

The Arundell family, whose main estate was centred around the Wardour Valley in Wiltshire, were originally settled in Cornwall who had moved to Wiltshire when, in 1570, Sir Matthew acquired Wardour Castle which became their principal seat. During the Civil War they supported the Crown, and the castle, after a short battle, was surrendered to the Parliamentarians. They were also fined for supporting the Crown. At the Restoration the castle was deemed uninhabitable and, after living in various other locations, the new Wardour Castle was built in the 18th century.

The second family, the Benetts, at Pythouse did not have the same social standing as the Arundells. Thomas Bennett of Pythouse also fought for the Royalist cause during the Civil War and, as a result, had to meet the King's demands for money, and then in 1646, after the war, also had to pay fines for being on the losing side. The estate had suffered from neglect and destruction during the war and Bennett did not have enough money to restore its agricultural proficiency as well as supporting a wife and thirteen children. In 1669 Thomas' son Anthony and his grandson Thomas of Semley agreed to sell the house to Peter Dove and it was then owned by him and his son for the next fifty six years.⁶

By 1700 the Turnours, the third family being considered, had moved their main estate to Shillinglee Park, West Sussex. They also held land in Norfolk and Essex. Shillinglee Park was bought in 1686 by Gerrard Gore, a former merchant, from a family of City Aldermen, who was living in London. The Gores had been involved in

⁶ Jackson 1984 page 32

trade, and as well as their London properties also had other residences in Morocco. They were involved in sugar importing, suggesting links with the slave trade. The Shillinglee Park Estate situated on the Surrey/Sussex border, and extending southwards to the Manhood Peninsular on the south coast had formerly belonged to the Dukes of Norfolk. It was acquired for the use of John Gore, Gerard Gore's son, during his life and then to his sons and their male heirs, or in default to John Gore's nephew, Arthur Turnour. He was the younger son of John Gore's sister, Sarah Turnour, who was married to Sir Edward Turnour. The Turnours were eventually awarded the title Earl Winterton in the 18th century. Their estates were originally in Essex and Norfolk, but with the acquisition of Shillinglee for the younger son, and the failure to produce an heir for the Essex estates, the land in Sussex became the principal seat. Unlike the Arundells and the Benetts, Sir Edward Turnour, an MP, supported Parliament during the Civil War, and therefore did not face crippling fines. At the Restoration he changed his allegiance to support the Crown and, therefore, did not suffer financially.

Davies,⁷ quoting a report on Wiltshire in 1797, states that the influx of trade and commerce had tended to increase the division of property and the increase of a number of smallholders in many parts of the kingdom. Lords of the Manor trying to raise cash found that they could make more money by selling land in small parcels, rather than by selling it as an entire manor. Advice given to Lord Arundell, which is discussed in chapter 4, will reveal that this is not always good advice.

⁷ Davies 1927 page 87

The 18th and 19th centuries were not only periods of great change on the land, with major changes in the landscape caused by enclosure and new farming methods, but also a time when many country houses were being built, remodelled or rebuilt, often on or near the site of former houses.⁸ If houses were not rebuilt they were often modified and extended, both of which incurred great expense and often debts to the landowner. Lands around the new house, which would formerly have been used as the home farm or a deer park, were transformed into the landscaped gardens and informal parkland which had become the vogue. Each family in this study rebuilt or remodelled the family seat - or both in the case of the Benetts and the Turnours - during the late 18th or early 19th century and the financial impact on the estate will be considered.

The estate was often the main, if not only source of income for the owner throughout the whole period. In order to maintain the continuity of the estate the strict family settlement emerged, especially after 1660. According to Bonfield,⁹ economic historians consider the advent of the strict settlement to be a crucial factor in establishing the more stable pattern of land ownership which came to characterize post Restoration England. Beckett¹⁰ proposes two benefits to this system. Firstly, the estate could be settled on unborn children so that the land could pass intact to the eldest surviving male heir and, secondly, it made full provision for the family both for determining the wife's jointure, and for financial provision for the younger sons and daughters. Sometimes, however, this income had to finance not only the living

⁸ Clemenson 1982 pages 48-49

⁹ Bonfield 1981 page 101

¹⁰ Beckett 1986 page 59

expenses of the immediate family, but also honour dowries, annuities and settlements made on siblings, from previous generations.

In order to see how this affected each family it will be necessary to investigate the settlements made in each family: not only to consider how much it was costing the most senior member of each estate, but also to see if there was any revenue from marriage settlements to supplement the rental income. Thus it was a source of income for the inheritor of the estate, but also a cause of debt. Another problem with this system, as will be shown, was that some debts continued through several generations necessitating further borrowings from mortgages and the payment of interest only to dependents, or in some cases no payment at all. It will be necessary, therefore, to investigate the marriage settlements drawn up for the three families to see how, or if there were any changes made over time for each family, and also to compare the three families to find any differences which may have arisen as a result of their social background.

The growth of many estates and the emergence of new landed families, increased after the dissolution of the monasteries in the 16th century. Harrington¹¹, who was writing at the end of the Commonwealth period, thought that there had been a shift of property from the Church, the Crown and the great semi-feudal landowners to the squires, but by 1690 it had moved back in favour of the great Lord and the large estate. The Benetts, as discussed in chapter 4, definitely benefitted from the

¹¹ Quoted in Habakkuk 1939 page 2

dissolution. During the Civil War most of the landed elite supported the King and, as a result, suffered financially by being on the losing side. Some of those concerned had most of their property confiscated outright and sold on the market, and a large number were forced to pay fines for delinquency which could consist of one or more years of gross income. The effect of the Civil War on the three families will be investigated and it will be shown that the Turnours gained the most whilst the Wiltshire families both suffered from their allegiances.

Since Tudor times the English landed classes had expanded through the introduction of capital from trade and industry, but the impact of diversification became more dramatic in the 19th century. Clemenson suggests that possession of wealth replaced the values of birth and tradition as a symbol of upper class landed society.¹² The links between land and commerce were reinforced by the marriage strategies of landowners and the social aspirations of merchants. Through appropriate marriages it was possible for some to establish social relationships which would increase the social assets of the family.¹³ Landowners in need of a transfusion of capital into their estates could tap the immense reservoir of mercantile wealth by securing an appropriate marriage for their sons or daughters. This study will consider the families into which they married and see if their background affected the type of arrangements made and also whether changes in personal circumstances made any difference to these agreements. Much of the mobility into the landed class was, according to Scott,¹⁴ semi-circular involving the acquisition of family land by

¹² Clemenson 1982 page 96

¹³ Scott 1982 page 45

¹⁴ Scott 1982 page 47

descendants of a cadet branch of the family, that is, the family or descendents of a younger son. This will be dealt with in greater detail in chapter 3.

At the beginning of the 18th century British society was dominated by the monarchy, the landowning classes, especially the aristocracy, and the Established Church. Education was dominated by Oxford and Cambridge, both of which became Anglican institutions after the Reformation, and were only available to those who subscribed to their beliefs. By 1783, however, the country had already undergone the early stages of the Industrial Revolution. As a result, Britain's economy grew rapidly and it became the world centre of manufacturing, finance and trade. The rise of industry and commerce resulted in the rise of a new social class, namely the industrial Middle and Working Classes who were a challenge to the Aristocracy.¹⁵

At the beginning of the 18th century approximately 25 million acres of land was being cultivated in England and Wales, and produced rental income of £11 million. This accounted for one quarter of the national income, but by the end of the 18th century the importance of agriculture had declined significantly and the landlords' share of the national income had fallen from approximately one half to one third.¹⁶ Many gentlemen without titles owned vast Palladian mansions and extensive country estates, and Harvey suggests that "As long as one was a gentleman, wealth counted more than title."¹⁷ According to Girouard¹⁸ the ownership of land was the symbol of

¹⁵ Murphy et al 2003 page 12

¹⁶ Mingay 1963 page 12

¹⁷ Harvey 1978 page 7

¹⁸ Girouard 1978 page 2

power. It was not usually the status of the land itself which was important to the country owner, however, but the tenants and rent which came from it. Land itself was little use without one or more country houses on it. It will be necessary to question why the Gore/Turnour family bought Shillinglee when there was no housing of any size or importance on the site. It is presumed that they intended to put a house in the park, but in fact, this did not occur until ninety years later. To quote Girouard “The land provided the fuel, a country house the engine.”¹⁹

Traditionally, small towns and villages were often dominated by the shadow of the great house and the more distant villages looked to the house for repairs, and the upkeep of local charities and schools.²⁰ These responsibilities will be discussed in chapter 6. Cole²¹ in his introduction to Daniel Defoe’s *A Tour through the Whole Island of Great Britain*, comments that Defoe throws light on the economic and social condition of England half a century before the Industrial Revolution. Defoe’s world was largely static in a purely political sense as it had settled down to a stable government under a powerful landed aristocracy with a Hanoverian king. Although the aristocracy was in control it could only govern within certain agreed conditions. The chief condition was that it should recognise the importance and meet the needs of the commercial interest. At the accession of George I in 1714 “the new King stood at the very last moment in our history when the age old balance between countryside and town still held.”²²

¹⁹ Girouard 1978 page 3

²⁰ Mingay 1963 page 162

²¹ Cole 1928

²² *ibid*

The Georgian age, according to Burton “began on horseback and ended in a railway carriage,”²³ indicating the tremendous changes which occurred throughout this period for the population of England. Towns were expanding but the largest unit in a countryman’s life was the village with small farms clustering around it. Hoppitt²⁴ suggests that until 1723 both town and country were characterised by “Old England” rather than by new wealth. These centres of population were often independent units which were cut off from others because of the poor state of the roads, since these were still bogs in winter, and rutted in summer.²⁵ Harrison describes 18th century England as a land of estates, of villages and small town communities; a society in which land remained the basis of status and power.²⁶ The state of agriculture was regarded as the key to the nation’s well being and many industries were carried on in the countryside with the people who were engaged in them leading a rural type of life.

Until 1815 British society was headed by the aristocracy who were the pivotal point of social power: the level of power being based on the amount of land they owned. They dominated the House of Lords, and the House of Commons was filled with their supporters. Local government, which affected people more directly, was mainly in the hands of the nobility, with JPs appointed from prominent landowners who were recommended by the Lord Lieutenant of the County, usually the greatest landowner.²⁷ Changes were occurring in the rural environment, however, which would progressively lead to a diminution of the local power and authority of the

²³ Burton 1976 page 2

²⁴ Hoppitt 2000 page 8

²⁵ Burton 1976 page 8

²⁶ Harrison 1965 page 22

²⁷ Murphy et al 2003 page 41

landed classes. The estate was the nucleus of patriarchal rural society where farmers, tradesmen, agricultural workers and other rural folk were all dependent on the big house for their livelihood. The owner in turn relied on members of local society to work his land, supply his daily needs and provide political support when required.²⁸ These subjects and the ways in which they were administered will be investigated in several chapters.

The upheaval during the 17th century, including the Civil War, the Commonwealth and the Restoration of the Monarchy, dramatically changed the financial situation of many families. Numerous estates were affected during the civil war, whether their loyalty lay with the King or with Parliament, and some were still trying to re-establish their wealth and their homes in the 18th and 19th centuries. Many Cavaliers had their estates confiscated if they were unable to pay a fine, although most Royalist families whose estates had been at risk during the 1640s and 1650s were in possession of most of their lands again by the 1660s. Of the lesser gentry a sizeable minority failed to get their estates back at all or failed to recover more than a part of their former holdings and that the recovered lands were often bought back at great sacrifice, resulting in large mortgage debts.

Stone²⁹ suggests that in reality hardly any suffered irreparable loss and that land holdings differed very little from before the Civil War, although the owners' debts might have been greater. This was certainly not true in the case of the Bennets who

²⁸ Clemenson 1982 page 97

²⁹ Stone 1984 page 401

were forced to sell the family seat in order to pay the fine imposed on them. Mingay,³⁰ discussing a slightly later period, believes that from the accession of George III in 1760, there were shifts in the distribution of land, effecting a widening of the gap between the great landlords and the country gentry. Clemenson³¹ suggests that most of the available land went to people who had Court connections. She believes that there were three groups of people who were influencing the movement of land and estates at this time: firstly the aristocrats, secondly the gentry and thirdly the professional people who had amassed a fortune which they were wanting to invest in land or a small estate. Beckett³² agrees that new purchasers were inclined to be men who had made their fortune in law, government service and other professions. The Turnours were placed within the final group as new purchasers.

Defoe³³ comments on the fact that several very large estates in Essex and other counties surrounding London had been purchased by citizens of London and suggests that in time these people would be equal to the ancient gentry. An example of this is Sir Thomas Bloodworth, previously a Lord Mayor of London, who had bought a house between Guildford and Leatherhead in what Defoe describes as ‘one continual line of Gentlemen’s houses.’ The majority of the research on the Turnour family will centre on the main seat, Shillinglee Park, the commuter belt of its day, but it will be necessary to take into account other family holdings. This will make it easier to compare the similarities and differences between the three estates. It will be

³⁰ Mingay 1976 page 69

³¹ Clemenson 1982 pages 10-12

³² Beckett 1977 page 568

³³ Defoe 1724-1726 Volume 1, Part 1

unnecessary to study the outlying estates in great depth because, although they added to the families' rental income, they did not have any other significant impact.

Cannadine³⁴ argues that the structure of landownership in Britain changed significantly between 1780 and 1820, with a marked trend towards territorial amalgamation. This period also saw new groups established into the hierarchy of society, including people of new wealth, especially those who had prospered as a result of the industrial revolution or from the rise of the professional classes. He maintains that as old families died out their estates passed, via the female line, to other dynasties who often lived a great distance from the newly inherited estate. This was certainly the case in the marriage between Henry 8th Lord Arundell and Mary Conquest. In other families where there were no relatives who were eligible to inherit when the owner died, the estate was put on the open market,³⁵ and, according to Cannadine³⁶ there were many members of both old and new wealth willing to buy. Both the Turnours and the Arundells were affected by their inability to produce a direct heir. The ways in which they dealt with this will be considered in chapter 3.

Both old and new families had money to invest in new houses or estates, and Holmes³⁷ believes that the 1680s and 1690s were the beginning of the most spectacular period of mansion building England had seen up to that point in history.

³⁴ Cannadine 1994 page 10

³⁵ Clay 1968 pages 503-518

³⁶ Cannadine 1994 page 12

³⁷ Holmes 1993

Habakkuk³⁸ suggests that the sixty years following 1690 was a time which favoured the large estate, and one when the area of land owned by small squires and landed gentry was decreasing. Between the 1780s and 1820s, according to Cannadine,³⁹ the structure of land ownership in the British Isles changed significantly, and those who had consolidated, possessed and acquired land in the previous years enjoyed unprecedented prosperity.

In order to assess the changes of the estates and the fortunes of each family the starting position for each one will need to be established. There are various ways in which this can be achieved, and many authors have proposed ways of dividing families into different groups according to the size of their estate or their income. Mingay, for example divides landowners below the peerage into four ranks with the titles of Baronet, Knight, Esquire and Gentleman, and also suggests three different income groups, namely wealthy gentry, lesser gentry and country gentleman.⁴⁰ Beckett adds a necessary income to the different ranks suggested by Mingay rather than having separate divisions for income and rank.⁴¹ This study will endeavour to link the income to the size of the estate in order to make a comparison between the three estates, although they will also be classified according to the ideas of Mingay and Beckett. By combining the groupings of both Mingay and Beckett, this research will consider whether either ranking is of greater importance.

³⁸ Habakkuk 1939 page 2

³⁹ Cannadine 1994 page 10

⁴⁰ Mingay 1976 page 3

⁴¹ Beckett 1986 page 288

The period under consideration was a time when great changes were happening on the land. Gash suggests that in 1814 England was the most enclosed and best cultivated country in Europe.⁴² It was the period when enclosure was at its height and many landholders were investing vast amounts of money into their land as they changed from the large open fields of strip farming and small closes with houses in the centre of the settlement, to enclosed fields with a farmhouse close by. This could involve great cost for the landowner as it could include expensive surveys, building new roads, drainage costs and legal fees. The effects of enclosure, if any, on each estate including the costs, the changes to the layout and changes in income will be also considered.

One question which it will be important to ask is how the estates, including improvements to the house and the land, were financed. New methods of funding money and increased taxes resulted in many families finding themselves with not only increased funds, but also serious financial difficulties. Increasing debts were a problem to many of the landed families, and indebtedness increased rapidly from 1660, so that by the mid 18th century many families had accumulated debts several generations old.⁴³ Borrowing money became a more formal agreement as the 18th century progressed, with the rise of the banks causing more money to be borrowed from financial institutions rather than the previous more informal method of borrowing from other members of the family. It will be necessary to ascertain whether the new financial institutions added to the families' fortunes and debts and

⁴² Gash 1979 page 9

⁴³ Beckett 1986 page 300

whether investments became the main way in which income was earned rather than from the land, which was the traditional method.

The estate was an important source of income for both the gentry and the aristocracy, and although the estate manager or steward was responsible for the day to day running of the estate, the owner still had to make final decisions about purchasing and selling land, and the tenants who farmed the land. Beckett includes the necessity of protecting the rights of the less well off by providing financial or equivalent help, poor law chores, the building of good cottages and schools and, in the 19th century, the provision of allotments as some of the responsibilities of the landlord.⁴⁴ Although the estate was considered to be the main consumer of time for the landowners they did have other calls on their time, which would have been considered to be a duty or responsibility commensurate with their position in society both locally and to the nation.⁴⁵ The responsibilities varied from family to family, ranging from local responsibilities, including acting as magistrates or leading the local militia, to national involvement, possibly as the Member of Parliament for their county. The ownership of advowsons by some meant that they were responsible for choosing clergy for the parishes in their control. This study will show how the duties held by various members of each family were to some extent commensurate with their social position, and how those duties might alter with a change in fortune. However, since dissenters and Roman Catholics were excluded by law from certain positions such as being a Justice of the Peace, until the 19th century the Arundell family were not able to be as involved as other local families. The Arundells, did, however, carry out

⁴⁴ Beckett 1986 page 10

⁴⁵ Ibid pages 1-14

informal duties, especially those connected with poor Catholic families throughout their lands, possibly covering a wider area than that which would be considered necessary on other estates.

A study of this type is not without its problems, and some of these are outlined by Beckett.⁴⁶ He suggests two difficulties which can arise when studying land at a local level, namely the method of analysis to be used and the choice of an area. Using annual income causes problems because outlying land and other estates scattered throughout other counties can lead to a comparison of unequal data. He also points out that the nature of documentary material can make it difficult to compare landowners purely on the basis of property holdings within the area studied. Another problem relating to the land is that estates are not confined by county boundaries, and often straddled across into neighbouring counties, as is the case with Shillinglee. It was difficult to compare the income from the three estates, since the method of recording income was not only different from family to family but also between the generations in each unit. It is possible however, to compare small similarities such as home consumption, personal expenditure, land sales and wages in order to build up the bigger picture. From there a better comparison can be made between the three estates.

Habakkuk,⁴⁷ considering the rise and fall of English landed families, suggests several questions which could be asked including: what sort of families were rising and for

⁴⁶ Beckett 1977 page 567

⁴⁷ Habakkuk 1979 pages 187-205

what reason; how many were old established and how many were new; what were the causes of decline; did the size of the estate make any difference and did the size of the estate change. These questions are pertinent to this study and will be considered in various chapters. Again, the social and financial backgrounds will be compared to each issue in order to gain a better understanding of each strata of society and how they were affected, if at all, by these issues.

One possible idea for this study was to investigate the different classes from which each family originated in order to look at how they changed between 1640 and 1850. The main objective, however, is to investigate the ways in which a number of different strands are vital to the rise or fall of a family both socially and financially over an extended period of time. By investigating the development of each family over a period of approximately two hundred years and, at the same time comparing them, it will show how their economic situation affected their social standing, and how their social background informed their attitudes to their financial situations.

Chapter 1- Historical Context

The 17th, 18th and 19th centuries were times of considerable political, social and economic change. The Civil War in 1642, followed by the Commonwealth under Oliver Cromwell and the subsequent Restoration of the Monarchy in 1660 England passed through times in which its citizens' lives could not be unaffected. The loss of the control of America after the War of Independence in 1783, and between 1793 and 1815 the involvement in the Napoleonic Wars all made an impact on the nation's development, and affected many of the country's leading families.

From the 17th century and continuing through to the mid 19th century, the class structure in England began to change. Scott⁴⁸ believes that the social classes consisted of ties between interconnected families rather than isolated agents or abstract positions. This chapter will investigate the ways in which the families were affected by these historic events, considering the ways in which groups of people were divided both socially and financially. Settlements, financial affairs, management of the land, the building of new houses, positions of responsibility and religious affiliation will all be examined. Because of the different methods used by authors to allocate position, it is possible for a family to be in one group socially but another one financially. It will also be necessary to look at the changes which occurred over time within social class structures, to consider whether it was possible

⁴⁸ Scott 1982 page 4

for families to move between the groups, and also to look at where the Arundells, Benetts and Turnours fitted into the structure. This will be achieved by considering the work of authors who have already researched the areas mentioned above to support my original research using the archives of the three families.

The majority of papers covering the areas of research under consideration for the Arundell family were held at the Wiltshire Record Office in Trowbridge, and have now been transferred to the Wiltshire and Swindon History Centre in Chippenham. Some records concerning the family are also held in Cornwall, but these are mainly papers concerning events before the starting point of this study, or are concerned with mining rights from tin mines which would contribute very little to the study.

The Wiltshire papers are catalogued and arranged in date order and grouped according to content, making it easier to find information both chronologically and thematically. The papers held date from 1286-2000 and are divided into twenty-six sub-fonds. Those relevant to this study include: marriage settlements, trust deeds, mortgages, annuities, bonds, wills and associated documents, abstracts of title, advowsons, rentals and surveys, manuscript books, manorial court rolls, manorial court books, manorial records, manorial accounts, estate rent accounts, Arundell correspondence, maps and plans and the Catholic Papers. Records covering a period earlier than that covered by this study were consulted which often made it easier to understand why certain decisions were made at later dates. These might include the contents of wills and marriage settlements or conditions stipulated in

mortgages. Many of the papers are written by independent record keepers such as stewards recording estate income and expenditure and income, details recorded in estate surveys and records of the Leet Court. Personal records included letters; personal financial accounts which give an insight into the private lives of the family, but unlike legal documents are more likely to give a biased account. The information concerning the Arundell family was mostly taken from the archive material.

The main collection of records held for the Benett family are also at the Wiltshire Record Office. They are not as numerous as those of the Wardour Estates. They cover the years 1294 – 1942 and consist of sixteen sub-fonds. Most relevant were those concerning manorial, estate, legal, and probate documents which are catalogued by the number reference or date. The documents concerned with leases were not thoroughly researched since they mainly contained details of lease agreements between a tenant and the Lord of the Manor and did not add a great deal of information. A sample of leases was investigated from different holdings to assess the relevance of several types of leases. There do, however, appear to be more secondary sources available than for the Wardour and Shillinglee Estates. The books mainly quoted documents available at the Swindon and Wiltshire Record Office, and although biased since they are written from a particular view point, they do give a general overview of the family history. Reports from local newspapers also add information about electioneering and involvement in agricultural affairs which are not available in the archive material. Some documents were no longer available since they had been withdrawn by the family and sold.

The archive material held in Chichester for the Turnour family is uncatalogued. It was acquired by the West Sussex Record Office in the 1920s having been partially sorted in 1922. The documents were originally kept in sacks and parcels in a large iron trunk: the parcels containing the deeds to certain properties in Surrey and Sussex were well presented, but the documents in sacks were not in any order. A further series of documents were found in a loft over the stables at Shillinglee. The documents were divided between record offices in West Sussex, Huntingdon, Essex, Hertfordshire, the British Museum and Trinity Lighthouse. I was also able to consult a small number of documents located in the University of British Columbia in Canada, which were presumably acquired when the title passed to family members living in Canada.

The papers held in West Sussex date from 1441-1939. They are sorted into boxes and bundles which relate mainly to a particular manor. Other boxes entitled “sundry documents” and “sundry papers” contained a variety of documents mainly before the date of this study and it was necessary decide which records were relevant. This made the search for information more time consuming since it was sometimes necessary to search through the contents of a whole box in order to read one document. Another constraint was the amount of time staff needed searching for requested records. They were unable to locate maps showing the layout of the estate and it was, therefore, not possible to include this information. Other documents were unavailable because of their fragility and were not available in surrogate format. Some information is available in the Surrey Record Office, but this was generally concerned with minor members of the family, mainly after the final date for the

study; or in Essex, where the records available are before the starting date. Records belonging to the City of London were also consulted since they added background information to the Gore family.

The records consulted included accounts, surveys, rental income, family expenses, settlements, wills and leases which are important sources of information, since they provide concrete evidence of the families' income and expenditure, which at first glance appear to be straightforward statistical data. However, while these documents gave much invaluable information they did not tell the whole story, and were often not directly comparable between the three families. As a result some observations are possibly more generalised than if they were greater similarities.

Marriage settlements and wills gave very similar information for each of the three families since they followed a structure acceptable for a legal document. Although the records were not available for each landowner in every generation other secondary sources helped to supply some of the missing information. Other records, including farm and household accounts were irregular both in the number of years available and the amount of information included. This made it difficult to make an accurate comparison between the three estates. The quality was also variable and although many were produced in bound books or complete parchments many were written on scraps of paper or were incomplete.

Secondary sources included books and journals relating to social history, agricultural history, architectural information, biographical studies and local newspapers.

Authors consulted who wrote general books about agricultural matters include Mingay, and F L M Thompson. Mingay considers that landowning accorded social status and power in relation to the size of the landholding, with the new house as a monument to subsequent generations.⁴⁹ Marriage was, therefore, of great importance since it could increase estates through inheritance or substantial jointures. Enclosure is considered to be a profitable rationalisation since farming became more efficient. Thompson also stresses the value of a good marriage as a way providing for the family and the importance of keeping the estate intact. Thirsk,⁵⁰ argues that the proportion of land held by peers was declining because the large land holders were failing as a class to draw enough income from their estates through conservative management and because of the cost involved in maintaining a life style in keeping with their social status. She also suggests that recent works in this area make less distinction between old and new families and take a more generalised view of the factors affecting all families.

This is confirmed by other work produced in the last fifteen years which appear to take a broader view, including chapters covering all social groups within the study rather than concentrating on the wealthiest, including books by Hoppitt,⁵¹ Murphy et al,⁵² Pugh⁵³ and Willcox and Arnstein.⁵⁴ Despite this change in focus, however, these

⁴⁹ Mingay 1976 page 148

⁵⁰ Thirsk 1990 page 45

⁵¹ Hoppitt 2000

⁵² Murphy et al 2003

⁵³ Pugh 1999

⁵⁴ Willcox & Arnstein 2001

authors have continued to quote from the earlier works. More recently produced books have moved away from the importance of economic factors and consider the various aspects as individual units rather than drawing the information together and applying it to the great estates. Murphy, for example, considers the effect of the industrialisation both socially and economically upon the great landholders.

More detailed accounts are found in periodicals such as *Economic History Review*, *Agricultural History Review*, and the *Economic History Review*, and include more recent works by Neeson,⁵⁵ Smith⁵⁶ and S J Thompson⁵⁷ and Broad.⁵⁸ Broad's account of the Verney and Claydon families, for example considers how the great landowners moulded the rural economy and shaped the landscape of England rather than considering the effect of external influences upon the family. Neeson concentrates how enclosure impacted on the rights of peasants rather than the benefits to the landowners.

In a similar way the financial and social importance of marriage was dealt with by being incorporated as a chapter into a general history book, or as subject specific literature such as in the works of Macfarlane,⁵⁹ Stone,⁶⁰ and Outhwaite.⁶¹ Other more detailed information was added to by articles from journals which although not

⁵⁵ Neeson 2000

⁵⁶ Smith 2000

⁵⁷ S J Thompson 2008

⁵⁸ Broad 2004 page 1

⁵⁹ Macfarlane 1986,

⁶⁰ Stone 1977,

⁶¹ Outhwaite 1981

as in-depth as major publications on the subject provide useful and more up to date research. This information was then compared with and contrasted to the primary sources discussed to provide an holistic approach whereby all the factors are pulled together and investigated through the comparison of three separate families from different social backgrounds; also considering the changes over time in each individual unit. By examining all the contributory influences and establishing the similarities and differences between the three groups, it will provide a comprehensive overview which shows how social, economic and other factors defining status are interdependent, and need to be viewed as a whole picture. Gender studies have also become important and, therefore, there is more emphasis on the place and influence of women is given greater prevalence in recent publications such as those by Laurence⁶² and Vickery.⁶³

When examining marriage partners, especially the Arundells, the same family names occur, with the Wyndhams appearing with particular frequency. Often a generation will be missed and then a marriage would be contracted between the same two families. A person's class situation depended not just on their life chances, but on the class situation of their family's origin and also on the life chances which the current family was able to pass on to the next generation. This suggests, unrealistically, that money was not the most important factor in their social standing. The Arundell family were definitely affected by their adherence to the Catholic faith which limited the number of families into which they were able to marry.

⁶² Laurence 1994

⁶³ Vickery 1998

The expansion of trade during the Tudor and Stuart periods made it possible for the younger sons of wealthy families to return to the ranks of the landed gentry after making their fortunes from trades, particularly the wool trade, or as some had, by making great profits from the legal profession. In 1656 Thomas Benett, the third son of Thomas Benett, was apprenticed to Jonathan Budnor, a clothier of Lullington in Somerset for the sum of £29.⁶⁴ As the third son, Thomas was unlikely to inherit any land from the estate, and since the Benett family had also been involved in the cloth trade in previous generations, this would seem an appropriate trade. The merchants and others in trade continued to increase their wealth throughout the 16th century, partly as a result of rising agricultural prices which led to more money being available in the country. This enabled them to enlarge their estates and manor houses, especially when land became available after the dissolution of the monasteries. Although the Benett connection with the wool trade diminished over time, John Benett MP is recorded in the Salisbury and Winchester Journal as saying that he hoped to see “those around him clothed in the product of his country”, and that he “certainly intended to wear British cloth in future”⁶⁵ after seeing some cloth manufactured in Broad Hinton, a village close to the Pythouse estate.

From the time of the dissolution of the monasteries until about 1640 many merchants, lawyers and government officials bought land from the great landed families who, as a result of inefficient management of their land and the failure to

⁶⁴ WRO 413/410

⁶⁵ Salisbury and Winchester Journal 1827

adapt to new conditions,⁶⁶ were unable to hold onto their estates. The Benetts, prior to 1686, consisted of two separate Wiltshire families: the Bennets of Pyt house and the Benetts of Norton Bavant. The Pythouse Bennets had an estate adjoining the Wardour estate, whereas the Norton Bavant Benetts had land in the area around Warminster. As a family they appear to have been a prosperous farming family in the village of Norton Bavant since the late 14th century. The Benetts' lands at Norton Bavant were initially acquired in 1544 when William Benett, a clothier, was granted the lease of the Manor by Henry VIII. This was followed by the lease of Church House and two closes in 1569. These leases which were renewed by Elizabeth I in 1583⁶⁷, continued until 1612 when George Salter of St Dunstan's in the West, London and John Williams, a London draper, sold the Manor of Norton Bavant to William Benett for £1,194 15s 9d making him the main landholder in the village.⁶⁸ When William died in 1618 he was succeeded by his son Thomas who left Norton to his wife, and then to the children of his second marriage. The eldest son, who died in 1706 without surviving issue, was succeeded by his brother William.

The Bennet family, however, were from a very different background. In the Victoria County History they are described as an old established family, originally referred to as yeoman farmers.⁶⁹ In 1225 an abbess, possibly from Shaftesbury Abbey, gave land to the Pyt alias Bennet family who, having been resident in the village for many years prior to the 18th century, built their own house on the family land. They had, in fact, worked for Lord Arundell at some point. The two estates were united in 1686

⁶⁶ Habakkuk 1939 page 2

⁶⁷ WRO 413/167

⁶⁸ *ibid*

⁶⁹ Crowley 1983 page 195

when William Benett of Norton Bavant was married to a widow named Patience Bishop who was the heir to the estate of the Bennets of Pythouse in Tisbury. It will be seen that marriage between the Benetts and Bennets was important in the growth of the Benett estate. Thomas Benett, their son, was responsible in 1725 for buying back Pythouse which had been sold by the Bennet family in 1669.

The Gores, on the other hand, who bought the Shillinglee estate, were merchants, involved in trading cloth to Morocco, exporting linen, ginger and saffron, and importing sugar.⁷⁰ Gerard Gore used his profits from trade to acquire land around Thames Ditton and Esher, which by the 17th century amounted to a vast estate. He purchased the Shillinglee estate in 1641 which, on his death, passed to his grandson Arthur Turnour, second son of his daughter Sarah and her husband, Sir Edward Turnour.⁷¹

The Arundell family, with the title Baron Wardour, were originally from Cornwall and held land in the south west of England, but they were also very important landowners in south Wiltshire. Sir John Arundell of Laherne in Cornwall bought the Wardour estate in 1547 as a wedding present for his second son Thomas. The estate was subsequently forfeited to the Crown but one third was restored to Thomas' widow by Queen Mary. His son Matthew bought back the Manor, Castle and Park of Wardour in 1570. The Manor of Semley was granted to Matthew Arundell in 1572,

⁷⁰ Burke's Landed Gentry, 5th ed page 756

⁷¹ *ibid*

and in 1605 his son Thomas was created Baron Arundell of Wardour.⁷² Although the Arundells were able to retrieve most of those lands which they lost during the Civil War, it was not without personal cost. The Benetts were also able to buy back Pythouse after selling it to pay fines, but Stone's opinion that hardly any estates suffered irreparable loss seems a little simplistic, since both families were paying twice for what had once belonged to them.⁷³

Johnson⁷⁴ suggests that by the time of the Restoration, the upper and lower middle landowning classes had reached a higher position than they had ever held before. By the 18th century merchants were less likely to become landowners than in previous centuries because they were now able to invest money in stocks and shares rather than land. The merchant could then use this both as a source of extra income, as a means of providing an income for his wife, should she survive him, and a settlement for any children. Mingay suggests that by 1883 less than ten per cent of all Britain's landowners were the products of business and professional wealth that had been created after 1780. Rubenstein,⁷⁵ however, believes that it was commonplace during the 19th century for anyone who made a fortune to eventually exchange it for land. The census returns for 1881 suggest that the younger sons of the Turnour family were not in possession of their own estates since Adolphus Turnour, born in 1823, is described as a vicar with a groom, housemaid and kitchen maid, Arthur Turnour born in 1833 as a stockbroker living in Kew with his family, a cook and a servant, and Charles Turnour born in 1853 was employed at the Suffolk Artillery Barracks as a

⁷² Jackson 1984 page 30

⁷³ Stone 1984 page 401

⁷⁴ Johnson 1909 page 83

⁷⁵ Rubenstein 1981 pages 125-147

Superannuated Master of Customs and fund holder. This suggests that there were no secondary estates for the younger sons to inherit, and that some form of paid employment was essential.

Mingay⁷⁶ describes the period between the Civil War and the 1720s as difficult. Heavier taxes had been introduced to meet expenses caused by the wars during the reigns of William III and Queen Anne. Land Tax, which was originally introduced in 1692 as a general tax on incomes, eventually became one which was completely on land holdings. The levy of four shillings in the pound in war years was very difficult for smaller gentry farmers to pay since they had no sources of income other than from the land, and it was this tax which forced many lesser gentry and yeomen to sell their land either to the great landowners or the newly rich. Income Tax was introduced in 1797 as a temporary measure to provide extra income to fund the Napoleonic Wars. Parliament, which was mainly composed of the aristocracy, voted to repeal or abolish income tax in 1816 and replace it with increased indirect taxes including taxes on beer and sugar.⁷⁷

At the end of the 17th century, England was still predominantly a rural country with the majority of people relying on agriculture for their living and, until the 19th century, the wealth and population of England was predominantly in the country rather than the towns. In the opinion of Mark Girouard⁷⁸ it was the landowners rather than the merchants who were the dominant class, and ran the country to ensure that

⁷⁶ Mingay 1976 page 67

⁷⁷ Murphy et al 2003 page 49

⁷⁸ Girouard 1978 page 2

their own interests were the last to suffer. Habakkuk,⁷⁹ writing about families from 1680-1740, notes that the old established families who had been settled in Northampton and Bedfordshire were gradually being replaced by lawyers, doctors, goldsmiths and trade smiths whose main sources of income had been generated in London, and who had then retired to the country in later life. According to Gash⁸⁰ the majority of the population lived in the countryside or small semi-rural towns, and continued to do so until the second half of the 19th century when there was a shift towards urban migration. This was true in whichever part of society people found themselves. Most great estates still in existence in the 1870s were already substantial before 1700.⁸¹

Habakkuk⁸² believes that the degree of mobility and interchange in Hanoverian Britain may be easily exaggerated. It was, according to Cannon⁸³ “extremely rare for a younger son of a peer to go into trade.” Beckett⁸⁴ suggests that the general opinion is that by the 19th century the majority of the country’s property was in the hands of a comparatively small elite. As mentioned above, however, the younger sons in the Turnour family, who had reached the rank of Earl, were joining the ranks as workers. It is difficult to know whether this was because there were so many younger sons or because there was a history of paid employment, but it is probably the latter. A survey in 1872-73, known as the New Domesday, showed that more than one million people owned land, although four fifths of the total acreage was in the possession of

⁷⁹ Habakkuk 1939 page 2

⁸⁰ Gash 1979 page 17

⁸¹ Cannadine 1994

⁸² Habakkuk 1939 pages 2-17

⁸³ Cannon 1987 page 7

⁸⁴ Beckett 1984 page 1

only seven thousand proprietors. One quarter of England was occupied by large estates of over ten thousand acres was probably similar to the situation in 1815. It was certainly true that none of the families being studied had members who were in trade, although, as has already been shown some followed the traditional route into the church or the professions.

Langford⁸⁵ suggests that during the first half of the 18th century, there were more changes in property ownership than is at first apparent. In Glamorgan, for example, he calculated that of thirty one great estates in the county in 1700, only ten continued to be held by the direct male line by 1750. In Buckingham, of the hundred largest estates in 1700, thirty seven had changed hands by 1750, and a further seventeen by 1780. He suggests that the practice of transferring lands by marriage, often with a change of name by the groom, preserved the illusion of continuous descent. This occurred in the Turnour family when Edward Garth was made to change his name to Edward Turnour in order to inherit the Shillinglee Estate. In the first half of the 18th century many large estates were sold because of the failure of the family to produce an heir or heiress. In Buckingham, for example, of twenty one estates, more than one fifth of the total number was sold between 1700 and 1750. On the other hand, the wars with France created an unprecedented prosperity in agriculture throughout the British Isles, with the result that many people were purchasing land.⁸⁶

⁸⁵ Langford 1991 page 39

⁸⁶ Cannadine 1994 page 13

The way in which these social groups are divided can be based either on income or the amount of land owned by a particular family, but even these divisions are not clear-cut. Harrison⁸⁷ sees English society in the 18th century as a pyramid consisting of ranks rather than classes. At the top were the king and the great proprietors of land including five degrees of nobility. These were followed by the substantial proprietors and gentry whose power and prestige were derived from their ownership of land. Below these were the yeomen who owned their land and the tenant farmer who rented from the substantial proprietor and lastly the cottagers and labourers. Within this social order each rank had its respective obligations and responsibilities as well as rights and privileges. He suggests that even within these groups there were an infinite number of subtle variations and nuances. Beckett,⁸⁸ on the other hand, divides the groups into five sections, namely: the peerage, gentry, yeoman, freeholders and owner-occupiers, whereas Habakkuk⁸⁹ only includes three social groups: peerage, gentry and yeoman, and on another occasion he divides the groups according to income; including the aristocracy and squires with an income of between £800 and £2000 per annum and smaller squires with an annual income of £800 or less. The merchants and professional classes do not appear in these ranks so it must be concluded that once they became landholders their past was of no consequence. It also suggests that when a choice must be made, it is land rather than money which holds sway.

⁸⁷ Harrison 1965 page 3

⁸⁸ Beckett 1977 page 567

⁸⁹ Habakkuk 1939 page 3

Mingay⁹⁰ links the words lesser landlords and gentry, and defines them as those who could not afford to build or maintain a great house or have a season in London. He describes the wealthy gentry as those with incomes of between £3,000 and £4,000 per annum and the lesser gentry as those with an annual income of £1,000 and £3,000. The number of gentry families varied depending on the area of the country,⁹¹ with the most highly gentrified counties being in the Home Counties, the Midlands, the western counties of Hereford, Somerset, Gloucestershire and Oxfordshire and the southern counties of Sussex, Hampshire, Dorset and Wiltshire. Scott⁹² believes that the rise of the gentry between the 15th and 18th centuries was the first stage in the monopolisation of land by a rentier class, which was then followed by a second phase during the agricultural revolution of the 18th century. He believes that from the Restoration to the middle of the 18th century, small freeholders were losing out in the struggle for land as the owners of large estates increased the size of their holdings, and that during the early 18th century it was the large landowners and newcomers to the land who gained at the expense of the owner occupiers and smaller landlords. Stone,⁹³ on the other hand, suggests that from the late 16th century the gentry began to divide into two groups based on economic resources, life style, occupation, and the range of cultural interests and activities. These were defined as the Parish Gentry whose interests were limited to the boundaries of one or at the most two villages, and who were unlikely to be eligible for any administrative post above Justice of the Peace. The other was the Country Gentry, who had often had greater influence at sometime in the family's past, and also owned a substantial

⁹⁰ Mingay 1963 page 19

⁹¹ Mingay 1976 page 15

⁹² Scott 1982 page 35

⁹³ Stone 1984 page 6

landed estate and a country seat. By the late 17th century they were often referred to as “squire”.

Beckett⁹⁴ defines the aristocracy as a governing class; a social estate which stretched from the peerage assembled in the House of Lords, through the titled non-peers to the gentry landowners. Mingay⁹⁵ divides landowners into three groups: peers, gentry and freeholders. He describes peers as those whose wealth depended mainly on revenue from large estates. Gentry he perceives to be much less exclusive and more diverse in its origins than the peers. He does not think that they have to be farmers, but could be in receipt of unearned income from rents, mortgages or investments, possibly supplemented by profits from an office or profession. The freeholders are described as owner-occupiers who cultivated their own land, possibly with some rented land or as small absentee landowners. He also divides landlords according to their income. Great landlords, whose extensive estates at the end of the 18th century were producing £5,000 to £6,000 a year and lesser landlords, who had an annual income of less than £5,000. Lord Arundell with an income of £11,820 2s 8 ½ d from his rents in 1781 was placed securely in the ranks of the Great Landlord.⁹⁶

Thompson⁹⁷ groups people at the end of the 18th century according to their management and holdings of land, beginning with the landed aristocracy, who he describes as the great landholders; country gentlemen, equal in status, but not in

⁹⁴ Beckett 1986 page 21

⁹⁵ Mingay 1963

⁹⁶ WRO 2667/11/143a

⁹⁷ Thompson 1963 page 7

possession of so much land, tenant farmers who did 80% of the country's farming, and the small landowner (yeoman) who cultivated their own land. Another term, although embracing a larger group of people is 'gentleman' which Taine⁹⁸ considered expressed all the distinctive features of the English upper class. These included a large private fortune, a considerable household of servants, a certain outward appearance and bearing. Habits of ease and luxury were often enough in the eyes of the common people, especially the servant class, for whom these semblances were all that were necessary to confirm membership of a particular social class.

Norman Gash⁹⁹ however, argues that the absolute gap between rich and poor did not exist and describes the situation as an immense and complex graduation of classes and incomes, with incomes that stretched between the very rich and the very poor. He suggests an alternative vertical rather than horizontal division including the contrast between rural and industrial areas and also the differences between those adhering to the rules of the established Anglican Church compared to the dissenters or Roman Catholics. The distinctions, however loosely based or tightly connected, still have a small group of families who held more land, had greater wealth and more power than other members of society. They are referred to as the aristocracy and great landlords and are considered to be at the top of the ladder. Their power was symbolised by the large country house and the surrounding land. Gash¹⁰⁰ suggests that the aristocracy was linked not only by ties of influence, but also by blood and marriage. In the aristocratic families the title descended only through the eldest male

⁹⁸ Hippolyte Taine (21 April 1828 – 5 March 1893) French critic and historian

⁹⁹ Gash 1979 page 2

¹⁰⁰ *ibid*

line, although after about 1660 the younger sons were often given cash payments to set themselves up as best they could. Younger sons and daughters were continually being absorbed into the non-aristocratic classes without titles or estates, but at the same time the aristocracy was constantly being reinforced by talented or fortunate families from below.

The Turnours were an example of this progression with Edward Turnour being knighted for his services in Parliament, the title being upgraded in the lifetime of his grandson, Edward, who was created Baron Winterton of Gort and then Viscount Turnour and Earl of Winterton in 1766. Through good connections and marriage with an heiress a landowner or his descendants could acquire access to even better positions or perquisites which in turn could lead to larger estates, a peerage and the establishment of a dynasty.¹⁰¹ Large amounts of money were expended on this part of the home estate in order to maintain the family's prestige and, for the aristocracy the produce of the estate in the form of rents or from the profits of agricultural and industrial enterprise produced the majority of their wealth.¹⁰² Thompson¹⁰³ describes the landed aristocracy as a series of families, so linked by intermarriage that they have been likened to tribes, with the family interest and family reputation normally superior to the claims of any individual within it. The extended family did not usually live under one roof, but consisted of several generations under the protection of a single roof. The chapter on Marriage and Settlement will deal with some of the problems which arose as a result of this.

¹⁰¹ Girouard 1978 page 2

¹⁰² Beckett 1986 page 139

¹⁰³ Thompson 196page 18

The rank of baronet was invented in 1611, partly to make money for the crown, but also as a replacement for the discredited Knighthood which no longer filled its original function on behalf of society.¹⁰⁴ The Arundells were given a title in 1605 when Thomas Arundell, who succeeded his father Matthew in 1598, was created Baron Arundell of Wardour.¹⁰⁵ Between 1700 and 1775 the number of peers increased through diversification, extension and codification: between 1776 and 1830, 209 new peers of the United Kingdom were created.¹⁰⁶ Between 1780 and 1820 there was a trend towards territorial amalgamation, as the landowners sold outlying estates in order to consolidate their holdings around the main estate. The separate territorial elites of England, Ireland, Scotland and Wales merged into a new authentically British landed elite.¹⁰⁷

The peers have always been a minority group. There were no more than one thousand and three persons holding peerages during the whole of the 18th century.¹⁰⁸ Cannon reasons that by common law the noble status in England only applied to the peer and not to younger sons and daughters who despite sometimes holding titles, were technically commoners. This also applied to the eldest son until he inherited the title. Until the end of the 18th century the creation of new peers was severely limited, and nearly one hundred peers had held their titles for more than fifty years. In 1800 there were two hundred and fifty seven English peers, one hundred and fifty nine

¹⁰⁴ Stone 1984 page 261

¹⁰⁵ Critall 1965

¹⁰⁶ Cannadine 1994 page 29

¹⁰⁷ Ibid page 32

¹⁰⁸ Cannon 1987 page 10

Irish peers and seventy-two Scottish peers. The titles held ranged from duke at the top, descending through marquis, earl, and viscount, to baron as the least important rank.

According to McCahill,¹⁰⁹ for the first three quarters of the 18th century the size of the British peerage remained almost unchanged with approximately two new creations annually, but during the fifty five years following 1776 two hundred new peerages were created and the size of the House of Lords increased from one hundred and ninety-nine, to three hundred and fifty-eight. The new peers were mainly from traditional sources such as the great landlords, but also included senior ranks of professions such as high ranking military officers, judges and diplomats. All these titles included privileges, including exemption from jury service. The peers had many advantages over the common people. Bovill¹¹⁰ lists several advantages such as a peer not being able to be arrested for debt, be made bankrupt or have his estates sequestrated. He could defraud his creditors with impunity. He also paid fewer taxes and stamp duties, paid fewer tolls at the turnpike and sent and received letters postage free.

The upper crust of the landed classes were formed of three hundred or so families who owned a title, with an annual income of between £3,000 and over £50,000, a country seat and probably another house in London. The majority of the gentry were men of modest means, with rent rolls from £300 to £1,000 per annum. According to

¹⁰⁹ McCahill 1981 pages 259-284

¹¹⁰ Bovill 1962 page 79

Gash¹¹¹ in 1815 the true landed gentry and aristocracy together probably consisted of about four thousand families who constituted the traditional governing elite and dominated the political life of the kingdom. Between them they controlled the electoral system, filled the benches in both houses of Parliament, supplied the bulk of the beneficed clergy of the Church of England, the officer corps in the army and navy and the upper ranks of the diplomatic service.¹¹²

Between 1660 and 1720 new titles began to appear as peerages were awarded to men who had aided their royal masters in securing the throne. A knighthood could be a drain on income since it might be necessary to put the king up if he was in the area.¹¹³ Thomas Bennett of Pythouse was fined £28 for refusing a knighthood after the coronation of Charles I. Nevertheless, the peerage expanded under William Pitt, the elder, and his immediate successors, as it was a useful form of political patronage since it did not involve any charge on the public purse. To be granted a peerage did usually require proof of existing material affluence.¹¹⁴ Gash considers peers to be a social rather than an economic division, since rich commoners were often wealthier than poor peers: for example, it is possible that more than half the men with incomes of over £10,000 from the land were not peers. The honours were usually awarded to men who had served the state in the ministry, foreign and diplomatic services, armed services and local government.

¹¹¹ Gash 1979 page 18

¹¹² *ibid*

¹¹³ Benett-Stanford 1947 pages 386-404

¹¹⁴ Nash 1979

Eighteen new peerages were attributed to service in the Irish Union controversy between 1799 and 1800. A rent roll of more than £5000 was also considered necessary for promotion; a knighthood was the most anyone could expect if they had less than this amount.¹¹⁵ Between 1750 and 1780 the crown promoted six Irish peers to the British House of Lords, followed over the next fifty years by a further fifty-nine. In 1800 many of the Irish peers were in fact English landowners without any Irish property, but it was not unusual throughout the 18th century for prominent British crown servants to be rewarded with an Irish title. In fact McCahill¹¹⁶ suggests that most recipients of these Irish honours considered it to be a sort of ‘middle passage’, with the main ambition being an English peerage. It was during this period that the Turnours were given their title, with Edward Garth Turnour being created Baron Winterton of Gort in Ireland in 1761, and then Viscount Turnour and Earl Winterton in 1766.¹¹⁷

Most families did not become substantial landowners in one move, but by piecemeal, building up their estate gradually. The price of land in the 17th and 18th centuries meant that only a few families became great landholders in a short period of time. Gash¹¹⁸ suggests that it was possible for ambitious politicians, political lawyers, successful generals and admirals to carve out a fortune in a single lifetime. The usual route towards greater honours was to be granted a baronetcy in the first generation, and following further public service, to be promoted to a peerage in the second or third generation. However, the Gower family were perhaps one of the exceptions. At

¹¹⁵ Beckett 1986 page 110

¹¹⁶ McCahill 1981 pages 259-284

¹¹⁷ Viscountess Wolseley 1936 pages 783-788

¹¹⁸ Gash 1979

the time of the Glorious Revolution the family were Staffordshire baronets. They were promoted to the baronetcy in 1703 and by 1746 they had received an Earldom. This was raised to a Marquisate in 1786 and then to the Dukedom of Sutherland in 1833. This rise through the ranks was attributed, by Cannon, to political acumen, sound marriages and luck.¹¹⁹ He mentions that in 1711 the Baronet received a large inheritance through the death of the twenty-year-old Earl of Bath from smallpox, and again in 1734 by the death of the widow of the second Duke of Albemarle. Through marriage to the daughter of an MP, the third Baron acquired £16,000 from her dowry, and then eighteen months later, after the death of his first wife, added another dowry when he married the daughter of the 1st Duke of Bridgewater. When the third Duke died in 1803 he left estates worth at least £75,000 per annum. The Grosvenor family also rose through the ranks from a baronetcy in 1761 to being the Dukes of Westminster in 1874. The marriage in 1677 of Sir Thomas Grosvenor to Mary Davies, the heir to the Manor of Ebury, which was to become Belgravia, was the source of much of their wealth. As will be shown in a later chapter the Benett family increased their estate more traditionally in a piecemeal manner through useful marriage arrangements, consolidation and acquiring land from others in their locality who needed to sell land to reduce debts.

Landholdings do not remain static, however, and Habakkuk¹²⁰ believes that for the sixty years after 1690 there was a movement of land ownership in favour of the large estate and great Lord coinciding with a diminution of the area of land owned by small squires and landed gentry. One reason for the growth of the large estate may

¹¹⁹ Cannon 1987 page 72

¹²⁰ Habakkuk 1939 page 2

have been the fall in the number of children in families which, in turn, lead to a reduction in the number of settled charges resulting in more money being available to spend on enlarging the estate. In the first fifty years of the 17th century, however, the population of Great Britain almost doubled with an estimated population of eleven million in 1801 rising to twenty one million by 1851.¹²¹ Explanations he gives for these include; longer life span, higher and birth rates the last half of the 18th century, and fewer health risks. By the beginning of the 19th century bubonic plague, leprosy and scurvy had been eliminated, although rickets, smallpox and typhus were still great contributors to child mortality.

At the same time a new group of people was entering the land and property market, who had made their fortune in government service or who had reached the top of the legal professions. Gash¹²² suggests that this group proved to be resilient and adaptable when considering their position in society. From the mid 18th to the mid 19th centuries the inter-penetration of land with office, law and business was intense in Northamptonshire, Northumberland and Hertfordshire. Few gentry families were on the move unless they had assistance from other income sources. Those with incomes from land only reached the lowest rung of the ladder.¹²³ This is disputed by Stone¹²⁴ who believes that those who moved upwards socially were rarely successful men of business. He states that most newcomers were from rising parish gentry or those who held positions such as lawyers, and suggests that only a handful of very rich merchants succeeded in buying their way into the elite, and those who did were

¹²¹ Gash 1979

¹²² *ibid*

¹²³ Beckett 1985 pages 283-308

¹²⁴ Stone 1984 page 402

fully assimilated into that group by the second generation. This was certainly the case of the Turnours at Shillinglee who with the combination of Gores who were merchants and the Turnour family with their parliamentary connections in the late 17th century had within two generations been raised to the position of earl.

There were few opportunities for a family to attempt entrance into the landed elite within a single generation. By the 19th century the majority of newcomers bought on a smaller scale than their predecessors.¹²⁵ Existing families did what they could to maintain their estates intact through strict settlement or, in case of line failure, via indirect inheritance. This heir was usually expected to change their name to the family surname.¹²⁶

Although the estate was the main source of income, London was also an important part of the lives of many of the aristocratic. From the 16th century the upper classes, as described by Girouard,¹²⁷ were spending more time in or around London because of the increasing power of the Court and central government. The more wealthy families acquired permanent homes in London, while others took lodgings. There was a need to have a balance between the country where they had a responsibility to their estate, tenants and neighbours, and the time spent in London, where there were jobs and contacts. It was also the place to meet friends from other parts of the country, make new contacts, arrange marriages, pursue lawsuits, borrow money, hear the latest news and catch up on the latest fashions.

¹²⁵ Beckett 1985 pages 283-308

¹²⁶ Beckett 1986 pages 130-131

¹²⁷ Girouard 1979 page 5

Except in very wealthy families where there were subsidiary estates which were allocated to younger sons, the latter were expected to make a life for themselves. Addison writing in the *Spectator* in 1794 regretted that so many younger sons passed a life of idle dependency on the heads of their families rather than demean themselves by seeking a career in trade. Amongst the upper class families, the extended family living as a single unit did not really exist. Once sons married they set up their own independent homes and, if they married well, they might even set up as rivals to their father.¹²⁸ Younger brothers who, according to Harvey,¹²⁹ did not have adequate financial provision often lived as parasites on their relatives. Amongst the peerage the younger sons were more than twice as likely to remain unmarried and not establish their own separate household.

The upper classes needed a male heir. Henry Pelham¹³⁰ lost two young sons within two days of each other, thought to be through a cold. Diphtheria, measles, scarlet fever and smallpox were common causes of death in children even amongst the upper classes.¹³¹ It was considered to be for the benefit of the family and the advantage of agriculture that a property should be kept together, but it was also essential that provision should be made for the younger children. Primogeniture was favourable to the agriculture of the country because it kept families together by preserving the headship, excited younger brothers to ambition and emulation, and stimulated the parent of the family to make provision by frugality, economy and

¹²⁸ Harvey 1978 page 11

¹²⁹ *Ibid* page 20

¹³⁰ Pelham, Henry (1694–1754), prime minister

¹³¹ Burton 1967 page 60

industry for his younger branches. At the same time it gave him the certainty of the importance of the family being preserved by the headship of his eldest son.¹³² On the whole this proved to be true, but where the eldest son or the heir did not have a good relationship with the head of the family, a concern was raised as to the future of the estate.

Great problems were caused through the son and grandson of Thomas Benett, 1694 - 1754, who through their unacceptable marriages and lifestyle put the future of the estate at risk. Sir Edward Turnour writing in 1696 under the title '*Personal notes on miscarriage of justice from son to father*'¹³³ complains about his son's intention to suffer a fine and recovery on the Parendon estate for which the son would receive £7,000 in ready money and £300 rent charge for himself and his wife. The father then describes his methods of preventing this, including arriving at the Westminster Hall at 7 a.m. with his servant who he sent into the court while he, who felt he was too well known by the court and most of the sergeants in the Court of Common Pleas, hid in a shop nearby until 6 p.m. when they decided his son was not going to appear. The final outcome was an official agreement between father and son; including the future of the entailed estate should the son not produce any heirs.

The businessmen who were buying estates between 1700 and 1800 were inclined to buy land without giving up their other interests. Langford¹³⁴ cites the case of the Fuller family of Brightling Park in Sussex. John Fuller appeared to be the typical

¹³² Hansard 1859

¹³³ WSRO 454/34/25/1

¹³⁴ Langford 1991 page 61

country squire, but at the same time he was drawing an annual income of £2,270 from sugar plantations in Jamaica, £2,200 from ironworks in Sussex and £1,200 from investments; a total of £5,670 compared to an income of only £1,780 from his landed estate. The Turnours retained the income from lands in Winterton and lights in Norfolk and Suffolk with the associated lighthouses which they inherited from Gerard Gore and from the same source all the shares in shipping and plates, chattels, debts and moneys in London, Middlesex Yarmouth and Newcastle.¹³⁵ This would suggest that where the family background lay in trade rather than the land, and that they did not consider land to be the only way of securing an income and possibly that it was better to have assets spread across a number of incomes.

The Benetts are included within the group labelled as gentry, in which they remained despite being given the chance to rise through the ranks by King Charles I in 1631. Thomas Benett chose not to appear at court when summoned to be knighted and was, as a result, fined £28.¹³⁶ A picture of the original document is shown below¹³⁷.

¹³⁵ WSRO 454/25/12/2

¹³⁶ WRO 413/405

¹³⁷ WRO 413/405

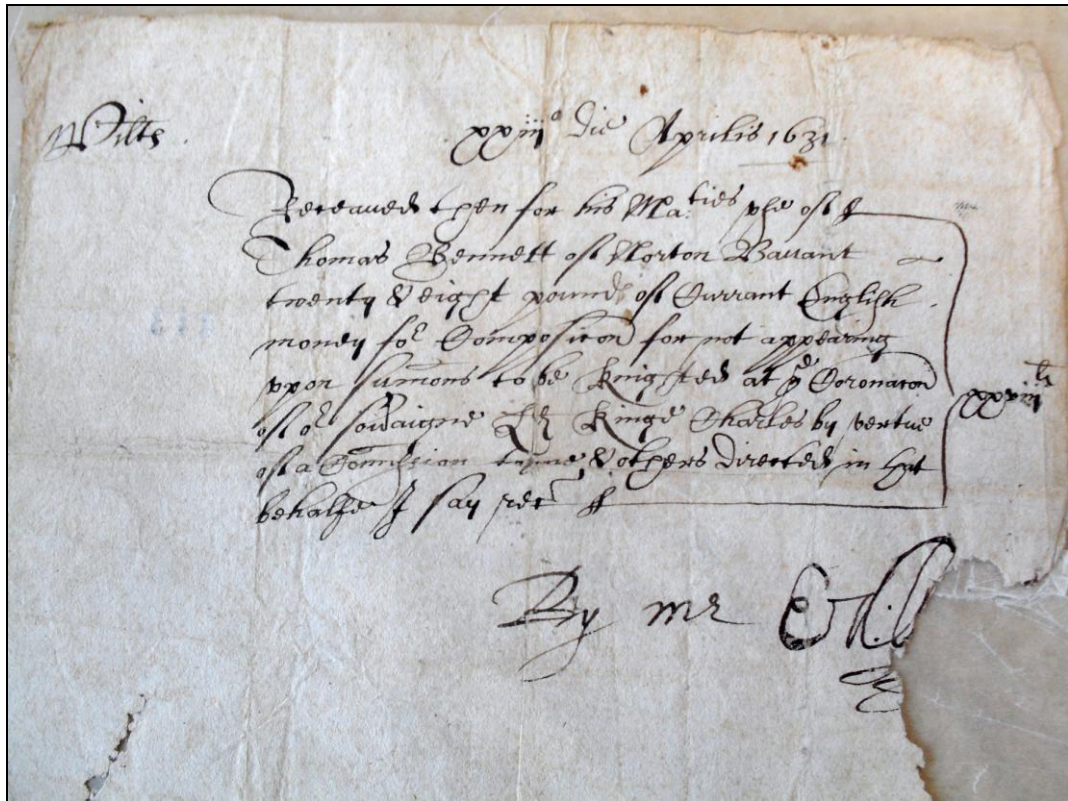


Illustration 2:1 Fine by Charles 1 WRO 413/450

The Benetts' main estate was concentrated around a house called Pythouse which was first documented in 1562 as belonging to a Thomas Benett. In 1565 he purchased a large portion of land known as West Hatch to the north and North West of Pythouse. The family sided with the Royalists during the Civil War (1641-1656) and along with the Arundells of Wardour were fined by the Parliamentarians during the Commonwealth (1651-1659). As a result Pythouse was sold to Peter Dove, Mayor of Salisbury for £4,450 in 1669 and the family moved to Semley. It remained in the Dove family for fifty six years until Patience Benett, as heiress to Thomas Benett, married William Benett of Norton Bavant. The main seat then became

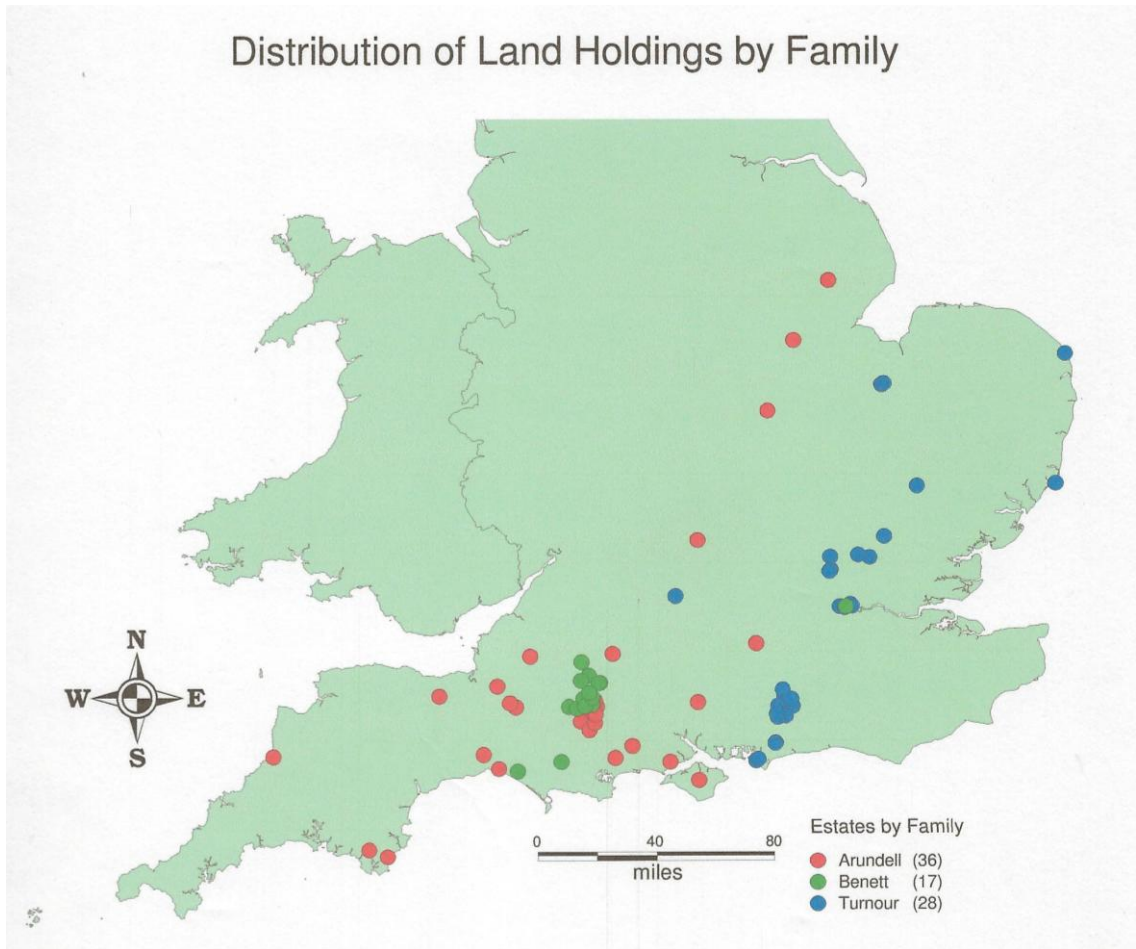
Pythouse which stayed in the family until the middle of the 20th century.¹³⁸ The Benetts of Norton Bavant were originally landowners and clothiers and were based mainly at Westbury, Heytesbury and Norton Bavant. They also had other land and properties in Berkshire and London.¹³⁹

The Turnour family is an example of those from professional classes who were able to acquire landed estates, although the Gore family through whom they obtained the Shillinglee Estate were merchants. Therefore, the Gores could be included in two of the classes mentioned when considering groups who acquired land. Sir Edward Turnour (1617-1675/6), the eldest son of Arthur Turnour of Parendon Parva in Essex, was born in Threadneedle Street. He was educated at Queen's College, Oxford where he matriculated but did not graduate, and was then called to the Bar in 1640 at Middle Temple. He was elected Treasurer in 1662 and in 1658 was returned to Parliament for Essex, and continued to represent the county on the Restoration of the Monarchy. In 1660 he was knighted and made King's Council and a General to the Duke of York. In 1661 he was chosen as Speaker of the House of Commons and then in 1670 became Solicitor General. He died in 1675/6 and was buried in Parendon Parva, the principal seat, but he was also Lord of the Manor of Great Hallingbury. It was through his marriage to Sarah Gore, the daughter of Gerrard Gore, Alderman of the City of London, that the Shillinglee Estate and Down Place near Godalming entered into the Turnour family.

¹³⁸ Eyre 2002 page 1

¹³⁹ Oliver 1908 page 184

Distribution of Land Holdings by Family



Map 1:1 illustrates the estates and landholdings owned by the three families and is interesting in that it shows how they differed in the pattern of holdings each possessed. The Bennet land is almost completely situated around Pythouse and Norton Bavant apart the property held in London. The Turnour holdings are more dispersed, although the pattern is almost linear apart from the land held in Norfolk and Suffolk. The two main groups, however are situated around the Essex and Shillinglee estates and land on the Selsey Peninsula. The Arundell estates, on the other hand are dispersed across the south of England and into the Midlands. These could be an indication of estates gained through useful marriage settlements.

The growth of towns and villages has been attributed by Burton to improvements in transport and the necessary infrastructure such as roads which did improve slightly, especially turnpike roads. Carriages, however, caused problems by destroying the roads and in 1747 the Pelham government imposed an excise duty of £4 per annum for every coach, Berlin, Landau, chariot and calash with four wheels, chaise and marine. No-one had to pay tax on more than five vehicles.¹⁴⁰

It can be seen that the period under consideration was one of great change. Land was changing hands, and new groups were entering the landed classes at a variety of levels. Improvements in lifestyle, including improved transport made families more mobile, and the invention of carriages in the late 16th century encouraged a rush to

¹⁴⁰ Burton 1967 page 19

London, where the families were inclined to stay for several months each year. This was because of the poor roads which made it difficult to move between town residence and country estate, especially if it was a great distance from London or the large town to which the family had moved. During the 18th century with the improvements of roads, better springs and the invention of smaller, lighter chaises, chariots, curricles and phaetons long distance travel became easier, especially for women. Although this should have meant that the family were more often at the country estate it had the effect of them being available less since they were not confined to the estate during winter months when poor roads had previously made large scale movement almost impossible.

From this it would appear that all three families under consideration should have been in a much stronger position at the end of the period to prosper financially and to have a confidence that their name and place in society was safe. The Arundells had a secure position socially, which, despite financial difficulties remained strong.¹⁴¹ It would appear that having had a title for many generations they were able to retain the same social standing, even though they were financially in decline. The Turnours, who at the beginning of the period were firmly in the professional class, by inheriting a country estate and acquiring a title, had moved into the landowning class, mixing with other peers. The Benetts, on the other hand, appear to be in the same position socially but were slowly moving through the ranks financially through careful management of their estates. Despite this, however, even in the mid 19th century, the

¹⁴¹ To be discussed in chapter 2

failure to produce a direct male heir in both the Benett and the Arundell families meant that neither family was in a secure position by 1850.

Chapter 2 - Financial Implications

Debt, according to Malcomson,¹⁴² is relative and requires assets to run it up. Many aristocratic families incurred debt rather than sell important assets, especially land, in order to provide portions for their children and dowagers, build houses and possibly to pay for election expenses.

In light of this the chapter will analyse the financial position of the families. To achieve this, the chapter will examine the origins of their fortunes, their income, the benefits and problems caused by settlements, expenditure, debts, and the effect of financial constraints or superfluous funds. This will be set within a historic background to gain further understanding of how and why their circumstances changed between the 17th and 19th centuries. Since the families were all in different financial positions in 1640, this will also be considered as a possible reason for the decisions made by them when they were experiencing financial difficulties. The ways in which the three estates were affected by their financial circumstances, and how they dealt with debt, or used a new infusion of money as a way of improving their situation will, therefore, be analysed.

¹⁴² Malcomson 2000 pages 286-327

All three families suffered from fluctuations in fortune between 1660 and 1850, and according to Mingay,¹⁴³ these fluctuations may have been partly due to family circumstances. The Civil War and its aftermath was another cause for many families' serious debts and after 1660 the sale of much property was necessary. Many families, especially those who had supported the Crown, incurred huge debts as a result of the war through both sequestration and the compensation demanded by Parliament. At the same period rents were falling and taxation was rising, causing falling profits in the farming community. One result of this was that demand for land was substantially reduced, although in areas near to London, where the Turnours held their estates, and in other major urban industrial areas purchase rates were high.¹⁴⁴

Both the Benetts and Arundells in Wiltshire were affected by being supporters of the Crown, and the Benetts were forced to sell Pythouse as a result of sequestration. In 1688 a receipt for £1,140 was received for land sold to John Petteridge for lands in Semley.¹⁴⁵ The sale was a consequence of a fine inflicted on the Benett family by Cromwell for their loyalty to Charles I during the Civil War. The land passed through several hands and was finally bought back by Thomas Benett of Pythouse in 1792 for £2,000.¹⁴⁶ The Arundells were also fined because of their loyalty to the King and were unable to begin building the new Wardour Castle until 1769. On the other hand, the Turnours gained from the Civil War. Sir Edward Turnour supported Parliament during the War, serving as a Member of Parliament during the Commonwealth, and as Speaker of the House at the Restoration of the Monarchy. As

¹⁴³ Mingay 1976 page 90

¹⁴⁴ Clay 1974 page 181

¹⁴⁵ WRO 413/96

¹⁴⁶ WRO 413 94

a result of changing allegiances at the right time he escaped the fines incurred by the other two families and was in a position to buy the estate at Little Parendon in 1651. The Gore family as Aldermen and merchants in the City of London also probably supported Parliament and were able to buy Shillinglee from the Dukes of Norfolk, who may also have suffered losses as Catholics and supporters of the king.

Mingay suggests that periods of financial progress were often connected with a fortunate marriage to a rich heiress, a succession by the accident of death, or a minority when, the heir was under age. During this period the guardians were able to reorganize the estate and, as a result, revitalise family finances.¹⁴⁷

Many authors have taken the amount of income received by a family as a means of placing them in a social hierarchy, so that income is the deciding factor. Gregory King, writing in 1688, produced a breakdown of annual income according to rank in the late 17th century and, beginning with peers at £2,800 moves down through the hierarchy with baronets on £880, knights £650, esquires £650 and gentlemen on £280.¹⁴⁸ This compared favourably with the incomes of £17,000 for the Earl of Devonshire and £25,000 for the Duke of Newcastle in the 1690s. Incomes of £10,000 were commonplace for peers above the rank of baron by 1710.¹⁴⁹

¹⁴⁷ Mingay 1976 page 115

¹⁴⁸ Quoted in Beckett 1986 page 288

¹⁴⁹ Beckett 1986 *ibid*

From the second half of the 17th century the debt of the aristocracy began to increase. During the 18th century legal refinements in the terms of mortgages, the decline of the interest rate, evaluation of West End Banks, the advent of insurance companies and the professionalization of estate management all made it easier for the landowner to borrow.¹⁵⁰ Private Banks, mainly in the hands of London Goldsmiths, had flourished since the Restoration and they had developed two techniques for the transference of money: the personal cheque and the bank note. By the 1690s the bank note had become a kind of informal currency that supplemented gold and silver coins.¹⁵¹ The rising value of land, especially after 1750, ensured that the process of mortgages continued. This was partly offset by the rising costs of purchased goods and the matching increase in the cost of a good marriage.¹⁵² Although landed indebtedness was considerable, by 1770 many owners were still in a position to purchase money in order to acquire property.

Banks were also, of course, a means of creating income through the investment of surplus funds. The Government funded National Debt by employing parliamentary promises of future tax revenues to repay what had been borrowed. To attract lenders very high interest rates were offered, although after 1713 interest rates were much reduced and the government had to look for ways to renegotiate the debts of the 1690s and 1700s.¹⁵³ During the Napoleonic Wars the heavy borrowing by the Government reduced the price of Government stock which resulted in it becoming an attractive investment because of raised yields. Private investors along with banks and

¹⁵⁰ Cannadine 1994 page 39

¹⁵¹ Willcox 2001 page 22

¹⁵² Langford 1991 page 63

¹⁵³ Hoppitt 2002 pages 141-165

insurance companies were inclined to invest their money in Funds rather than mortgages, with the result that landowners found it both unprofitable and also impossible to dispose of their land when Government borrowing was heavy.¹⁵⁴ An account of stocks and fund investments held by the Turnour family was revalued in 1833 and was valued at £31,908 16s 10d. This included bank consols from the monies raised from the sale of Down Farm, timber and the sale of some other land. Some of the trust fund was sold in 1831, after the death of the Earl, in order to pay for the portions due to the five younger children stipulated under a settlement of 1794.

As already stated the three families had different social origins, and this affected their income. The Arundells, an old landed family, had lands spread around the country as a result of advantageous marriage settlements, whereas the Benetts who had started as yeomen farmers, had gradually enlarged their holdings with the result that, on the whole, their land holdings were concentrated around their two main estates, both in Wiltshire. Their income, like that of the Arundells, was mainly derived from the land. The Turnours' land was, like the Benetts consolidated but, unlike the Benetts, it had been bought over a short period of time with money accumulated from merchant trading. Both the Turnours and the Arundells had improved their income through marriage but, whereas the Arundells had increased their land holdings, the Turnours had married into professional families and, therefore, were receiving fresh injections of cash with each lucrative marriage. The Bennets, at the beginning of the period were marrying local gentry families and

¹⁵⁴ Mingay 1976 page 114

receiving some cash input and some land. By the end, however, as they advanced socially, they married heiresses who were adding more money to the family finances.

The choice of a bride was, therefore, very important since it could make a considerable difference to financial stability, especially where debts were piling up. The aristocracy were very quick to understand that they could use marriage facilities to fund indebtedness. Beckett¹⁵⁵ maintains that their estates could be extended through marriage, inheritance and occasional purchases. Since they were unable to sell this entailed land, mortgage facilities were used in times of financial difficulty. When Thomas 4th Lord Arundell died in 1711 his son, Henry, began the long process of restoring the family fortunes by the only way open to a Catholic landed family, that is, by marriage to rich heiresses. He married Elizabeth Panton through whom he succeeded to the greater part of the Panton property, in the neighbourhood of Leicester Square. His son, the 6th Lord Arundell married Elizabeth Everard, the daughter of Baron Everard of Tipperary, and secondly Ann Herbert daughter of the Marquis of Powis. The 7th Lord married Mary, daughter and heiress of Richard Bellings Arundell of Lanherne, Cornwall, and the 8th Lord Arundell who was responsible for building the new Wardour Castle, married Mary Christina, daughter and heiress of Benedict Conquest of Irnham Hall in Lincolnshire.¹⁵⁶

The marriage of a daughter of the house, however, could cause problems. The payment of portions to daughters on the occasion of their marriage seemed to be a

¹⁵⁵ Beckett 1984 page 8

¹⁵⁶ Caraman 1984 page 9

problem for each generation in all three families. In 1724 Thomas Arundell, brother of Henry Lord Arundell used money from a redeemed mortgage to pay the outstanding £1,000 of the £2,000 promised on the occasion of the marriage of his sister Elizabeth to James, Earl of Castlehaven,¹⁵⁷ Her father Henry 5th Lord Arundell also mortgaged lands in Hampshire in order to raise £10,250 of the £20,000 settled on her, his only daughter. The £10,250 was to be paid six months after his death.¹⁵⁸ In 1724 not all the money promised on their marriage of 1722 had been paid and only the interest had been paid on a principal sum of £1,000. Thomas Arundell, brother of Henry 6th Lord Arundell, bargained to James, Earl of Castlehaven the principal sum of £14,000 raised from the release of indentures taken out by his grandfather in 1660. By 1726 the mortgage taken out in 1724 and a bond dated 1721 had been paid in full realising the sum of £1,050 5s.¹⁵⁹

The marriage settlement of Henry 7th Lord Arundell and Mary Bellings Arundell included a clause whereby certain lands were to be put in trust in order to raise money for the portions to be paid for the younger children. The amount to be raised was £10,000 to be paid to one surviving child on their twenty first birthday.

Although four children appear to have been born only two were alive in 1768: Henry 8th Lord Arundell and his brother Thomas, then aged twenty six. At that point only £1,000 plus the interest on the full amount had been paid and it was agreed by Henry 8th Lord Arundell and his mother that the annual income on the £10,000 should be augmented by payments of £200 per annum; to be made by the Dowager, Lady

¹⁵⁷ WRO 2667/6/6b

¹⁵⁸ WRO 2667/6/2

¹⁵⁹ WRO 2667/6/6b

Mary, from her personal income.¹⁶⁰ The outstanding £9,000 remained unpaid to Thomas at the time of his death in 1781 after which, Henry 8th Lord Arundell assigned £9,000 plus interest to Earl Castlehaven and James Everard Arundell as trustees. They were required to pay £3,000 from the money to Thomas' creditors and it was also agreed that since Lord Arundell had paid an annuity of £480 to Thomas during his lifetime the remaining £6,000 and interest from it should be assigned to Henry Lord Arundell.¹⁶¹

It was agreed that when Henry 8th Lord Arundell married Mary Conquest in 1763 the sum of £20,000 should be equally divided between two or more children. There were in fact two daughters, the Honourable Mary Arundell who married James Everard Arundell later to be 9th Lord Arundell, and Lady Eleanora Arundell who married Charles, Lord Clifford. By 1825 only £6,000 of the money had been raised and it was agreed that a trust, which had been set up for a period of two thousand years, should be broken in order to provide the remaining £14,000.¹⁶² When Henry Benedict 11th Lord Arundell married Frances Catherine Tichborne, his second wife, in 1838, the amount settled on any children had been greatly reduced since only £8,000 was available to be shared equally between them.¹⁶³ On the death of Henry Benedict in 1862 his two sons, who were both over the age of twenty one, were each paid their share of the £8,000 from investments.¹⁶⁴

¹⁶⁰ WRO 2667/4/13

¹⁶¹ WRO 2667/5/5c

¹⁶² WRO 2667/4/13/4

¹⁶³ WRO 2667/5/11a

¹⁶⁴ WRO 2667/5/11a

Although many families appear to have acquired new sources of income through marriage settlements and inheritance, the arrangements did not always run smoothly and this often led to litigation. Sir Edward Turnour died in 1675 and bequeathed his estates, which had a real estate value of about £1,200 per annum, and a personal estate consisting of government and other securities of above £60,000, to his cousin Sarah Garth, granddaughter of his uncle Sir Edward Turnour. The rents and profits of his real estate were left to her for her sole, separate use for her natural life and then to her son Edward Turnour Garth and his heirs. It is reported that after the death of her husband, Sarah Garth bought “many jewels of considerable value” and that she also placed some money in her own name on a mortgage. She also had more than £400 in her own name at her goldsmiths at the time of her death in about 1744. When she died, however, there were still several outstanding sums of money due or unreceived for arrears of rent and interest on mortgages made to the late Edward Turnour.¹⁶⁵ Sarah Garth was also heir at law to a Mrs Isabella Degroft, who was expecting to receive a considerable bequest from the estate of Edward Turnour. On her death, however, she made Thomas Crawford, Edward Petre and Dorothy Turnour the beneficiaries under the terms of her will. This was contested by Mr and Mrs Garth who claimed that since Edward Petre and Dorothy Turnour were “educated in the popish religion,” and continued to be Catholics, they were, therefore, disabled from inheritance by several acts of parliament.¹⁶⁶ This was successfully contested.

Settlements caused other problems, such as the payments continuing on to the next generation. In 1839, when the 2nd Duke of Buckingham and Chandos succeeded to

¹⁶⁵ WRO 454/24/22/6

¹⁶⁶ WSRO 454/24/22/6

his title, he was fortunate in that he there were only two members of his inner family drawing an income from the estate; his uncle Lord Nugent who was entitled to an annuity of £1,500 and a portion of £10,000, and his aunt Lady Arundell, widow of James Everard Arundell, who was still entitled to her portion of £10,000.¹⁶⁷ This shows how a family's debts could be passed on from one generation to another, thus leaving the new owner of the estate with debts not of his own making.

For some families portion payments became a permanent feature of ongoing debt. Arthur Turnour's will in 1721 left £300 to his wife Elizabeth for immediate expenses, and the remainder of the lease of the house in Bloomsbury Square, including goods, furniture and any coaches and horses. To his son Edward he left the land in Water Newton, in the county of Huntingdon and lands in Farret Farm, on the condition that within three months of his father's death he was to settle £500 annually on his mother.¹⁶⁸ In 1804 the Turnours found it necessary to sell Besthorpe, Norfolk to pay towards money for a younger brother and a sister.¹⁶⁹

Money was often required to pay unpaid settlements on younger children after the death of their father, although this was done reluctantly. When the 3rd Earl Winterton died in 1833 it was necessary to raise £3,000 required for the settlement on his remaining children. It was agreed between the trustees that instead of raising money by mortgage or the sale of land, trust money from the sale of certain parts of the estate and sale of timber and investments in consolidated bank annuities amounting

¹⁶⁷ Thompson 1955 pages 36-52

¹⁶⁸ WSRO 454/25/21/1 & 2

¹⁶⁹ WSRO 454/45/36

to £38, 890 15s should be used. This was achieved by declaring that the money should belong to Earl Winterton and his heirs in fee simple instead of entail male as it had previously been described.¹⁷⁰ This meant that instead of the money being tied up through the strict settlement terms, they were free to use the money whenever it was needed, rather than waiting until the next heir acceded to the title in order to break the terms of the settlement.

On another occasion, in 1831, a different method had been used to break the entail of the estate, namely that of common recovery. This can be defined as a fictitious legal proceeding in England used to enable an entailed estate in land to be converted into absolute ownership, fee simple. In this case it concerned the Winterton Estate, with Thomas Mellersh as the demandant. In 1833 Mellersh negotiated the letting of the manors and farms of the estates. A condition of the loan for £6,000 which was raised included the proviso that all the manors in Norfolk should remain, and be to the use of Thomas Mellersh and his heirs for ever or until the debt was repaid.¹⁷¹

Sometimes when the financial situation was difficult and the Lord of the Manor had died, the new Lord might use the opportunity to break the settlement in order free up some cash. On other occasions, when the Lord was elderly, he passed on his responsibilities to the next generation. This happened twice in a short period of time in the Arundell family. In 1711 Thomas 4th Lord Arundell entered into an agreement with his brother Henry and his nephew, also called Henry, whereby on account of his

¹⁷⁰ WRSO 454/25/26

¹⁷¹ WSRO 454/30/31

great age, he set up a trust deed for the general management of his estates in the counties of Southampton, Wiltshire, Dorset, Somerset, Hereford and Shropshire. He died in February 1712 at the age of seventy eight.¹⁷² Henry 5th Lord Arundell then continued with this arrangement when in 1722 he entered into a trust deed with his son Henry because he desired “to be released from trouble and care of the management of his estate Real and Personal, and other affairs.”¹⁷³ He passed to his son all the manors and Lordships in Southampton, Wiltshire, Dorset, Somerset, Devon, Hereford and Cornwall. His son, Henry, was then given the responsibility of paying the sum of £6,000 to his sister, Elizabeth, and also a further £4,000 to make up the outstanding portion of her £10,000. Under the terms of the agreement he was also expected to pay off all debts and sums of money due from and owing to Henry Lord Arundell from stewards, bailiffs, officers, tenants and farmers. In order to do this he was awarded all of Lord Arundell’s personal estate, all arrears of rent, and debt due or owing to Lord Arundell, and was instructed to demand and then sue all debtors in order to collect outstanding debts.¹⁷⁴

On other occasions, as a way of raising funds, the main estate was sold, or an outlying property without a house on site was sold. The main seat was an attractive purchase for a man of new wealth who was establishing a landed family, whereas an outlying property was more likely to be attractive to established families in the neighbourhood.¹⁷⁵ Lord Hereford, who had serious financial difficulties had a property in Wales which he had never seen, where a dinner for twelve was served

¹⁷² WRO 2667/5/1

¹⁷³ WRO 2667/5/1a

¹⁷⁴ WRO 2667/5/1a

¹⁷⁵ Habakkuk 1979 pages 187-205

every day, and the carriage taken round to the front door, in case he should arrive.¹⁷⁶

This would have seemed an obvious property to dispose of but there may have been circumstances which made this impossible. On other occasions it was possible or necessary to sell property which had been gained by the family from inheritance. Often the houses were sold because, having been inherited from relatives or through marriage, they were superfluous to their needs. These properties were often a white elephant because they were expensive to maintain, and of no interest to the new owner whose main seat was situated somewhere else in the country. Supernumerary seats were sometimes kept as unentailed assets which could be sold at a later date when extra capital was needed for rebuilding the main house, for raising marriage portions for daughters or when the house was no longer required as an extra place to house widows or children.¹⁷⁷ In 1801 a trust was set up by Henry Lord Arundell with his sons-in-law James Everard Arundell and Charles, Lord Clifford as trustees. The purpose was to enable land in Cornwall to be sold either as an entire purchase or in parcels, and any money raised to be used to settle outstanding debts.¹⁷⁸ More land in Dorset was being advertised for sale in the Salisbury and Winchester Journal in 1803, again to reduce the amount of Lord Arundell's debts.¹⁷⁹

The main source of income for the families, however, remained that which was received from the rent of land and buildings, although over time this source became very variable. Rents rose considerably between 1646 and 1690 but hardly at all between 1690 and 1720. Land which was let at rack rents often decreased in value

¹⁷⁶ Taine 1872

¹⁷⁷ Stone 1984 page 154

¹⁷⁸ WRO 2667/5/5a

¹⁷⁹ Salisbury and Winchester Journal Monday 18th October 1803

because of the war with France, and this reduced the amount available to be spent by landlords on repairs and improvements, especially where the responsibility for improvements fell on the Lord. Interest rates were higher during the war years and, as a result, the tenancy was in a stronger bargaining position. This meant that they were able to prevent the shift to them of the Land Tax and, when leases were renewed, were able to move the tithe payment onto the landowner, as well as resisting attempts to raise the rents. Higher grain prices in the 1690s and the lower level of land tax in 1712, made for a more favourable climate for rent rises, but by the second quarter of the 18th century, arrears of rents were piling up in arable areas.¹⁸⁰

The rents recorded for the Arundell estates in 1720 amounted to £1,339 9s 9d with a further £347 16s 3d from wood and timber.¹⁸¹ Accounts recording cash received by Lord Arundell for the two years July 1774 to June 1775 and July 1775 to 1776 were recorded as £3,459 6s 9d, and £5,698 15s, respectively.¹⁸² This consisted mostly of bankers drafts and cash, but also included amounts received from the sale of wool, sheepskins, ewes and other livestock; realising £93 0s 11d for the two years. Lord Arundell's rental income and expenditure is recorded between the years 1755 and 1768, and for most years there was a profit recorded, but it was less than £1,000 in most years. Because, during this period Lord Arundell was a minor, his mother was allowed £1,000 annually for his support.¹⁸³ Between 1786 and 1802 the amounts received for rents from the Manors of Ansty, Tisbury, Donhead, Semley, Bridzor and

¹⁸⁰ Clay 1974 page 182

¹⁸¹ WRO 2667/12/7

¹⁸² WRO 2667/12/31

¹⁸³ WRO 2667/17/8

Hazeldon remained quite stable, especially between 1786 and 1794, but then varied from then on. A factor which could make a considerable difference to the annual income was the amount received from fines paid on new and renewed leases: for example the average amount of rental income from Ansty during that period was about £720 per annum, but fines totalling £1,012 16s resulted in a rise in income to £1,814 3s 5d in 1796. When the land was re-let the landowner could revise the terms under which his tenants' property was leased. For example, he might raise rents and entry fines and turn long term leases into shorter terms or annual agreements (rack rents) at whatever rent it would bear. There were, however, difficulties with raising those rents dependent on the existing leases. If the leases were for periods of years, or for three lives, they would eventually return to the Lord's hands, but if it was a copyhold agreement it was not as easy. Often the entry fines and rents were a fixed amount with no loophole for reversion of the terms, in which case there was very little the landlord could do to change the situation.¹⁸⁴ When John Benett died his son, William Wake Benett was about two years old and a new agreement was drawn up on a lease in Donhead in reversion between Henry Lord Arundell, William Wake Benett and the Reverend Doctor John Benett. Rather than increase the fines the lease was transferred on the same terms for the remainder of the 99 years.¹⁸⁵ The rents received between 1786 and 1802 for the various manors associated with the Wardour estates again showed a variable annual income. If, however, the amounts of fines received was removed from the calculation only a small increase in income was evident, as shown by Table 3:1.

¹⁸⁴ Mingay 1976 page 42

¹⁸⁵ WRO 413/148

Year	Amount without fine	Amount with fines
1786	£2,385	£3,529
1787	£2,366	£3,040
1788	£2,365	£3,479
1789	£2,361	£2,752
1790	£3,432	£2,900
1791	£2,408	£4,615
1792	£2,436	£3,774
1793	£2,446	£3,664
1794	£2,449	£4,000
1795	£2,655	£6,371
1796	£2,483	£9,493
1797	£2,496	£7,343
1798	£2,509	£3,492
1799	£2,591	£3,905
1800	£2,663	£7,060
1801	£2,609	£7,414
1802	£2,609	£4,172

Table 3:1 Rents from the Wardour Estates, 176-1802

Mingay¹⁸⁶ suggests that the gentry were able to improve their income substantially, as well as improving their social status, by revising their tenancies, farming their demesnes, enclosing wastelands, and selling the timber and minerals from the estate. Enclosure was one possible way in which income could be generated. This could be achieved through land improvements and could include the extinction of common grazing rights over common fields; the gradual consolidation of inconveniently scattered holdings into compact farms separated from each other by hedges, fences,

¹⁸⁶ Mingay 1976 page 44

walls or ditches, the creation of new pasture closes out of the arable common fields to relieve shortages of pasture; and the bringing into cultivation of useless heath, moor or marsh. Mingay also suggests that improvements might be because the head of the family was a shrewd opportunist who took full advantage of any means available. The landowner could enclose the open fields in order to produce small farms with the object of letting them out as large units to capitalist farmers.¹⁸⁷ Examples of the difference made by enclosure to the three estates will be given as part of chapter on 4.

Nevertheless, the main supply of income was from the rents and fines received from tenant farmers which were often the source relied on for supporting the families' lifestyles. In 1728 North Hay Farm in Motcombe Dorset belonging to Thomas Benett was bringing in an income of £102 4s for just over 108 acres of land,¹⁸⁸ and in 1786 rental income from the estate at Norton was £553 2s 6d excluding the timber and wood.¹⁸⁹ On occasions rental income was recorded on land which was for sale, which is an additional way of discovering land values. Particulars in 1786 for land in Norton Bavant show three large plots including farmlands with rental income of £470.¹⁹⁰

Replacing woodland forests, which according to Thirsk had been recklessly felled without adequate replanting, became a matter of importance especially after 1660

¹⁸⁷ Ibid page 92

¹⁸⁸ WRO 413/93

¹⁸⁹ WRO 413/87

¹⁹⁰ WRO 423/87

when the process was managed on a more professional basis. The gentry favoured woodland plantations and planted considerable acres which, in the long term promised considerable financial returns.¹⁹¹ By the 1760s the profit from well-managed woodland was often greater than the rent from an equivalent acreage of farmland.¹⁹² The profits gained from timber sold in the years 1798 to 1802 from the Wardour Manors realised £10,262, which averages out at £2,052 per annum; only about £500 less than the monies received from the rents despite being a much smaller unit of land.

Particulars of messuages in Wiltshire and Dorset belonging to Henry 8th Lord Arundell record an annual income from rent of £1,554 paid by tenant farmers. Over and above the yearly rates and values, other income from the same estates which produced an annual sum of £3,472 17s 2d was added on. These rents included parkland, woods around Wardour, fisheries and Law Day silver, which was money paid by the tenants to fund the running of the Leet or Manor Court. Additionally there were rents from other areas including Southampton and Cornwall which amounted to £734 7s 6d. The total was at £5,761 4s 8d but this did not include Wardour Castle or the advowsons of a number of parish churches where no yearly value was set.¹⁹³ This amount was £6,058 17s 8 ½ d less than the receipts recorded in 1781 in a survey of the manors and estates in Wiltshire and Dorset.

¹⁹¹ Thirsk 1997 page 46

¹⁹² Beckett 1986 page 337

¹⁹³ WRO 2667/4/13a

The expanding investment market and the development of trade and industry in the 18th and 19th centuries made it possible for landowners to increase their income in ways other than through the land. Rent was still being received by the Benett family in 1722 from the houses in the area of Drury Lane in London which they had built in the 17th century. The rents, however, were being were paid to Francis Benett, a distant relative.¹⁹⁴ As well as income from farm rental, Thomas Benett also received rents from Norton Mill and a fishery there, which amounted to £39 18s 4d for the years 1722 to 1731.¹⁹⁵

Wills, although they enabled the heir to take on the entailed land, did not appear to leave any great riches to others. Annuities were often included for servants, but bequests to other family members were often quite small. The will of Thomas Benett arranged for £5,000 to be raised for the settlements of his younger children, and an extra £2,000 to his daughters Catherine and Etheldred, £1,500 to his daughters Ann and Frances and £2,000 to his son John over and above the £3,000 from estates settled on him in his parents' marriage settlement and a mansion house in Salisbury. To his son William he left 40 guineas and all the estates in Norton Bavant not included in the entailed estate, but this was dependent upon his giving up the copyhold estate of Motcombe in Dorset to the heir, his brother Thomas.¹⁹⁶ When Catherine Benett, wife of Thomas died in 1775 the £18,000 she had inherited from her brother was to be shared equally between her five children. The oldest son, Thomas had died intestate, aged 17 and his father asked the trustees for his son's

¹⁹⁴ WRO 413/93

¹⁹⁵ WRO 413/86

¹⁹⁶ WRO 413/353

share which was paid to him, although it was questioned whether the money should be shared between his siblings.¹⁹⁷ The probated will of her husband, Thomas Benett, in 1797 allowed each of his three older children an annuity of £100, but the other bequests consisted of musical instruments and drawings.¹⁹⁸ This suggests that by this time there was very little by way of surplus money, and that most was tied up in the entailed estate. The draught will of John Bennet written in 1817 allowed for £200 to be paid annually to all his children except his oldest son, and also the sum of £6,000 each, suggesting an improvement in available funds.¹⁹⁹

However much the families were receiving from land rentals and other sources of income, their financial situation really depended on the amount they were spending. General living expenses were the real deciding factor, since the family's lifestyle and whether or not they lived within their income, affected the amount of profit or loss recorded at the end of each year. Obviously the most important area of expenditure concerned buying land and also expenses related to house building, but investment in other schemes, household costs and personal expenses all need to be taken into consideration. If a person lived extravagantly with no thought to their annual income they were not going to have anything but debts at the end of the financial year.

¹⁹⁷ WRO 423/324

¹⁹⁸ WRO 413/361

¹⁹⁹ WRO 413/366

Since all three families were involved in building new properties during the 18th century, they were all entering into serious debt. The ways in which the houses were financed is not always easy to ascertain, since it was not always distinguished from other expenditure. They all had expenses caused by the rebuilding of their main seat which appear to be included in general expenses, and on the Wardour estate between July 1774 and July 1776 a variety of bills appear to be for expenses for manual work for the new house including: Table 3:2 gives a breakdown of some of the expenses incurred.

Wardour Expenses for building the House			
	£	S	d
For lime	148	04	04
Moving plaster from Bristol	25	10	00
Digging sand	25	05	00
Straw	1	12	00
Bricks	20	06	06
Digging earth	3	12	11
Tanner	20	10	00
Sinking well for house	7	17	03
Nails and other things	<u>167</u>	<u>12</u>	<u>08</u>
Total	<u>£420</u>	<u>10</u>	<u>08</u>

Table 3:2

This information is derived from a document of 1774 entitled “Cash received and paid for the use of Lord Arundell by John Jones.” Although some details are obviously for the building such as “straw had in 1773 for new building” other details including digging sand and lime, which appear regularly in the list” have to be

presumed expenses. It is also impossible to know whether regular draughts of £100 from Mr Wright, a banker in London, are for general expenses or for the new house.²⁰⁰

In addition £20,172 was paid between 1771 and 1788 mainly supplied by drafts from Hoares Bank or Wright who may have been another banker or working for a different bank.²⁰¹ Between 1770 and 1785 £8,793 19s 4d was paid out for masons' work at New Wardour and also £726 7s 4 ½ d which had not been included in architect; James Paine's account.²⁰²

General household expenses often ate into the family's income. The owners of the great houses spent hundreds of pounds each year on goods brought in, for example, meat, hay, coal, flour, hops, butter and groceries. Local tradesmen befitted from the estate by providing food for the household. Unfortunately the landowner was often slow in settling bills. In 1736 the Duke of Kingston's expenses for meat were £307. The butcher's bill for the Turnour family in 1717 amounted to £34 5s 7d.²⁰³ Their accounts from February 1769 to May 1769 consist mainly of brandy and rum, and the family appear to be living in London at that time, since there are two references to costs for "man and horse to Shillingee" amounting to five shillings from a total cost of £17 4s 9d.²⁰⁴ The other side of the equation was that the large houses gave employment locally as servants and game keepers. Bills for 1766 to 1772 detail the

²⁰⁰ WRO 2667/12/31

²⁰¹ WRO 2667/12/29

²⁰² WRO 2667/12/29

²⁰³ WSRO 454 /66/ 28

²⁰⁴ WSRO 454/44/24

servants employed by the Turnours and include 2 housemaids, laundry maid, cook, dairymaid, footman, under butler, groom, coachman and postillion. Over and above this he also employed labourers and gardeners.²⁰⁵

The expenditure for Norton Bavant in 1740 amounted to £964 16s 10 ½ d including £119 18s for one year's housekeeping exceeded only by £226 14s 2d for repairing the house and furniture and £181 3s 9d for the stables.²⁰⁶ By 1771 the total outgoings for the year had risen to £1,573 16s 9 ½ d. The amount received for the year amounted to £1,437 5s 10 ¾d making a shortfall of £136 10s 10 ¾ d.²⁰⁷

Another added expense was the cost of clothing and other personal goods. An expense account from the Shillinglee records for the years 1662-1728 lists some of the money used for buying clothes. This included £17 1s for making a cloth suit, waistcoat, grey cloth suit and coat, campaign coat; and a suit and waistcoat of grey cloth for his son in 1679. The total bill from 1679 to September 1683 for clothes amounted to £88 8s 2d w including a coat of blue cloth, doublet and breeches for the footman and a cloth coat for the page. Also included in the personal expenses were the costs of the funeral of his daughter in 1684, amounting to £18 8s 6d, and that of his wife in 1690 costing £19 14s.²⁰⁸ A bill in 1761 records the costs for making a suit of clothes for the king's wedding, presumably that of King George III to Charlotte of Mecklenbrg-Strelitz. This amounted to £10 6s and included making and trimming a

²⁰⁵ WSRO 454/45/36

²⁰⁶ WRO 413/462

²⁰⁷ WRO 413/468

²⁰⁸ WSRO 454/42/7

blue and silver suit of clothes, body lining and ferret for the waist, Persian for the sleeves' ruffles, bottom of the petticoat and train, silver binding, silver girdle, eight yards of broad silver lace for the pockets, five yards for their shape and ten yards for ruffles.²⁰⁹

There are also accounts for Wardour Castle for a similar period. The total expenditure for the year 1677 was £1,199 1s 1d and consisted mostly of clothing for the family and the grooms. The following years between 1677 and 1684 the total expenditure varied between £5 10s 10d and £89 2s 1d.²¹⁰

Some personal expenses also give an indication of how the families shared events with the locality. Henry 8th Lord Arundell, for example, paid a guinea for the bells to be rung at Tisbury on the occasions of his daughter Eleanor's and Lady Arundell's birthdays.²¹¹

The rich used two thirds of their income in winter on amusements and the acquirement of accomplishments in the capital, and a great deal of the remainder at bathing and water-drinking places during some of the summer months. This may account for a payment made by James Everard Arundell in 1773 when he purchased, with his son Raymond, aged seven, as the named life, one share valued at £100 in the Assembly Rooms and hotel in Weymouth. The ground floor building consisted of a

²⁰⁹ WSRO 454/44/20

²¹⁰ WRO 2667/12/114

²¹¹ WRO 2667/12/31

coffee room, two shops or parlours, confectioners, master's parlour, billiard room and cellars for wines and spirits. On the first floor of the building was a ballroom, and also a card room, ladies' withdrawing room, and five bedrooms for the use of the family. Adjoining the building, the hotel consisted of three floors, with eight rooms on each floor and ten garrets. There was also stabling for sixty horses and coach houses for twenty carriages.²¹² This was obviously a grand scheme for Weymouth and presumably James Everard Arundell must have hoped for good returns on his investment, and possibly a place for summer entertainment. It was replaced by the

Travel could also be expensive. Henry, 8th Lord Arundell listed several journeys from Bristol, possibly to France, according to his personal accounts for the year 1729. These were recorded as £245 9s 6d for journey expenses, a journey to Bristol £484 4s, another journey to Bristol £53 19s and 10s 6d to the ostler in Bristol. There are also references to France in the same set of expenses including £60 2s left in Calais in Monsieur Molin's hands, £2,140 received of Mr Holland in Calais and £3,319 15s to Mr Holland from his landing at Calais on his return to Dover.²¹³ The purpose of these money transfers is not stated but it is possible that Mr Holland was supplying the Arundells with ready money whilst they were living abroad.

Being a Member of Parliament was often an expected requirement for the local gentry and aristocracy, and this could be very expensive for the candidate, and was often a cause of indebtedness. John Benett spent £18,000 in the election of 1795

²¹² WRO 2667/1/25/50

²¹³ WRO2667/12/7

which he lost, and again made losses in 1818 which left him with debts for the rest of his life.²¹⁴ John Benett listed some of his expenses for election costs in 1818 which totalled £4,872 7s 10d and included £1,768 2s 3d for the accommodation of voters and £2,562 3s 5d for refreshments and chaise hire.²¹⁵

In January 1807 it is recorded that John Benett sold land in Hampshire, which had been in the family since 1623 for £7,000 in order to pay election expenses and also a further 412 acres near Melton Mowbray in Leicestershire for an undisclosed sum. In June he sold an estate in Sutton Veny, near Norton Bavant, for the sum of £3,468 5s, and also land in Shaftesbury and Donhead St Mary for £5,000.²¹⁶ In the 1819 election, which he won, the cost was £27,000 of which only £8,000 had been raised through subscription.

He sold Chicklade House in 1820 to help meet his election expenses.²¹⁷ The two elections cost him £37,000 and he was obliged to sell about 2,400 acres to cover his debts. He continued as MP until his death in 1852.²¹⁸ Moody²¹⁹ maintains that although Benett was indebted to his bankers for most of his life, the modest cost of maintaining Pythouse and his apparent lack of extravagance in his way of life meant that he was able to retain, apart from land which he sold after the 1819 election, most of his estate until his death. He did however sell the Manor and parish tithes of

²¹⁴ Moody 2005 page 117

²¹⁵ WRO 413/482

²¹⁶ WRO 414/43

²¹⁷ Eyre 2002 page 14

²¹⁸ Eyre 2002 page 28

²¹⁹ Moody 2005 age 143

Chicklade, Boynton Wood, Motcombe and Little Keynton, including the timber, to John Farquhar in 1823 for £100,000. It was agreed that Benett would become a tenant to Farquhar for a yearly rent of £3,663 under a lease of four, eight or twelve years. William Benett then bought Fonthill from Farquhar in 1838 for £95,158 which was then sold by John Benett to Richard Grosvenor of Motcombe House in 1844 for £89,500.²²⁰ This shows how land was being exchanged between landowners living within a close proximity to each other. The money for Fonthill was received from the Marquis of Westminster in March 1846 and £70,500 was used to discharge part of a mortgage debt of £140,500.²²¹

Although land was being sold as a means of clearing debts, it was also being bought either to consolidate or enlarge an estate. Between 1650 and 1690 the usual cost of land was sixteen to eighteen years' purchase, but it could be as high as twenty years'. Fifteen years was considered to be a good price during the Civil War and immediately afterwards, when purchase rates were lower. After 1714 prices began to improve and then to rise sharply between 1717 and 1719 when purchase prices were quoted at twenty to twenty five years. By 1720 they were as high as thirty to fifty years. The Seven Years War, 1756-1763, stopped the inflationary rates, and in Essex the outbreak of war with the American Colonies caused a fall from thirty one to twenty years.²²² In 1806 John Benett bought land from a Mr Warner comprising the messuages of Berwick St John, the advowson of the church and certain other

²²⁰ WRO 423/67

²²¹ WRO 413/69/70

²²² Clay 1974 page 178

messuages and lands in Berwick St Leonards and other adjoining parishes for which he paid £17,000.²²³

During the boom years of the Napoleonic Wars many landowners had borrowed heavily to order to cultivate the marginal lands and then had to repay the interest on the loans at a time of falling prices. Those who survived, according to Murphy²²⁴ did so by reducing the wages of their workers. Beckett²²⁵ suggests that two important reasons for borrowing money were to finance building operations and to fund unpaid bills. The ability to borrow cheaply was a way of raising money with little risk of breaking up the estate and was therefore a typical way of raising funds to enlarge properties, rebuild houses, finance elections, repay old debts or meet children's portions.²²⁶ On the other hand, despite raising money from mortgages, Edward Turnour was also borrowing money on a regular basis from Sir Thomas Cross, Bart, an acquaintance, usually in lump sums of £100, but some of £200. The total amount borrowed between October 1715 and May 1720 added up to £2,308 8s 2d.²²⁷

One form of expenditure which affected all the families was taxes. They were a necessary cost which all three families were obliged to pay. In the second half of the 18th century landowners were not too heavily taxed, but towards 1800 they were affected by the rapid rise in county and poor rates and the introduction of income or

²²³ WRO 413/135

²²⁴ Murphy et al 2003 page 44

²²⁵ Beckett 1986 page 316

²²⁶ Mingay 1963 page 19

²²⁷ WSRO 24/9/2

property tax.²²⁸ Over the period under consideration a variety of local and national taxes had to be paid. These included hearth tax, window tax, land tax, and local payments for church rates and poor rates. The hearth tax, which was charged at the rate of two shillings per annum, was remitted in 1689, but was replaced by the window tax in the years between 1696 and 1798. This was a flat rate of two shillings per house with a variable rate for those houses with more than ten windows: four shillings for ten to twenty windows and eight shillings for more than twenty. Other taxes were also introduced during the 18th century which affected house owners, including inhabited house duties in 1777, the servants' tax and the horse tax.²²⁹ In 1758 the charges for land tax and window tax at Shillinglee amounted to £24 15s 0½d.²³⁰ By 1760 this had risen to £31 11s 1d.²³¹

In 1771 taxes on Pythouse included one year's coach tax of £4, poor rates of £14 6s 3d, land tax of £25 2s 7d, window tax of £5 15s, and church rates of 19s 1d. There were also taxes of 3s 4d land tax and 1s 10d poor rates for Semley.²³² Income Tax was introduced in 1797 at the height of the Napoleonic Wars and was based on how much a person earned and, therefore, fell mostly on the richer sections of society. It was always regarded as a temporary measure.²³³

²²⁸ Beckett 1986 page 199

²²⁹ Beckett 1985 pages 283-308

²³⁰ WSRO 454 45 36

²³¹ WSRO 454/44/18

²³² WRO 413/468

²³³ Murphy et al 2003 page 49

In almost all cases the Land Tax was paid by the landowner and attempts to shift the payment to the tenant failed. This was very severe on those who drew their entire income from rents. Land Tax was initially raised to collect money for the war against France. It was based on an assessment made in 1692 which was originally intended as a personal tax, as well as a tax on offices, and other income as well as from the land.²³⁴ By 1733, however, it was almost completely land tax.²³⁵ In theory the tax was levied at four shillings in the pound, but was much lighter on properties in the north and west of the country. It was inclined to be a less serious burden on larger properties in these areas since rents were a smaller proportion on their income and also because some landlords passed the tax onto their tenants and sometimes evaded it.²³⁶ In practice, however, it was a quota tax county by county which was levied primarily on the rents and produce of the land and real estate. It was a flexible rate and could be levied at a rate of four, three or two shillings in the pound. It was levied and collected year in year out regardless of war or peace. Martin²³⁷ suggests that using Land Tax returns as a means of estimating wealth are not always reliable since on some occasions some names appear two or three times in the same return because the owner was paying separately for individual parcels of land.

Before 1780 no attempt was made to distinguish between proprietors and occupiers. It is difficult to tell whether money was for land, office or tithe, whether the owner occupied the land or leased it out to a tenant. After 1780 printed forms were issued by the commissioners including columns for proprietors and occupiers, the amount

²³⁴ Martin 1966 pages 96-103

²³⁵ Davies 1927 page 88

²³⁶ Mingay 1963 page 81

²³⁷ Martin 1966 pages 96-103

assessed and sometimes rental and description of the property.²³⁸ The reluctance of the state to tax the capital value of the land, or in the second half of the 18th century, to lay a proportionate levy on landed income, made it all the easier for land to develop its full potential as a source of credit.²³⁹

For those families with a home in London or another city, taxes also had to be paid on those properties. The Brook Street property of the Turnour family cost £2 15s annually for land tax in London, and other expenses related to living in London also had to be paid. These included payments of 13s 5d to the commissioners for sewers, £9 rate and assessment for the relief of the poor, costs for repairing highways and cleaning streets, £5 5s rent for the new river water for one and a half years, fire insurance of £5 15s, £4 13 window tax, pew rent of £6 17s and £2 for the payment of watchmen and beadles of the parish of St George Hanover Square.²⁴⁰

When expenditure greatly exceeded income debts became a serious issue.

Habakkuk²⁴¹ suggests that debts occurred either when expenditure exceeded income or when money was borrowed to meet items of capital expenditure. Few landlords were ready to boast of their debts or to lay them out clearly in their account books.

The tendency was for those with the greatest debt to be the least steadfast in keeping track of them all, since abundant extravagance seldom went hand in hand with

²³⁸ Davies 1927 page 89

²³⁹ Langford 1991 page 63

²⁴⁰ WSRO 454/44/31

²⁴¹ Habakkuk 1979 pages 187-205

attention to business.²⁴² Mingay²⁴³ lists several reasons for the downfall through debt of a family including increased expenditure on personal consumption, the education of children, building, entertaining, sport, electioneering, more generous portions and jointures, higher standards of accommodation, and the formation of elaborate parks and gardens. These were all considered as vital commodities for the higher classes, and to survive socially it was necessary to subscribe to these outward appearances of wealth.

Before 1660 bonds were the preferred way of borrowing money and estates were normally undervalued for mortgage purposes. If the debtor failed to repay the capital on time, which was usually a period of six months to one year, the borrower stood to forfeit the whole estate for failing to pay a sum well below its market value.²⁴⁴

Writing about conditions in Bedfordshire and Northamptonshire between 1680 and 1740, Habakkuk²⁴⁵ comments on the fact that although many of the large families had a number of extensive mortgages on their estate, no attempt had been made to repay them and interest was accepted as a permanent charge on the estate, and that no attempt was made by mortgage holders to foreclose because the mortgage was reliable and lucrative and could be sold by the holder if they wanted to realise their assets.

²⁴² Beckett 1985 pages 283-308

²⁴³ Mingay 1963 page 48

²⁴⁴ Beckett 1986 page 296

²⁴⁵ Habakkuk 1939 page 7

Raising money to meet the needs of financial outgoings was a perennial problem for all three families. The majority of money was borrowed privately in the 17th century. Landlords would often borrow from their tenants and servants. Farmers, for example, were willing to leave their money in the landlord's hands for long periods of time, using him as a bank.²⁴⁶ There was an enormous volume of small scale borrowing involving sums of money up to a few hundred pounds. This was often borrowed locally and was arranged between relations, friends or as business arrangements. While the annual interest was paid, the principal sum was not normally demanded and the practice of borrowing became sufficiently acceptable that few aristocrats felt much need to pay their debts. The interest charged on mortgages fell during the 18th century and money could often be borrowed for as little as 4%, but it was still often borrowed from the family.²⁴⁷ After the family, private sources and personal contacts were probably the main source of loans, and it was not until the 19th century that institutional lenders became more important.²⁴⁸

By the end of the 17th century, however, borrowing on a mortgage had become a safe and cheap form of credit because, by then, the courts had adopted more liberal attitudes and accepted the right of the mortgagor to reclaim his land.²⁴⁹ Another factor which made mortgages more acceptable was that interest rates were falling which made borrowing cheaper. By the middle of the 18th century the standard rate of interest on a mortgage was 5% or 4% or less to favoured customers. Henry, 3rd Lord Arundell, mortgaged the Manor of Wardour for £4,240 in 1673 to John Benett

²⁴⁶ Mingay 1976 page 114

²⁴⁷ Beckett 1986 page 309

²⁴⁸ Beckett 1986 *ibid*

²⁴⁹ Mingay 1976 page 114

of Pythouse and Henry Whitaker.²⁵⁰ A further mortgage was arranged in 1724 which included the transference of a previous mortgage from 1610 for lands in Fontmell, Melbury Abbas, Tisbury, Bridzor and Ansty. The money was being raised to pay Thomas funds promised on the death of his father.²⁵¹ Henry, Lord Arundell also borrowed £1,000 from Anne Somerset of East Sheen and secured the repayment with a mortgage at 4% interest.²⁵²

Severe financial pressures often resulted in the family transferring their affairs into the hands of trustees, often a small group of friends, relations, bankers and legal advisors. They were responsible for sorting out mortgages, bonds, annuities and unpaid bills; their aim being to salvage as much of the estate as possible. Secondary mansions were often put up for sale or let out, any non-essential repairs were put on hold, a London season cancelled, rents were raised and timber sold. In these circumstances the family were allowed a strict financial allowance and were often obliged to retrench.²⁵³ Between 1802 and 1803 Henry, 8th Baron Arundell, transferred all his estates to trustees hoping that they would be able to sell or mortgage enough of them in order to significantly reduce his debts of £327,623.²⁵⁴

During the 18th century the use of mortgages encouraged the growth of an effective capital market. Landowners with surplus wealth and also wealthy individuals from the professions and the army could make funds available to other landowners

²⁵⁰ WRO 2667/6/1

²⁵¹ WRO 2667/6/6a

²⁵² WRO 2667/6/10

²⁵³ Mingay 1976 page 114

²⁵⁴ Moody 2005 age 26

through a London banker who acted as an intermediary seeking out suitable mortgages.²⁵⁵ The growth of banking and later of insurance companies provided the major boost to impersonal lending. Substantial loans were available from the London banks, and in 1820 the Bank of England had £1.5 million lent out to landowners. In 1750 insurance company money such as that invested in the Sun Fire Office company, had £98,000 lent to aristocrats: this had risen to £345,000 by 1780.²⁵⁶

A document, thought to date from the 18th century, lists the particulars of the estates of the Turnour family in Essex and Norfolk. The income from three estates were valued at £932 19s 3d and also a rent charge in mortgage to a scrivener for the sum of £2,000. It was proposed to remove the mortgage out of his hands and raise a further £400 from the Parendon estate and to have a new mortgage for £2,400 at 5%.²⁵⁷ A set of accounts after the death of Edward Turnour lists the money lent on mortgages for the years 1721 to 1724. His debts in December 1721 amounted to £19,665 11s 1d and by 25th December 1724 after interest had been added, the amount due on mortgages and the account of a bond and two notes the amount had increased to £21,999 0s 11 ½ d.²⁵⁸

Henry 8th Lord Arundell arranged a mortgage in 1800 from Charles Butler in order to secure £2,225 with interest. This was increased in 1801 by a further £331 and in

²⁵⁵ Scott 1982 page 45

²⁵⁶ Beckett 1985 pages 283-308

²⁵⁷ WSRO 454/23/22/3

²⁵⁸ WSRO 454/23/22/5

1802 for £444 making a total mortgage of £6,000.²⁵⁹ John Bennet and his son John entered into a mortgage in favour of Coutts Bank to secure a loan of £20,000. The total which he borrowed from the bank was £79,000 and much of this was used to pay off a number of his substantial creditors.²⁶⁰

In 1836 in consideration of the sum of £914 1s Edward Turnour devised to the Hoare Bankers of Fleet Street the Manor of Berrylands and much of the lands purchased by Edward Turnour between 1757 and 1776. This had been due to be repaid by January 1827 but was not repaid and the debt was transferred to William Street and Henry Mellersh who advanced the sum by the agreed date.²⁶¹ The 4th Earl Winterton raised a mortgage in 1845 on the manor, farms and premises in Easthampnett, the Manor of Almodington, Crockerhill and the Winterton Arms Inn at Boxgrove to secure £10,000 plus interest.²⁶² He then, in 1866, made a request to Richard Roy and Thomas Cartwright of Lothbury and Charles Thompson of Putney for a loan of £10,000 with ½ years interest at 5%. It is not known whether this was to repay the earlier mortgage, but this further loan was repaid in December 1878.²⁶³ While the above loan was still unpaid, Edward Turnour further agreed a loan for £6,000 from Thomas Mellersh, an attorney in Godalming who had acted as steward to both the 3rd Earl Winterton, and then Edward 4th Earl Winterton.

²⁵⁹ WRO 2667/6/42

²⁶⁰ Moody 2005 page 224

²⁶¹ WSRO 454/9/13/4

²⁶² WSRO add ms 29.723

²⁶³ WSRO 454/25/26

When a death occurred the heir inherited the outstanding debts. When William Benett died in 1790 the amount held by his wife was not sufficient to pay outstanding debts and legacies. It was agreed that the deficiency £6,831 6d should be raised by the mortgage or sale of the testator's personal estate for the payment of the several legacies in the parish of Norton Bavant, Codford St Mary, Codford St Peter, Westbury and North Hayes in Dorset. The land sold in Norton Bavant was purchased by Catherine Benett for £20,150, thereby keeping the land in the family.²⁶⁴

John Benett, MP, when he died in 1852, left outstanding mortgages of £56,000. £18,000 was paid off by John Edward Benett before his death in 1856, and after his death a further £24,700 was paid from railway money and from rents.²⁶⁵ This shows a greater commitment by the Benett family to clear outstanding debts wherever possible.

Sometimes it was necessary for a senior family member to intercede when financial difficulties seemed to be leading to debts being called in. Edward Turnour, Edward 3rd Lord Winterton's son. Edward was living in Rose Villa, Regents Park, London, in 1830. He found himself in a difficult position when the Sheriff of Middlesex seized goods and chattels from him. Turnour had requested that John Thomas, an auctioneer from Covent Garden, should lend him £650 to pay and discharge his debts. In consideration of the loan Edward Turnour placed in the hands of John Thomas the household goods, furniture, prints, pictures, and china in Rose Villa in trust against

²⁶⁴ WRO 423/375

²⁶⁵ WRO 413

non-payment. Turnour defaulted on both the £650 and a further £80 and action was taken against him. He then applied to Harry Phillips, an auctioneer from New Bond Street, for a loan of £872 in order to repay his debts even though he already owed Phillips £245. In order to persuade Phillips to loan him the money he arranged for the goods and chattels from Rose Villas to be assigned to him. This was agreed, placing Edward Turnour in debt to him for the sum of £1,115, which he agreed to pay by the November 1830 with interest at a rate of 5% per annum. Turnour again failed to honour his debts and another attempt was made to sell the goods, but it was agreed to postpone again and Edward Turnour agreed to pay a weekly rent for the goods.²⁶⁶ In 1831 in order to prevent the forced sale of furniture Edward Turnour voluntarily sold it to Viscount Turnour, and agreed to him living in the villa rent free for two years.²⁶⁷ It is difficult to know which Edward Turnour this was, but it is possibly the 4th Earl Winterton who would have been twenty in 1830, whose father was Viscount Turnour until the death of his father in 1831. This shows that the Turnours would do all they could to ensure that properties stayed in the family if it was at all possible.

Sometimes debts were so crippling that the only solution was for the family to retrench, that is, to move away from the family estate which was then let in order to generate income, and to establish the family either in a smaller estate owned by them or to rent a smaller estate or house in somewhere fashionable such as Bath.

Sometimes the family moved abroad during this time. The main estate was then put into the hands of trustees who administered it in order to reduce the amount of debt.

Jane Austen sums up the necessity for retrenchment caused by debts in her book

²⁶⁶ WSRO 454/24/15

²⁶⁷ WSRO 454/24/17

‘Persuasion’²⁶⁸ where she describes the reason for the Elliot family’s need to retrench to Bath when she writes:

*“There was only a small part of his estate that Sir Walter could dispose of; but had every acre been alienable, it would have made no difference. He had condescended to mortgage as far as he had the power, but he would never condescend to sell.”*²⁶⁹

In 1778 Henry 8th Lord Arundell granted a power of attorney to his cousin, and heir, James Everard Arundell because he was travelling to foreign parts.²⁷⁰ This was sometime after he married Mary Conquest which suggests that it was not simply for sightseeing, but a way of living more cheaply and possibly delaying the payment of outstanding debts. A description of the Irnham estate describes Henry 8th Lord Arundell as being in serious financial trouble caused partly by his being an inveterate gambler and house builder. Because of his many debts Lord Arundell was forced to raise money from his estates, and the estate at Irnham and lands at Corby were not excluded. The Irnham estate was put in trust in 1800 and Lord Arundell began to borrow against the property by mortgaging it. Between the years 1801 and 1807 Lord Arundell borrowed on mortgage, using a portion of £12,000 and assignments of earlier mortgages. On the death of Lord Arundell the Irnham estate passed to his younger daughter Eleanor who was married to Lord Clifford.²⁷¹

Sales of land were quite important as a means of clearing debts, although this is disputed by Spring.²⁷² Distant properties were usually the first to be sold, but

²⁶⁸ Austen 1818

²⁶⁹ Austen 1818 p 41

²⁷⁰ WRO 2667/7/8

²⁷¹ www.Lincolnshire.gov.uk

²⁷² Spring 1980 pages 564-8

outlying portions of the main estate were sold more reluctantly. Details were often included in wills directing the executors to sell goods or land in order to clear outstanding debts. Henry 6th Lord Arundell left to his second wife, Ann Herbert, all his goods, chattels, money, jewels, plate, furniture, arrears of rent and fines due which she was to dispose of in order to raise money to pay off his debts.²⁷³ It is recorded, however, that his widow formerly Ann Herbert, was unable to pay off all the debts of her husband and therefore, in her will requested that the debts should be discharged from her estates.²⁷⁴

When James Everard Arundell, cousin of 8th Lord Arundell, inherited the estate as 9th Lord Arundell in 1803 the estate appears to have been in considerable debt. A codicil to the will of Henry 8th Lord Arundell stated that his debts were to be paid.²⁷⁵ In 1805 a statement of Lord Arundell's debts was produced showing the outgoings for mortgages and annuities. At that time Lord Arundell had twenty eight mortgages which, with interest amounted to £150,800 annually, plus about sixteen judgement debts of £24,000 including interest. On top of these were one hundred and three annuities with annual payments amounting to about £8,581, of which there were arrears of £68,472 and simple contract debts of £6,827. It was calculated that his annual outgoings for the payment of interest and annuities was upwards of £17,000, but that the income derived from his estates was only £7,000 leaving an annual deficit of £10,000. The resources were valued at about £400,000 and it was supposed that after the payments of his debts there would be a surplus of £60,000 to

²⁷³ WRO 2667/8/4b

²⁷⁴ WRO 2667/8/4a

²⁷⁵ WRO 2667/8/5a

£70,000.²⁷⁶ The estate in Chideock, Dorset, and land in Cornwall were put up for sale as a means of reducing the debts. The land sold in Cornwall raised £71,166 and Chideock £43,000. When lands still to be sold and annuitants agreeing to charges on other land were included the amount of money outstanding was £36,636. The land in Kingsdon Manor was more difficult to sell in lots because the lives on the land were so intermingled. It was difficult to even make a convenient lot of about fifty acres because some land was in hand, some had two lives and some one life settled on it. It was thought that it would be impossible to sell the lands in parcels by auction and that although the land was valued at £30,000, if sold in parcels it was thought that less than a quarter of the land would reach its value.²⁷⁷ Around 1818 a document was produced showing land for sale on the Arundell estates, including property and land in Tollard Farnham, Donhead and Tisbury. The total amount of land available was valued at £13,980 for the lands in Donhead and Tisbury.²⁷⁸ On this occasion much of the land was in small parcels but the lands had been enclosed in 1806, so the problem of lives on land being intermixed was probably not such a problem.

James Everard 9th Arundell found the income from his estate to be too small to maintain Wardour Castle and the life expected from a peer, and as a result his creditors met in 1825 and agreed to accept 13s 4d in the pound in settlements of his debts.²⁷⁹ After these events the 9th Lord Arundell and his wife Mary left the country and appear to have travelled around Europe. The Honourable Edward Fox wrote of

²⁷⁶ WRO 2667/20/31

²⁷⁷ WRO 2667/20/31

²⁷⁸ WRO 2667/11/270

²⁷⁹ WRO 2667/4/13(4)

the arrival of James Everard Arundell and his wife Mary in Frascati, Italy in 1828.²⁸⁰ He states that Lord Arundell's finances were in such a state that he had been forced to leave England in order to avoid his creditors and that "even at his departure they pursued his yacht down the river in order to seize it."²⁸¹ Lord Arundell died in Italy in 1834, at which point his widow returned to England.²⁸²

Charles and Georgiana Holt, also a recusant family from Leicestershire returned to the family estate of Holt in 1834, after some years abroad, and continued the policy of altering and modernising their home. This resulted in serious financial difficulties not only because the alterations to the hall were costly but also because he and his wife indulged in a lifestyle which was beyond their means, and Charles, who was fond of gambling, incurred large debts. This caused him to enter into a succession of mortgages and loans with the bailiffs being called in the early 1840s.²⁸³

In 1719 the South Sea Company proposed a scheme by which it would issue new shares which it would offer to holders of the National Debt of Britain in exchange for new South Sea Company shares. The Bubble centred on the joint stock of the South Sea Company which had been founded in 1711 with monopoly trading rights to much of South America. The trade was of minor importance and was, in fact, founded to help the Tory Government to organise the National Debt and exploit public credit after nearly twenty years of expensive warfare. It was also a

²⁸⁰ Ilchester, Earl 1923

²⁸¹ Ilchester, Earl 1923

²⁸² Moody 2005. page 139

²⁸³ Elliott 1986 pages 220-224

counterweight to the Whiggish Bank of England and East India Company.²⁸⁴ An important part of this scheme was the number of people who could be tempted to convert their securities at a high price for new shares. Stock was offered to lenders on extended terms by insider trading. Shares began to rise quickly in price, and at the beginning of 1700 the price stood at £130, but had risen to £1,000 by June of the same year. The price slumped in August/September of 1720 as investors questioned the company's medium and long term prospects. By October the price had dropped to £200.²⁸⁵ The first investors were from the very wealthiest members of society and three quarters of the Commons and Lords were subscribers.²⁸⁶ When Thomas Benett married Catherine Darell, daughter of a banker, in 1771 part of the settlement stated that she was to receive £3,300 invested in South Sea annuities after his death.²⁸⁷ In 1776 when Thomas married Frances Reynolds £10,000 of Old South Sea annuities were gifted to Frances for her natural life.²⁸⁸ The probated will of John Benett, Rector of Donhead St Andrew dated 1804 included stock standing in the joint names of himself and his late brother Thomas. These included £4,688 in New South Sea Annuities and £4,700 in Old South Sea Annuities.²⁸⁹

Charitable giving was considered to be a part of each family's financial responsibilities. On many occasions specific bequests were made in wills to provide for the poor. In his will dated 1748 Thomas Benett left £5 each to the poor of Codford St Mary and Norton Bavant and £10 to the parish of Westbury to be given

²⁸⁴ Hoppitt 2002 pages 141-165

²⁸⁵ *ibid*

²⁸⁶ *ibid*

²⁸⁷ WRO 413/127

²⁸⁸ WRO 413/126

²⁸⁹ WRO 413/364

away and distributed at his wife's pleasure.²⁹⁰ The draught will of John Benett written in 1817 requested that at the time of his death all the married labourers, wives and children should be comfortably clothed.²⁹¹

All the families gave some money to the local poor, although this often seemed to be a paltry sum when compared to the amount expended on personal possessions and housekeeping. According to Moody²⁹² it was a well known fact, although it was not publically acknowledged, that there was a great number of poverty stricken people living in the neighbourhoods of Tisbury and Pythouse, both of which came under the patronage of the Arundells and the Benetts. The Salisbury and Winchester Journal records that, in 1816, John Benett gave a fat ox for the poor and his wife Lucy distributed "a considerable number of linsey articles of apparel, chemises and shirts" to the poor in the neighbourhood.²⁹³

Some families gave money on a random basis, some set aside specific amounts.²⁹⁴ The Norton Bavant expenditure for 1740 described as "money given" away and "money given to poor people" amounted to £13 9s 6d and included several small amounts given to various groups of singers and fiddlers on December 26th adding up to £1 4s 2d.²⁹⁵ Henry 8th Lord Arundell gave twelve shillings every four weeks which

²⁹⁰ WRO 413/353

²⁹¹ WRO 413,366

²⁹² Moody 2005 page 185

²⁹³ Salisbury and Winchester Journal – 15th February 1816

²⁹⁴ Beckett 1985 pages 283-308

²⁹⁵ WRO 413/468

was designated as charity money. At Christmas 1774 he gave £19 2s to the poor at his door as well as 4s to apprentices and chimney sweeps as Christmas boxes.²⁹⁶

When Mary Bellings Arundell of Cornwall married Henry Arundell in 1738 she had inherited a considerable fortune from her father. When his father had married in 1716 the marriage settlement included a clause which said that if a son was born he would inherit all the goods of his father. As a result Henry agreed to renounce all claim to the personal estate of his father Henry 6th Lord Arundell.²⁹⁷ Before the marriage Mary Arundell had entered into several bonds of engagement for the payments of several annuities in memory of her father. The annual payments amounted to £71 14s and the marriage settlement agreed that if she predeceased Henry he would continue to pay the annuities.²⁹⁸

Lady Mary Arundell, widow of Henry 8th Lord Arundell left a number of bequests in her will which benefitted the local Catholic community around the Wardour estate. Money totalling £5,500 was to be invested in government stock or real securities and the interest used to pay the chaplain, organist and sacristan at Wardour Chapel and also to repair the chapel and to provide wine, candles, bread, vestments, linen and other necessities. It also gave an allowance to the chaplain to give to the poor around Wardour and an addition to the salary of the Roman Catholic schoolmaster.²⁹⁹ She left instructions concerning the estate at Lanherne in Cornwall in which she

²⁹⁶ WRO 2667/12/31

²⁹⁷ WRO 2267/4/4d

²⁹⁸ WRO 2667/4/9c

²⁹⁹ WRO 2667/8/5b

requested that the estate should be held for the benefit of the nuns as long as they remained as a community. If the premises became disused the estate was to be made available to her grandson James Everard Arundell on the condition that he paid the nuns the sum of £2,500. James proposed to buy the whole of the Lanherne estate with the manors of Bossini and Ireby in order to be able to choose the tenants which would be difficult with only part of the estate. The condition he applied to this was that the nuns should continue to occupy the mansion house, gardens and any other land which they already possessed.³⁰⁰

As well as supporting the poor on the Shillinglee estate the Turnours also had responsibilities linked to the London house, for example in 1763 they paid an annual subscription of £5 5s to the smallpox hospital and another subscription of £3 3s to the lying in hospital.³⁰¹

An increasing amount of time spent away from the family seat left little time to relieve the sick and needy when resident in the country.³⁰² All three families do, however, show some evidence of making some provision for the poor on their estates or neighbouring parishes. It is recorded that Edward Turnour paid out £7 15s to the poor of Kirdford in December 1769 and 14s 11d to Robert Billingham for schooling Benjamin Nash to Easter 1770 for time, books and pens. This does not appear to be a close family connection since, when compared to the £9 16s which was paid for

³⁰⁰ WRO 2667/8/5b

³⁰¹ WSRO 454/45/36

³⁰² Davies 1795 page 40

dancing lessons for Lady Ann and Katherine Turnour in June 1770, it does not seem an excessive amount.³⁰³

In many ways all three families faced similar financial difficulties. They all went into debt in order to build and extend new houses during the 18th century, although the Benetts were not as ambitious in their plans as the other two families. Lord Arundell was the most ambitious using well known architects and landscape planners, who increased the building costs substantially. The larger residences in turn required more servants, both inside and outside the house, again adding to the amount of income needed to run an estate whose returns were not rising at the same rate as the expenditure.

All three families were reliant on good marriages to bring extra income and new land into the estate. The Arundells were the ones who appeared to benefit on both counts since over time they married heiresses who were able to boost the flagging resources both with land and cash. The Turnours also married into wealthy families, but not to the same extent as the Arundells. The Benetts, on the other hand mainly married into local gentry families and it was only from the late 17th century that these included heiresses who added to the family fortunes in any substantial way.

Sales of land as a means of reducing debts were vital to the Arundells whose financial difficulties were far more acute than either the Turnours' or the Benetts'.

³⁰³ WSRO 454/44/34

They were, however, better placed to do this since their marriages to heiresses from around the country meant that they had many outlying estates which could be sold as a way of raising money without damaging the main seat. The Benetts also sold off land but they were simultaneously buying land in order to consolidate their holdings, and most sales were in the vicinity of the Pythouse estate. Some land which was situated some way from the main seat was sold in the 19th century in order to reduce the debts incurred by election expenses. The Turnours were not involved in selling land to the same extent during this time, but they had been inclined to marry into wealthy professional families rather than those with land. Most of the land they did own was entailed, and was therefore not so easily available for sale.

The Benetts, on the whole, were the family which tried to live within its means. Although like the others they did have mortgages in each generation, unlike the Turnours and Arundells they made efforts to clear their debts rather than remortgaging or being forced to retrench in order to reduce family expenditure. Perhaps it is their more humble origins which made the Benetts more inclined to live within their means or possibly that they did not mix in social circles which made it necessary for them to spend far more than they could ever expect to receive from the produce of their estates.

It would appear that living constantly with excessive debts was an accepted way of life for most wealthy landowners. This was certainly true for both the Turnours and the Arundells. It may have been the rise of new forms of banking which caused them

to begin settling debts since it was easier for bankers to put pressure on than personal friends and employees.

Chapter 3 - Marriage and Settlement

According to M. Slater³⁰⁴ marriage represented more than an alliance between two individuals. This was certainly true for landed families where an advantageous marriage, in extreme financial circumstances, could make the difference between survival and insolvency. This chapter will investigate the marriages arranged by the three families and will consider if they were arranged purely as a financial agreement, or whether any choice was allowed to the couple. Settlements drawn up by each family will be examined in order to see if details changed over time and whether there was any difference between those produced by each family. It will investigate the associated problems; including settlements on children, money being paid to previous generations and the necessity, on occasions, to break a settlement.

For those hoping to enter into, or rise in society, marriage could be a way of accumulating estates. The Dukes of Bedford, for example, built up their estates in degrees, partly as a result of lucrative marriages.³⁰⁵ As will be shown, the marriage settlement was of great importance since not only did it lay out the terms of the marriage concerning the amount of money or land which would be included in the agreement, but it was often the occasion when the future of the estate was drawn up through inheritance from the groom's father to his heir (the bridegroom) and on to the third generation in the form of sons yet to be born. To work, a new settlement had

³⁰⁴ Slater 1976 pages 25-54

³⁰⁵ Beckett 1977 page 577

to be agreed for each generation, ideally between the tenant for life and his adult son (the tenant in-tail). This usually took place at the marriage of the heir, or when he attained majority.

Marriage was seen as a social duty, and as such it was considered necessary for couples to marry within the same circle in order to maintain the social order.

Cannon³⁰⁶ suggests that careful marriages were of great importance and a way of either consolidating or increasing family fortunes. In 1742 Lady Caroline Lennox, aged nineteen, the eldest daughter of the 2nd Duke of Richmond, fell in love with Henry Fox, aged thirty seven. Her parents believed that she could easily make a good match and, therefore, refused permission for their marriage since they considered Henry too poor. Caroline and Henry eventually eloped with the result that Caroline was banished from her childhood homes by her parents and was not allowed to see her younger brothers and sisters.³⁰⁷ This shows how important both social conventions and economic considerations were where the choice of a marriage partner was concerned.

It was possible for a couple to marry without consent until the passing of the Act for the Better Preventing of Clandestine Marriages, usually known as Lord Hardwicke's Marriage Act of 1753 (26 Geo. Iii c. 33). The Act prevented couples from marrying in secret, and ensuring such a marriage would not be considered legal. Until the act was passed, a statement of consent by both partners, or a promise of marriage could establish a marriage in the future, as long as the marriage was then consummated. For

³⁰⁶ *ibid*

³⁰⁷ Tillyard 1994 pages 24-26

the marriage to be legally binding neither the permission of the parents, nor the presence of witnesses was required. The Act also made a church wedding the only legal form of marriage and as a result, all marriages had to be authorised by the reading of banns in church on three successive Sundays or by licence. A marriage could only be solemnised in a church or public chapel in the parish in which one of the couple lived. It had to be recorded in the parish register and the record signed by both parties. If the couple were under the age of twenty one they could only obtain a license with parental consent. A marriage of this kind was possible as long as the couple were of age, which was twelve for a girl and fourteen for a boy. Lemmings³⁰⁸ considers that the Act represented a uniquely authoritarian assertion of the economic and political interest of parents over their children, rather than the growth and recognition of love and individual rights in the family. This is opposite to the view of Lawrence Stone who feels that the church made affection a more important factor in the marriage. Stone³⁰⁹ maintains that after 1640 the changes that occurred in the state, society and the Church were responsible for undermining the patriarchal emphasis and the evolution of a family, which was at that time, organised around the principle of personal autonomy, and bound together by strong affective ties. He also comments on the fact that after 1660 patriarchal authority was undermined because strict settlement removed from the father the power to withhold money, because marriage settlements allocated provisions to each unborn child at the time of the parents' marriage. From that time on it was more usual for husbands and wives to select each other as partners, possibly with some affection, rather than obeying parental wishes. Nevertheless parents often had the final right of veto over a prospective partner,

³⁰⁸ Lemmings 1996 pages 339-360

³⁰⁹ Stone 1997 chapter 1

rather than the couple having a completely free choice. Stone's opinion is difficult to agree with in the case of the marriage between James Everard Arundell and Mary Christina Arundell, since he was heir to the title only through the failure of Henry Lord Arundell to produce a male heir and she was the daughter of Henry Lord Arundell, thus marrying the heir to the unentailed estate to the title and entailed estate.

The estate, in fact, provided the material basis for the whole landed family, and it was, therefore, important that an appropriate marriage should be arranged in order to ensure the continuity of the estate and to provide the revenue on which its continuity was dependant.³¹⁰ Thompson³¹¹ also considers marriage to be a serious issue requiring social compatibility, the ability to provide adequate financial provision for any children and the bride if she became widowed. One result of this opinion was that marriage partners were often sought from within a narrow social group, restricting the opportunities for newcomers into the social circle.³¹² Thomas³¹³ examined the marriages of peers and concluded that the social exclusivity of the peerage was not placed in jeopardy; the only problem was the lack of information about daughters of non-titled people who married peers. Willcox and Arnstein,³¹⁴ on the other hand, thought that the largest market for rich husbands and wives was amongst the "nouveaux riches" whose fortunes had been made in banking, commerce or trade. It is possible that these alternatives were only considered when a large fortune was vital to save an old family from possible bankruptcy. Samuel

³¹⁰ Scott 1982 page 40

³¹¹ Thompson 1963 page 19

³¹² Beckett 1986 page 103

³¹³ Thomas 1972 pages 99-111

³¹⁴ Willcox & Arnstein 2001 page 59

Richardson³¹⁵ in his novel 'Pamela' sums up the situation succinctly.

'Where can the difference be between a beggar's son married by a lady, or a beggar's daughter had [sic] a gentleman's wife?'

*'The difference is, a man ennobles himself the woman he takes be she who she will; and adopts her into his own rank, be that what it will: but a woman though ever so nobly born, debases herself by a mean marriage, and descends from her own rank, to that she stoops to marry.'*³¹⁶

Anne Lawrence³¹⁷ confirms this view. She suggests that a woman might enhance or confirm a man's standing and acceptance by marriage but she doubts whether it was possible for her to halt his social decline. William Benett, the son of Thomas and Etheldred, was born in 1714. It is recorded that he was considered to have gone astray, with drinking and other intemperance.³¹⁸ He died of dropsy in 1749 shortly after marrying Mary Mountain an innkeeper's daughter. Their son, also called William was then the heir to the Benett estate. In 1764 Thomas (the grandfather) died leaving his fifth son Thomas as executor and legatee, and his grandson William as his heir in tail male to all the estates, worth about £2,000 per annum. William, however, was barred from accession by Thomas, his uncle. William, like his father, lived a lifestyle which was not acceptable to the rest of the Benett family and died a few days after marrying a drunken widow, whom unfortunately he had already named as his heir in his will. The widow quickly married a Mr Parry, the attorney who had

³¹⁵ Richardson 1740 page 31

³¹⁶ Richardson 1740 page 31

³¹⁷ Lawrence 1994 page 17

³¹⁸ WRO 413/329

drawn up the will. The family tried to prove that William the younger did not have the testamentary capacity when he made his will. As a result the Chancery Court ordered that the Norton Bavant estate should be sold. It was purchased by Catherine Benett, spinster sister of Thomas, in 1789, thus keeping it in the family.³¹⁹

The eldest son, as heir, was the child who was put under greatest pressure to marry well, since under the conditions of primogeniture he inherited the bulk of the estate. The richer and more well born the family, the greater the power likely to be exercised by the family as to the choice of a marriage partner. The 1st Duke of Richmond, for example, arranged a marriage in 1719 between his heir, the Earl of March, and Sarah the daughter of the Earl of Cadogen, to whom he was in debt. In order to pay off his debt and also to retain the friendship, a reduction of £5,000 in her marriage settlement was accepted. At the time of the marriage the bride was thirteen and the groom was eighteen, and immediately after the wedding the groom set off for Italy with his tutor to commence his “Grand Tour.”³²⁰ By the 18th century, however, it was more difficult for parents to prevent children marrying a partner of their own choice. This was not always the case, however, and the Shillinglee Papers include the results of a law case whereby Sir Edward Turnour refused to pay his daughter the £1,000 left to her in her grandfather’s will of 1675 as her marriage portion. His reason for not paying was that she had married without his consent. The paper also records that after Sir Edward had inherited the estate he had wasted the greater part of

³¹⁹ *ibid*

³²⁰ Tillyard 1994 page 10

it and had mortgaged the remaining part for £16,000 in about 1686, and was, therefore, not actually in a position to honour the bequest.³²¹

By the end of the 17th century, as entertainment became more organised, including the building of Assembly rooms in towns and cities, it became easier for people to meet in a less formal setting. This form of entertainment which increased in popularity during the 18th century encouraged the development of the London Season, which lasted from the New Year until June. The season was also conducted in some smaller towns in the provinces, such as the one at Bath. This, in effect, was responsible for extending the number of people available for marriage within the acceptable sector of society. Until then most people's choices had been limited to those of similar class within the same or neighbouring counties. The Turnour family's marriages reflect this trend. In 1667 Edward Turnour of Little Parendon married Isabella Keith who was also born in Little Parendon; their daughter Sarah married Francis Gee also of Little Parendon. By 1756 when Edward Turnour Garth of Shillinglee married Anne Archer, the wedding took place in St Paul's Church, Covent Garden, London, suggesting that the local area was no longer the only place to meet a prospective bride. Although the marriage was in London, her father Lord Thomas Archer, Member of Parliament for Coventry, had a home in Pirgo Essex as well as one in Warwickshire. It could be, therefore, that a parliament or Essex connection was the main link between the two families. This choice of a bride could, however, also be because of the family's long associations with London, as many of the Turnours had been Aldermen of the City of London. Lord Archer agreed to pay

³²¹ WSRO 454 48

the sum of £12,000, although he gave to Edward Turnour the sum of £5,000 on the occasion of the marriage, with a further £5,000 to be paid twelve months after the death of Lord Archer.³²² The Benett family also married locally as is shown by the marriage of William Benett to Patience Bishop in 1686. The marriage took place in Stockton in Wiltshire, in the same valley as Norton Bavant. When their son Thomas, however, was married to Etheldred Wake in 1713 the ceremony took place in Canterbury where her father was to become Archbishop in 1716. It is possible, however, that the Benetts already knew the father's family, since he was born in Blandford Forum in Dorset.

The trend of marriage between acquaintances might not have ever included the aristocratic families. The Arundell family certainly did not seem to follow the pattern in the 17th and 18th centuries. In the 16th century the marriages of the Arundell sons included Mary Wriothesley of Staffordshire, daughter of the Earl of Southampton; Anne Philipson of Westmoreland; Blanche Somerset of Monmouthshire daughter of Sir Edward Somerset, Earl of Worcester; Cecily Compton of Compton Wynates, Warwickshire; and Mary Scrope of Yorkshire. This trend continued into the early 18th century with marriages including brides from Ireland and Wales. It is possible that amongst the aristocratic families connections were made at Court and, therefore, they had a much wider geographical circle of choices from which marriages could be arranged. In the case of the Arundell family the practice of marriages from outside the local area might have been caused by the necessity of finding a suitable Catholic marriage partner.

³²² University of British Columbia (UBC)

Marriage was also important because it cemented business connections and was a way of acquiring new capital. An individual's interest, namely that of the prospective bride and groom, was considered to be subordinate to the interest of the family especially in the 17th and 18th centuries. If the groom was the eldest son, the usual practice was to settle the family estates before he was married.³²³ It was most important that the heir's marriage should be advantageous to the family financially since the property might well have had to provide dowries for the heir's sisters, an inheritance for any younger brothers and a jointure for his mother to maintain her in her widowhood.³²⁴ Charges were inclined to accumulate over the generations and, according to Thompson³²⁵ the head of a family might find his gross income severely depleted by payments to his brothers and sisters, his own children and possibly uncles and aunts. In fact the head of the family might only have access to as little as one tenth of the estate revenues. An example of this is the marriage agreement between Henry Lord Arundell and Mary Conquest where the trustees were required to sell, mortgage or otherwise dispose of premises not included in the entailed estate in order to raise enough money to satisfy and pay the sum of £48,000. This was the gross amount charged on the estate of the late Henry Lord Arundell as provision for his brothers and uncles. The same money was also to be used for clearing and discharging the parts of the estates which were secured for a period of ninety nine years to secure the pin money and the jointure for his wife Mary, Lady Arundell.³²⁶

³²³ Slater 1976 pages 25-54

³²⁴ Mingay 1976 page 109

³²⁵ Thompson 1963 page 70

³²⁶ WRO 2667/4/12

Harvey³²⁷ however, does not completely agree with Slater's viewpoint and suggests that between 1760 and 1779 only 27.5% of all sons of peers married daughters of peers and most of the others married daughters of gentleman. If the only people under consideration were the oldest sons or heirs, it is probable that the percentage of peers marrying peer's daughters would be much higher.

The first marriages of the heirs of the three estates between 1691 and 1811 include the following:

Elizabeth Panton	Daughter of Colonel Thomas Panton
Elizabeth Everard	Daughter of Baron Everard of Liege
Mary Bellings Arundell	Daughter of Richard Arundell Bellings
Mary Christina	Daughter of Henry 7 th Lord Arundell
Mary Ann Nugent-Temple-Grenville	Daughter of 1st Marquis of Buckingham
Wives of Wardour heirs	
Table 4:1	

Ann Archer	Daughter of Thomas Lord Archer
Jane Chapman	Daughter of Richard Chapman of London
Lucy Louisa Heys	Daughter of John Heys Esq.
Wives of Shillinglee Heirs	
Table 4:2	

³²⁷ Harvey 1978 page 7

Patience Bishop	Daughter of Thomas Bennet of Pyt House
Etheldred Wake	Daughter of Archbishop Wake
Frances Reynolds	Daughter of the Rev Richard Reynolds
Lucy Lambert	Daughter of Edmund Lambert

Wives of Pyt House Heirs

Table 4:3

The list of brides recorded in the tables above suggests that there was very little difference between the families as to the choice of wife for the heir to the estate. There are differences in the size of the dowry paid by the bride's father, but the marital link seems to be more related to existing family connections. The Benett's relationship to Archbishop Wake continues not only through the marriage of Thomas to the daughter of a clergyman, but also in his fellowship at Oxford as founder's kin through his grandfather. Lucy Lambert, John Benett's wife was a distant relation from the marriage of Mary Benett to the Rev of Boyton in 1656. On the whole the Turnour family appear to have married into London families, which again fits into their background of the City of London and Essex. Only the Arundells seem to have consistently married into titled families.

Those merchants who were able to find husbands for their daughters from the landowning classes through the provision of a large dowry were then also able to earn a place for themselves within that social class. This often led to other

improvements in their position such as a place in parliament. Scott³²⁸ suggests, however, that most of this movement from commerce to land lay within the gentry rather than the aristocracy. From 1710 –1735 however, there was a decrease in the number of marriages between peers, who married mainly into gentry families. This was especially true of younger sons. He sees a pattern in the marriage stakes and points out that many of the merchants and lawyers with whom the landowners dealt were actually either the younger sons of landed families or descendants of younger sons. These sons then went onto establish new landed branches of their own family.

As already mentioned, an important part of the wedding arrangements was the settlement, which in England was established as early as the 13th century and already included marriage contracts, specification of portions and jointures. Thompson³²⁹ lists a number of objectives which were achieved by settlements which include the protection of the family from spendthrift heads of the family and to make provision for members, other than the eldest son. Stone³³⁰ suggests that marriage involved an exchange of cash by the father of the groom for the maintenance of the couple and also a pension for the bride in case of widowhood. For this to happen it was essential for marriages to occur between couples with similar economic resources. To achieve this agreement a deed was drawn up which settled the succession of an estate inalienably upon the descendants of the individual owner.³³¹ Lawyers developed strict settlements after 1650 and, according to Stone, this enabled the landowner to tie the hands of his heirs, who became a tenant for life or a life trustee. This he maintains

³²⁸ Scott 1984 page 47

³²⁹ Thompson 1963 page 66

³³⁰ Stone 1977 page 60

³³¹ Stone 1984 page 73

was achieved by settling the property upon trustees for contingent remainders, including those for children yet unborn. The marriage settlement between Edward Turnour and Isabella Keith in 1667, which is quite simple when compared to those produced a hundred years later, surrenders the lands of Little Parendon in Essex valued at £480 per annum and meadows in the Bardolph, Norfolk valued at £600 per annum to Edward Turnour for life without impeachment of waste, with the remainder to Lady Isabella for her life as her jointure in bar of dower. The remainder passed to the first and all other sons of Edward and Isabella in tail male and then any sons of Edward born after his death. The estate was then to pass to Arthur the younger son and his heirs in tail male. A proviso was also included so that Sir Edward (the father, and husband of Sarah Gore) could provide a future wife with a jointure of £500 should he remarry. It also allowed Edward and Arthur to settle a sum, not exceeding £1,000, on any future wives. No specific sum is settled on any children to be born. There is also no mention of a sum of money or any settlement to be paid from the bride's family.³³²

The marriage settlement in 1691 between Henry Arundell and Elizabeth Panton is also quite simple. A marriage portion of £10,000 was agreed with £4,600 to be paid at settlement with a further £6,000 secured for the maintenance of Elizabeth in case she survived Henry. The money was also to be used for the raising of portions for daughters and younger children. The daughters' portions were to be paid when they reached the age of eighteen or when they married if earlier. The sum of £10,000 was to be paid if there was only one daughter, and if more than one then the money was to

³³² WSRO 23/5/2

be equally divided. Elizabeth was to receive an annuity/annual rent of £600. The younger children of this marriage also benefited from the death of their maternal grandfather who, on his death left the sum of £7,436 to be shared equally between them. Since there were nine younger children this was not the substantial amount it at first appeared.³³³

The settlements had become very complex by the end of the 17th century because of the need to preserve the patrimony intact. Stone³³⁴ maintains that the main purpose of drawing up a settlement was to keep the family line together and suggests six component elements namely: the seat, the land which provided the income, the family heirlooms including valuable relics, family archives, family plate and jewels and personal gifts possibly from kings and queens. Edward Earl Winterton, however, in his will of 1797 ordered that all the silver plate was to be sold and the money raised to be divided up between his second wife and the children of his first marriage.³³⁵ He also includes the family name, which could disappear if the male line failed and if it existed, the family title. This phenomenon occurred more than once in the Turnour family as has already been shown. In the Arundell family this was averted because the male heir, James Everard Arundell also had the family name. The Benett's line did not always manage to pass from father to first son but always passed to a younger son or grandson. This was achieved by limiting the ability of the heir to dispose of the inherited property, since because he was only a life tenant he could not

³³³ UBC

³³⁴ Stone 1984 page 74

³³⁵ WSRO 454/25/25

legally sell his property outright until his first son reached his majority.³³⁶ When the father died before the son achieved his majority it was sometimes used as a time when the land could be reorganised for long-term benefits to the estate. Landholders tried to ensure that their property was always in the hands of a life tenant whose powers of disposal and borrowing were severely limited.³³⁷ Stone describes the system of preferential partibility as one which kept the seat, and the bulk of the estates tied up more or less in perpetuity for transmission by male primogeniture. It also left some small properties or recently acquired properties at the free disposal of the current owner, and also, although only once in a lifetime the opportunity to raise mortgages, cut down woods or convey property to trustees for a term of years as a means of paying off debts or to provide cash sums needed for daughters and younger sons.³³⁸

Bonfield³³⁹ argues that strict settlement promoted the drift of landed property towards the greater landowner, often at the expense of small owners, because the system assisted in the acquisition and preservation of estates. Johnson³⁴⁰ suggests the idea that primogeniture and the law of entails were responsible for the disappearance of the smaller landowner was greatly exaggerated. Until the Restoration the land market was almost completely unrestricted and landowners multiplied with the result that England was becoming a land of yeoman farmers who owned the land they farmed.³⁴¹ After the Restoration the courts began to accept the landowners' demand

³³⁶ Slater 1976 pages 25-54

³³⁷ Mingay 1976 page 68

³³⁸ Stone 1984 page 70

³³⁹ Bonfield 1981 page 101

³⁴⁰ Johnson 1909 page 8

³⁴¹ *ibid*

for greater protection of their property and it was this that resulted in the introduction of strict family settlement.³⁴² Mingay³⁴³ suggests another reason for the increase of settlements after the Restoration; namely that after the threat to property during the Civil War a settlement would protect the estate from forfeitures and fines, a problem that affected both the Benett and Arundell families which will be discussed in chapter 4 which considers the lands included in the estates. Mingay, writing about the years 1680-1740, suggests that it is this era which saw the rise of the great estates as land, which was acquired through marriage and inheritance, assisted the social ascendancy of some landed families and the demise of others. The change in landownership and the demise of small landowners through marriage settlements probably depended on the social structure of the family. It was almost certainly true for the Benett family who whose sons were marrying small landowners, especially when the daughter was the only heir, but not as relevant for the Arundells who married daughters of large landowners or the Turnours who were inclined to marry into wealthy professional families from the City of London. As time progressed the family settlement became a binding legal contract, which could only be broken by a Private Act of Parliament.

The marriage between Henry Arundell and Mary Bellings Arundell in 1739 occurred while his father was still living and he had not, therefore, inherited the title at the time of the wedding. The settlement agreed that the sum of £10,000 was to be payable to Lord Arundell out of which a rent charge of £1,500 was to be paid to Henry Arundell and his wife. This amount was to be reduced to £1,000 if Miss Arundell died during the life of Lord Arundell. It was also agreed that £300 should be

³⁴² Bonfield 1984 page 101

³⁴³ Mingay 1986 chapter 5

paid to Lady Arundell as her pin money, and £15,000 raised for Mr Thomas Arundell. After Lord Arundell's death the estate was to be charged with a rent charge of £10,000 rent free from tax payable quarterly to Lady Arundell for her life. It was also agreed that any children born from the marriage of Lord Arundell and his second wife should receive settlements out of the estate. The two younger sons from the first marriage were to have portions not exceeding £20,000 settled on them from the estate. Money was also allocated for children to be born from any marriages entered into by Henry Arundell; one child was to receive £10,000, two children £15,000, and three or more children were to have £20,000 settled on them to be awarded at eighteen or marriage for girls and twenty-one for sons. If no children were born the remainder was to pass to Thomas Arundell, second son of Henry Lord Arundell for life. No maintenance was to be paid for any children until after the death of Lord Arundell. If Miss Arundell died within Lord Arundell's lifetime then Henry Arundell required his father's consent to receive his wife's jointure. Miss Arundell had a large estate of her own from the Arundell estates in Cornwall and, as well as pin money of £200 a year, also had the power to raise a maximum of £5,000 out of her own estate if widowed. Power was also granted to her to sell any part of her estate in order to raise and pay the £10,000, with any excess to be paid to her for her separate use. The provision allowing for the possibility of no children made sense since about a quarter of all marriages were childless in the 17th century and in many other families no children survived to adulthood.³⁴⁴

³⁴⁴ Lawrence 1994 page 76

This is an uncomplicated affair, especially when compared to the marriage settlement between Henry Lord Arundel and Mary Conquest, which goes into great detail concerning the settlement of the fortune both in money and in lands. It was agreed that Lord Arundell should settle £5,000 on Mary Conquest and the issue of the marriage, which should consist of £500 pin to money to be paid annually during their joint lives and a jointure of £1,000 if she survived him. The settlement also made provision for any children of the marriage. If only one younger son or one younger daughter survived the sum of £10,000 was to be settled, but if two or more children of either sex survived the sum of £20,000 was to be settled on them to be payable when they reached the age of twenty one, with any maintenance to be paid before that age at the discretion of the trustees. The settlements also included the making of a will and provision for the future inheritance of the land if the marriage failed to produce heirs. One result of this was that the owner was not able to deprive any of the children of their inheritance by giving them less than was agreed, although this did not prevent him from making extra provision for his favourites.³⁴⁵ Settlement usually meant that an estate was entailed on the oldest surviving son based on the statute “de donus conditionalibus” (conditional gifts). Under this statute it was possible for any owner of lands in fee simple absolute, by a grant to a person and the heirs of his body, to tie up such lands in one family according to the principles of primogeniture, resulting in each successor only enjoying a life interest in the estate. If the direct issue of the original grantee died out the lands then reverted to the grantor or his heirs.³⁴⁶

³⁴⁵ Stone 1997 page 243

³⁴⁶ Johnson 1909 page 10

The settlement was also a way of holding the estate together. Habakkuk³⁴⁷ suggests a number of ways in which this was possible namely: younger children were provided with money to establish themselves in a trade or profession, the eldest son who inherited the whole estate was then able to offer a more substantial jointure to his potential wife, which gave him an increased chance of marrying an heiress, that a successful marriage in one generation laid the foundation for a better one in the next.

Where the mother was an heiress in her own right the younger son often inherited an estate from her rather than being included in the settlement created for the younger siblings.³⁴⁸ An example of this is given in the marriage settlement of 1763 between Henry, Lord Arundell and Mary Conquest of Irnham who had inherited a considerable estate on the death of her brother. The original settlement on her father's estate entitled her to £4,000 when she reached the age of twenty one or at her marriage, whichever was the earlier. On the death of her brother she also inherited a settlement of at least £1,800 per annum, excluding a payment of £50 to certain almshouses. Under the will of her brother she was additionally entitled to a personal estate including the rents and profits from several freehold estates of £15,000. This, however, had been inherited from their uncle and guardian, George Markham who had died with many debts and in "bad circumstances" so this money was not necessarily available.³⁴⁹ All her landed estate, with one exception, was included in the settlement for the use of Lord Henry and Mary until after the death of the survivor of the marriage, apart from a sum of £200 per annum to be paid to their

³⁴⁷ Habakkuk 1939 pages 2-17

³⁴⁸ Cooper in Goody 1976 page 228

³⁴⁹ WRO 2667/4/12

second son from the age of seventeen. The estate was then to pass to the second and younger sons successively by seniority on the condition that they took the name of Conquest.³⁵⁰ The estate was eventually inherited by Elenora Arundell as the younger daughter of the marriage, there being no sons of the marriage.

If the couple had a large family, especially with many daughters, the portion, which had to be provided, proved a heavy burden on the estate, and consequently the whole of the bride's inheritance might be needed to provide dowries for any daughters of the marriage.³⁵¹ A proviso was often included which covered the possibility of the family only consisting of daughters. In this case, of course the main estate would be passed the male of the family who was next of kin, often a younger brother or a nephew. In the marriage settlement of Thomas Benett and Etheldred Wake in 1713, the main estate was settled on the eldest surviving son, with £3,000 (Etheldred's marriage portion) provided for any other children. If, however, only daughters survived Thomas Benett, then £4,000 was to be shared equally between them. Beckett³⁵² suggests that raising portions and the problems caused by indirect inheritance were seen as significant causes of land sales. In some cases the male heir was forced to sell land because of charges on the estate.³⁵³ An early death could also cause financial difficulties. Becket³⁵⁴ comments on the estates of Sir Wilfred Isel who died in 1704 leaving a widow who continued to receive an annual income of £300 from the estate until 1733. Sir Wilfred (the heir) then died in 1737 and his widow's

³⁵⁰ *ibid*

³⁵¹ Mingay 1976 page 115

³⁵² Beckett 1984 page 20

³⁵³ Cooper in Goody 1976 page 238

³⁵⁴ 1986 pages 297-298

jointure of £600 was still being paid in 1753 making a total of £18,000 being paid in jointure money over a period of about fifty years.

The high adult mortality rates at the time, even among the landed classes, did mean, however that the parents often did not live long enough to be dependent on their children, although wills often allowed for the maintenance of the parents if they survived. The age of marriage was late at this time, and was often broken early through the death of one or other of the partners. Couples rarely both lived for very long after their children had left home and remarriage was not uncommon. Of children who reached marriageable age, less than half married whilst both parents were still living.³⁵⁵ The details available for the three families between 1700 and 1882 do not show any families having both parents alive at the time of marriage, and where only one parent was living it was usually the father. There were only two occasions in the Arundell family when the father had died by the time the heir married, one in the Turnour family and two in the Benett family, whereas only three out of seven Arundell mothers saw their heir married, and one out of four Turnour mothers. It was more difficult to assess the information for the Benetts but the majority of mothers appear to have predeceased their son's marriage. When Henry, Lord Arundell, aged twenty three, married Mary Conquest in 1763 his father had already died and he was, therefore, already in possession of the estate.

³⁵⁵ Stone 1977 page 60

During the 17th and 18th centuries high mortality rates meant that many family lines had a high probability of disappearing.³⁵⁶ In the 18th century it was unlikely that a property would pass in a direct line from father to son for more than a hundred years.³⁵⁷ In fact only 60% of married men at their deaths would leave at least one son, 20 % only daughters and 20% no children at all. A demographic slump between 1650 and 1740 resulted in about a half of all landowners failing to produce an adult heir to succeed them and fewer than half of those fathers who did produce a male heir failed to see them married. Initially strict settlements were used mostly by the wealthiest of landowners as a way of ensuring the safe transfer of land through two generations. Not one of the families being investigated managed to have a continuous line of succession in which the eldest son in each generation inherited the estate from his father. The Arundells had the nearest to a direct line which passed to the eldest son from the 16th century until the 8th Lord Arundell who only had daughters. At this point the eldest daughter Mary Christina was married to her father's heir James Everard Arundell. James was his nephew, the only surviving son of his youngest brother, the third son of Henry 6th Lord Arundell. The Benett's line of inheritance was slightly more complicated. The Bennett family of Pythouse were joined by marriage to the Benett family of Norton Bavant in 1686 when William of Norton Bavant married Patience Bishop, a widow, who was the only surviving heir of John Bennett of Pythouse. He was succeeded by his son Thomas, the third child born to the couple to be given that name, but the only one to survive beyond his first year. Thomas' eldest son William did not inherit the estate. In 1797 the estate was inherited from Thomas by his eldest son William followed in 1759 by his second son,

³⁵⁶ Scott 1982 page 47

³⁵⁷ Laurence 1994 page 230

John, who outlived his son John by eight years. The estate then passed to John's grandson 1852 who died four years later aged fifteen. At this point the estate passed back to John Benett's daughter Lucy who was married to the Rev Arthur Fane and the Benett name died out until her son changed his name to Fane-Benett-Stanford in 1856.

It was possible for marriage settlements produced in the early 17th century to be broken quite easily by the life tenant who, by making himself tenant-in-tail, could dispose of the estate as he wished. Beckett³⁵⁸ suggests, however, that from the mid 17th century the settlement system became more legalised and families began to appoint trustees to preserve contingent remainders and to protect the unborn child by preventing the estates passing into the hands of a tenant-in-tail. As early as 1667 the marriage settlement drawn up for Edward Turnour and Isabella Keith named the Earl of Lauderdale and William Erskin, a business partner involved in the lighthouses held by the Turnour family in Norfolk.

The marriage between Edward Turnour and Anne Archer in 1756 included Henry Archer and the Earl of Plymouth as trustees. Over time the settlement became more complex and it eventually became acceptable to make provision for the younger sons and daughters as first charges upon the estate resulting in an increased level of funding available to the trust.³⁵⁹ Cash or property, which was set aside as a means of raising the portions, was often conveyed to feoffes in trust. These were often older

³⁵⁸ Beckett 1977 page 569

³⁵⁹ Beckett 1986 page 296

members of the bride's family and were appointed by her father. Their job was to administer the fund and also to protect the girl's interest.³⁶⁰ The marriage between Thomas Benett of Pythouse and Frances Reynolds of Paxton in Huntingdon in 1766 mentioned only three trustees, namely Rev Anthony Reynolds, Richard Reynolds and the Rev John Benett who would all appear to be related to the bride and groom, whereas the marriage settlement between Edward Turnour and Elizabeth Armstrong in 1778 included her father John Armstrong, a surgeon from Godalming, Philip Armstrong, her brother and also Edward Inge and John Inge of Hanover Square in London. When in 1826 their son John Edward Turnour married Elizabeth Richardson, the trustees again included John Inge and also Thomas Armstrong who was presumably related to Elizabeth Armstrong, Charles Cartwright an accountant to the Honourable Company of Merchants trading to the East Indies, Robert Brown of Cheapside, a wholesale linen draper, and Thomas Chandless. The settlement between Thomas Benett, son of Patience and the late William Benett, and Etheldred Wake daughter of the Archbishop of Canterbury, is very detailed and shows how the settlement had become a far more significant affair by the late 18th century. Thomas is named as heir of his father and of John Benett also of Norton Bavant. As well as lands in Norton Bavant, freehold lands in Codford St Mary, Codford St Peter and Motcombe Farm in Gillingham, Dorset, and a dwelling house in Shaston, Dorset in the possession of his mother are listed. Other lands included in the settlement were described as messuages, dwelling houses, shops, stables, stalls, coach houses, courts, yards, lands, tenements and hereditaments of Patience Benett and Thomas Benett in Drury Lane, Reindeer Lane, Whitehouse Yard and elsewhere in the Parish of St

³⁶⁰ Slater 1976 pages 25-54

Clements in the county of Middlesex and which were late the inheritance of Thomas Benett to whom Patience Benett was the sole heir.

It was calculated by Habakkuk³⁶¹ that by the middle of the 18th century half of the land in England was held in settlement. This amount is disputed by Bonfield³⁶² who feels that Habakkuk may have overestimated the amount, since he did not take into consideration how much land was deliberately excluded from settlements. Sir John Dalrymple estimated that by 1764 nearly half of all English land was settled.³⁶³ Mingay³⁶⁴ agrees with Beckett that by the 18th century as much as a half of the country was held in strict settlement and that this system continued throughout the 19th century, although it was later modified by the Settled Land Acts of 1882 and 1890.

If entailing was to be successful it was important that the estate should not be divided. It had to pass onto the heir whose powers were then limited so that he could not sell or reduce it. Scott³⁶⁵ describes the marriage settlement as the basis for defining and redefining the incomes, which would provide the whole family with a more or less secure life. Bonfield³⁶⁶ describes the ideal settlement as one where the owner settles the property on his son for life with the remainder to his grandson.

English law opposed grants in perpetuity and families were forbidden from creating

³⁶¹ Habakkuk 1939 pages 2-17

³⁶² Bonfield 1977 pages 108-113

³⁶³ Beckett 1986 page 59

³⁶⁴ Mingay 1976 page 110

³⁶⁵ Scott 1982 page 40

³⁶⁶ Bonfield 1981page 104

more than one contingent remainder, that is the tenant could grant as many estates for life in remainder as he desired, but only one remainder to an unborn person.

Because perpetuities were illegal it was not possible to tie the estate up any further apart from settlement by will where, in theory, it was possible to hold the property together for a further generation. Beckett³⁶⁷ agrees with this and maintains that a new settlement had to be agreed in each generation, ideally between the tenant for life and his adult son (the tenant-in-tail). This was usually agreed at the marriage of the heir or when he reached the age of majority. The strict settlement was usually rewritten prior to the marriage of the landowner's eldest son. The settler, probably the father, limited a life estate to his own use and this was then followed by a life interest in his eldest son. A contingent entail in remainder was limited to the eldest son produced by the marriage and additional remainders were often added to take effect if the marriage produced no male heir.³⁶⁸ He suggests that the benefit of this system is that the estate was resettled in each generation, leaving it in the possession of a series of life tenants who had limited powers when it came to selling off any of the estate.

Under the terms of a strict settlement the current owner was actually a tenant for life, the greater part of the estate being settled in order to provide money for dowries, jointures and portions. A life tenant was not allowed to sell the land although it was possible to raise a mortgage on it, but only up to certain amounts and for particular purposes. On some estates the tenant was not even allowed to develop the land for

³⁶⁷ Beckett 1986 page 59

³⁶⁸ Bonfield 1981 page 104

mining.³⁶⁹ This system of settlement according to Habakkuk³⁷⁰ could only work because of the change in mortgage agreements from a short-term into a long-term period of debt which could then be used to tide a life tenant over a difficult financial period, for example, mortgages could be used to consolidate estates where necessary. Scott³⁷¹ however, argues that strict settlements enabled mortgages to be arranged in order to meet those demands which were in excess of current revenue.

Once settled, the part of the estate usually including the main seat, if more than one house was available, could not easily be sold to raise cash. It could, however be used as security for borrowing money to pay portions and, according to Beckett³⁷² credit financing became an accepted way of meeting costs. He cites the case of first Viscount Lonsdale who charged his estate with portions totalling £35,000 of which £10,000 had been found for the portions of his eldest daughter prior to his death in 1700. The successor to the estate then had to find further sums of £5,000 for his third and fourth daughters who married in 1706 and 1707 as well as £10,000 for the youngest son. Since the amount of money to be settled on children was often agreed on in the marriage settlement it was not usually possible to reduce those amounts at a later date if, for example, money was not readily available. In these circumstances it was often necessary for the heir to choose as a wife the one who had the highest portion, but the bridegroom would have to be able to offer a similar jointure.³⁷³ Even though the children of the nobility were being given more choice in the marriage stakes the consideration of money was still an important factor. In 1716 Thomas

³⁶⁹ Mingay 1976 page 110

³⁷⁰ Habakkuk 1939 pages 2-17

³⁷¹ Scott 1984 page 41

³⁷² Beckett 1986 page 296

³⁷³ *ibid*

Pelham-Holles, Duke of Newcastle married Henrietta Godolphin, granddaughter of the Duke of Marlborough. This marriage was arranged for the money the bride would bring into the family since Newcastle needed between £10,000 and £30,000 to clear his debts.³⁷⁴ Although the prime necessity in the Arundell family was that the bride should be a Catholic, nevertheless they were in considerable debt and the marriages to women who were the sole inheritor of their father's substantial estates included Mary Christina Conquest whose brother had died while still a minor, and Mary Bellings Arundell who was not only an heiress reunites the Arundell estates through marriage. This situation opened the door to the daughters of merchants, contractors and financiers who were keen to show p/roof of their success by an estate and a title, and in order to achieve this aim they often provided their daughters with a very substantial dowry.³⁷⁵ Daughters were in a weak position because their only viable future lay in marriage. Those with the most choice were younger sons. If younger sons were able to marry and produce families it was an extra insurance for the provision of an heir if the eldest son failed to produce an heir. This meant that the family title, name, seat and estates were retained in the direct family line.³⁷⁶

Often the money received from the wife's portion was used to purchase land, which was then added to the estate.³⁷⁷ The bride's portion may also have been used to clear debts or to solve other temporary or long-term financial difficulties. This meant that it was necessary for an impoverished aristocrat to look for a bride with a good fortune, and if one could not be found from within the correct social class one with

³⁷⁴ Stone 197page 303

³⁷⁵ Mingay 1976 page 10

³⁷⁶ Stone 1984 page 74

³⁷⁷ Habakkuk 1939 pages 2-17

professional or mercantile wealth might be considered.³⁷⁸ Over time the trend for dowries and jointures increased. This put a greater burden on the settled estate as the jointure paid to the widow was usually in proportion to the dowry she brought to her husband as a bride.³⁷⁹ From the late 17th century greater attention was paid to provision for the wife and to protect her property rights. Stone³⁸⁰ gives the example of Mrs Alice Thornton whose husband died in 1668. The furniture in the house was valued so as to be sold for the payment of his debts, but the goods had been left to his wife by her mother for her own personal use. It had been left to feoffes for her use in a deed and, therefore, could not be used to pay her husband's debts. In addition to this an allowance for "pin money" was also included in the settlement, which was intended to be for her own personal use. Increasingly women's property was vested in separate trustees so that her husband could not touch the capital.

On some occasions settlements could be used to direct the inheritance through the female line to found cadet lines which would then perpetuate the paternal name and heirs of the heiress. The last Lord Lexington for example settled his estate so that it went through his only daughter who was married to John, third Duke of Rutland, to her second son Lord Robert. When he died in 1762 without issue, it passed to his younger brother Lord George on the condition that he took the name of Sutton.³⁸¹

Where the estate passed to a single heiress it could, by her marriage lead to a

³⁷⁸ Thompson 1963 page 19

³⁷⁹ Mingay 1976 page 110

³⁸⁰ Stone 1977 page 331

³⁸¹ Cooper in Goody 1976 page 229

consolidation of the estates, but if it passed to several co-heiresses the estate, for a time, would be split up.³⁸²

Dower was common law in England and stated that a woman was seized of one third of her husband's freehold for life and this income was specifically for the sustenance of the wife and the nurture of the younger children. Even if a woman was separated from her husband for adultery she was still entitled to the third of the freehold estate and the widow held this right against other heirs. The dower was for life not just for widowhood and therefore was still available to the widow should she choose to re-marry.³⁸³ In 1678 William Bennett married Patience Bishop, a widow. When she married she had land settled on her at Chilcombe in Dorset by her previous husband. She also had two children by her first husband and the settlement included provision for the sum of £50 to be paid to Patience for the maintenance of her son and daughter, to be spent "as she sees fit."³⁸⁴ Although the settlement states that the sum of £1,500 should be raised to make provision for any daughters, which was to be divided equally between them when they reached the age of eighteen or when they married, no provision is made for any sons other than the heir. A copy of part of the marriage settlement is shown below.³⁸⁵

³⁸² Johnson 1909 age 9

³⁸³ MacFarlane 1986 page 228

³⁸⁴ WRO 413/123

³⁸⁵ WRO 413/123

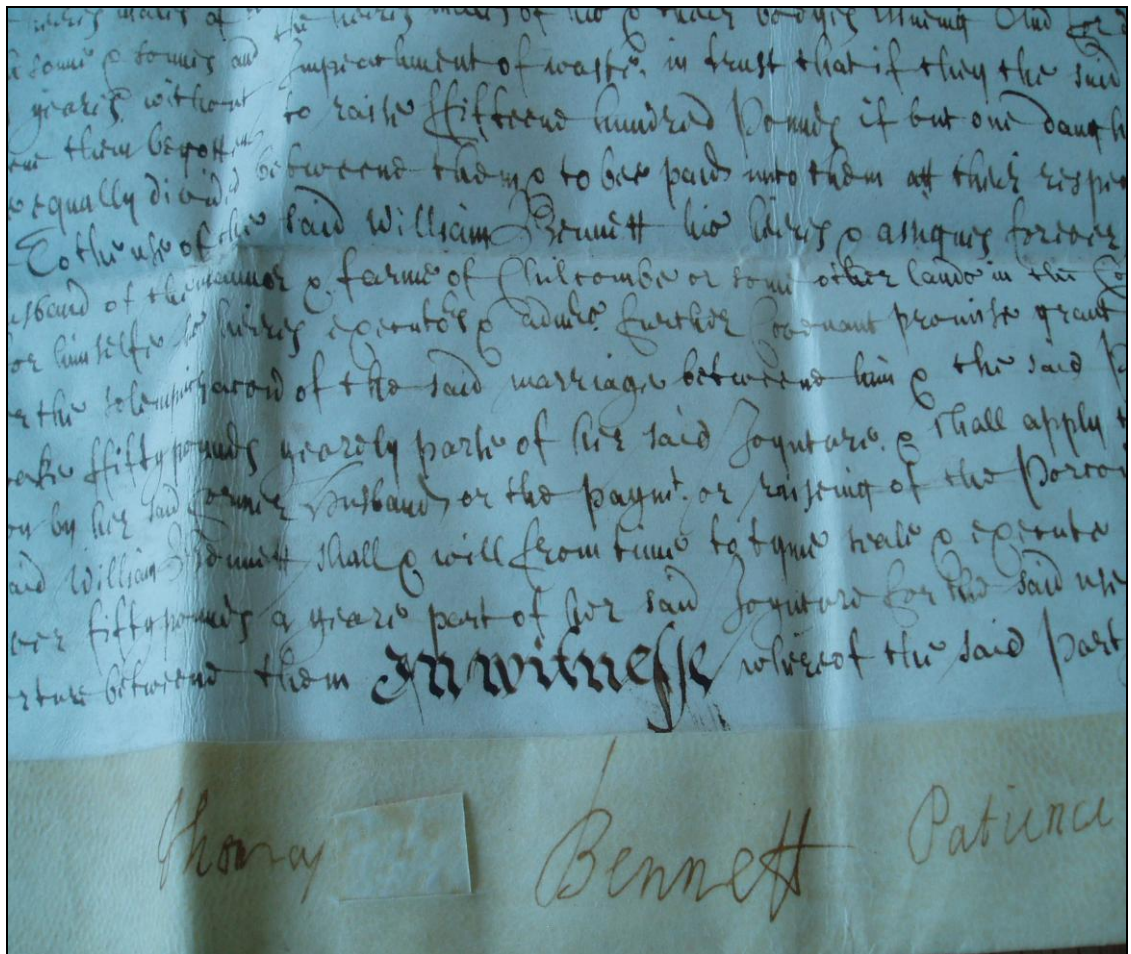
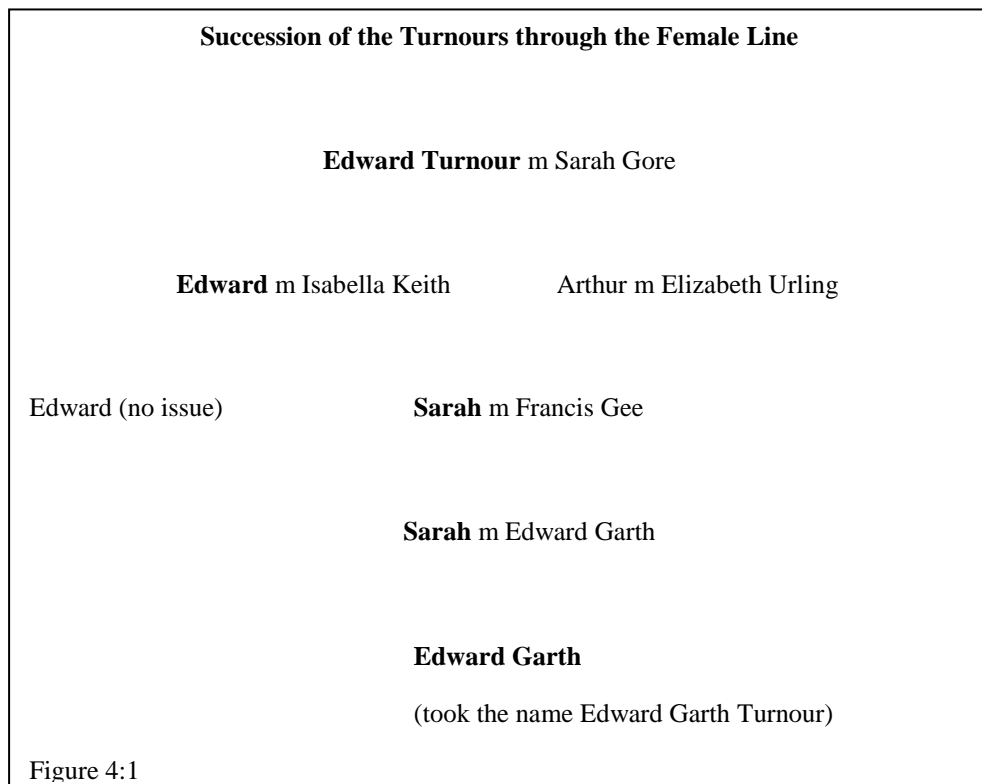


Illustration 3:1 WRO 413/123

At this time childless marriages, or those where only females survived, were not uncommon. Often when the only survivor was a female the heiress was left a large portion and then the property was bequeathed to a more distant male relation. On these occasions the inheritor may have had to sell off land in order to pay the portion. The failure to produce a male heir was not unusual in the 17th and 18th century, and Beckett³⁸⁶ estimates that from the time of the Restoration, until about 1760, as many as one in every six fertile marriages amongst the English nobility failed to produce a male heir and that the same was also true for gentry families. He produces evidence

³⁸⁶ Beckett 1984 page 9

from Northamptonshire and Kent where only 33% of the first generation of major landowners was able to settle their estates on a son aged twenty-one years or more. In Yorkshire only three of the ninety three baronets were able to resettle successively throughout the 17th and 18th centuries with the assumption being made that the settlements were made at the coming of age or marriage of the heir. Another example he cites is that of Glamorgan where in the late 17th century of forty landed families, fourteen passed their estate onto a nephew, cousin or distant relative, eighteen to a single daughter and eight to two or more daughters. He suggests that this situation was probably replicated in other areas of the country. Of the Arundells in the 17th century Thomas 4th Lord Arundell was the second son, and in the 18th century James Everard Arundell was a nephew, and at the beginning of the 19th century Henry 11th Lord Arundell was a brother. The line of succession in the Turnour family was far more complicated as is shown from the family tree below.



From Edward Garth Turnour who took the title Earl Winterton, the line of inheritance passed through the family from father to son until 1952. The Benett family line continued in an unbroken line from William and Patience Bishop until the difficulties caused by the unsuitable marriages of the eldest son of Thomas and Etheldred Benett and his heir Thomas. On the death of Thomas, husband of Etheldred, the line was continued by their second son Thomas until John, who when he died had outlived his son John, was succeeded by his grandson John Edward who only survived his grandfather by four years. The other possible heir, his daughter Lucy also predeceased him so the Pyt House and Norton Bavant Estates passed to her son who took the surname Benett.

It would appear that sometimes age or infirmity could be responsible for the re-ordering of the parts of the estate not included in the settlement. In 1711 Thomas, 4th Lord Arundell, aged about seventy seven, had a deed drawn up whereby he passed onto his brother Henry and his son the responsibility the general management of his estates in Southampton, Wiltshire, Dorset, Somerset, Hereford and Shropshire on account of his great age. In 1722, Thomas' brother Henry, then aged about eighty four, had a document, drawn up in about 1717 but dated May 1722, recording that Henry Lord Arundell desired to be released from the 'trouble and care of the management of his estate, real and personal and other affairs.'³⁸⁷ He passed onto his son Henry all the manors and lordships situated in Southampton, Wiltshire, Dorset, Somerset, Devon, Hereford and Cornwall. He was then responsible for paying the

³⁸⁷ WRO 2667/9/4b

sum of £6,000 due to his sister Elizabeth which together with £4,000 made up the sum of £10,000. He was also required to pay off rents, debts and sums of money due and owing to Henry Lord Arundell from the several stewards, bailiffs, officers, tenants or farmers. Lord Arundell awarded to his son, Henry, all his personal estate, all arrears of debts and demanded that he then sue the debtors.

In 1758 Henry Arundell released to his father all claims to his entitlement from his mother's marriage settlement. The agreement had been made in Liege in 1716 for the marriage between Henry Lord Arundell and the Right Honourable Eleanor (his late mother). The agreement stated that if a son was born he should succeed to, and inherit, all the goods of Henry Lord Arundell and Mary Arundell of Lanherne Cornwall he renounced all claim to the personal estate of his father.³⁸⁸ When his father married Mary Conquest, an heiress under the age of twenty one, and only sister and heir at law to her brother the late Benedict Conquest, money was put in trust from premises belonging to Lord Arundell with a yearly value of £1,554. The money from this trust was to secure a jointure of £1,000 to Mary Lady Arundell after the death of her husband. Her estate at Irnham was to be inherited by a second son on the condition that he took the name and arms of Conquest.

Marriage settlements and mortgages were not the general rule across the country.

Beckett³⁸⁹ cites the county of Cumbria as being one where marriage settlements and mortgages played a limited role in the pattern of land ownership. Some landowners

³⁸⁸ WRO 2667/4/4D

³⁸⁹ Beckett 1977 page 572

kept the whole of their estate unsettled or deliberately left out some land in order to give the life tenant some freedom of manoeuvre. Land which was unsettled was available for the tenant to do what he wanted with it. Unfortunately the income received from the unsettled land was often required to supplement the revenue from the settled portion.³⁹⁰

The choice of a partner, according to Mingay³⁹¹ was more likely to consider the feelings and choices of the prospective bride and groom the further they were down the social scale. Lesser landowners, for example, were more likely to respect the feelings of the couple even if it did little to improve the family's wealth or position. Among the great landowners he considers that the stakes were too high for the young couples' feelings to have much of an influence over the final decision. Slater³⁹² agrees that romantic involvement was not high on the priority list with an arranged marriage and that later family solidarity was based more on need than love and affection. The Verney family, members of the upper gentry, is used as an example, whereby sex, birth order and generation are cited as the factors which affected the distribution of power, authority and responsibility regarding marriage or any other family matter. In this set up the eldest son was in the best position for a desirable match. A daughter's position in the marriage system was to be available for child bearing and as an important source of finance and credit. This was especially relevant before banking became a more acceptable or of financial transactions.³⁹³ A rich wife was a valuable asset to a marriage and a rich widow, especially past childbearing age,

³⁹⁰ Mingay 1976 page 110

³⁹¹ *ibid*

³⁹² Slater 1976 pages 25-54

³⁹³ *ibid*

as even more so. This was certainly true of a widow who probably had control of her own finances, but a rich wife also helped to add to the riches and prosperity, or as a means of reducing the debts of the family into which she married.

In wealthier families the bride's financial prospects were usually the major consideration, although her political connections or religious convictions could also carry some weight. Lawyers were employed by both families to arrive at an agreement acceptable to both families and this process could take several months. The size of the bride's dowry according to Mingay³⁹⁴ automatically placed her in a certain starting position in the marriage stakes. The groom's family were keen to see that their existing interests in the estate were properly safeguarded. During the 17th century the size of the daughter's marriage portion paid by her parents increased, which improved her position within the family, and often made a major contribution to her husband's finances. From the 18th century it became the norm to invest the money in land rather than being paid straight to the groom's father as it had been previously.³⁹⁵ Mary Greville married Lord Arundell in 1811, and when she died in 1846 the marriage portion remained unpaid, although interest on the portions had been paid as maintenance money. According to Mingay³⁹⁶ the dowry was not always paid by the bride's family, and only the interest on the capital was received by the groom. He explains that the dowry was often dependant on the satisfaction of previous claims on the property, which was to supply the money for the dowry, and the groom was sometimes involved in lawsuits to obtain it. He also points out that a

³⁹⁴ Mingay 1976 page 113

³⁹⁵ Stone 1977 page 330

³⁹⁶ Mingay 1976 page 115

childless marriage was another way in which the groom's family was prevented from gaining a permanent possession of his wife's inheritance. It also became more common for a clause to be included into the settlement about pin money, which provided the wife with an independent income over which she had complete control.

The marriage of daughters, even though included in the marriage settlement, could cause financial embarrassment for the family. In 1717 Henry 5th Lord Arundell arranged a mortgage in order to raise money for the portion allocated to his daughter Elizabeth. Several manors in Hampshire and Wiltshire were put in trust to raise £10,250 of the promised £20,000. The £10,250 was to be paid six months after his death. In 1815 the marriage was agreed between Juliana Arundell, daughter of the late James Everard, and Captain Sir John Talbot. In May 1818 it is recorded that although £2,000, part of £10,000 had been received by Sir John Talbot he had not received and did not know the whereabouts of the remainder of the settlement which consisted of £1,612 18s 0d which had been invested in 3% stock. From the will of her grandmother Mary Christina Arundell, Juliana had also been bequeathed the sum of £1,500, as other legacies and the interest on her Lincolnshire estate. On Sir John's side he put a plantation and lands in Monserrat into the marriage settlement which, if Sir John died within ten years of the marriage, was to be sold for the best price. During her marriage Juliana was to receive £100 per annum from the interest of rents. The eldest child of the marriage was to inherit his father's estate in West Meath, Ireland and the trust funds and stocks were to be divided equally between any other children.³⁹⁷ Her younger sister Laura was married, aged 16, to Lieutenant Colonel

³⁹⁷ WRO 2667/4/69

George MacDonnell of Inverness. She was also entitled to a portion of £2,000 and the sum of £1,800 Navy 5% stock. Laura was to be paid £150 annually and it was stated that all or any of the money or trust funds or securities could be used during their joint lives to buy property or land.³⁹⁸ When Eleanor Arundell, daughter of James Everard Arundell and Mary Arundell married Hugh, Lord Clifford in 1786 £10,000 was put into trust as her marriage portion which yielded £400 per annum. Of this she was allowed £200 annually for pin money and the £400 was to be paid to Lord Clifford if she predeceased him. The £10,000 was to be used for the children's education and then divided accordingly.

If, as happened quite often, the bride died at an early age, in childbirth for example, the husband was able to remarry and secure a second dowry to add to the estate.³⁹⁹ Laurence⁴⁰⁰ suggests that approximately one third of all marriages were remarriages for one of the partners, although the rate of remarriage declined throughout the 18th century. In the 17th and 18th centuries it was usual for marriages to be broken quite early because of the premature death of one of the spouses. Stone⁴⁰¹ comments that, during the early 19th century, the mortality rate among adults between the ages of twenty five and forty was about seventeen percent annually, and that approximately 30% of all marriages were ended by death within the first fifteen years. In the mid 18th century the average woman could expect to die twelve years before the birth of her last grandchild. A third of female children had died before the age of five; one in seven of those who survived did not live to the age of twenty five and more than half

³⁹⁸ WRO 2667/4/70

³⁹⁹ Mingay 1986

⁴⁰⁰ Laurence 1995 page 33

⁴⁰¹ Stone 1977 page 55

of those who reached the age of twenty five had died before they were sixty five.⁴⁰² As a result remarriage was very common with about a quarter of all marriages being a second or third marriage for the bride or groom. Stone estimates that about twenty five percent of all couples remarried in the late 16 and 17th century, and fifteen percent in the 18th century. About 5% married for a third time or more. Many of these remarriages were by widowers with young children whose wives had probably died in childbirth. Stone⁴⁰³ suggests that they often remarried in order to acquire a nurse, housekeeper, cook, washerwoman and sexual partner. The settlement for the marriage between Edward Turnour and Isabella Keith in 1667 made provision for Edward Turnour, Arthur Turnour his brother and heir or any other tenants for life of the premises to be settled to remarry and for a jointure for the life of the second or subsequent wife of any part of the manors, but not exceeding £1000 per annum.⁴⁰⁴ Most second or subsequent marriages appear to be with women who were of a similar age to the husband, sometimes beyond the age of childbirth which suggests that the marriage was more for companionship and, of course, a new source of income rather than a useful chattel.

Edward Turnour married for a second time in 1778, his first wife, Ann Archer having died in 1775 at the age of forty. His second wife Elizabeth Armstrong, aged twenty one, was from a family local to Shillinglee and the daughter of a surgeon. It was agreed that Elizabeth was to receive £100 as her jointure, and £400 annually on the death of Lord Winterton. £3,000 was to be raised for the portions for any children to

⁴⁰² Laurence 1994 page 35

⁴⁰³ Stone 1977 page 56

⁴⁰⁴ WSRO 454/23/5/1

be born.⁴⁰⁵ In 1797 Edward, Earl Winterton, confirmed the settlement and bond of £10,000 from his first wife to be used for additional portions for his daughters and younger sons by his late wife and further confirmed the settlement on his second wife Elizabeth and bequeathed to her £2,000, his coach and phaeton. His second son Arthur, from his first marriage, was given the leasehold messuage in Brook Street, Hanover Square together with the stables, outhouses etc. He also gave permission for Elizabeth and all the children from both marriages who were not married, except his eldest son, permission to remain in the house, but on her death or remarriage and the death or marriage of the children the house was to revert back to the estate. All silver plate was to be sold and divided equally between his wife and the children of the first marriage.⁴⁰⁶ This suggests that children from second and subsequent marriages did not enjoy the same rights and privileges as the younger children of the first marriage. It would appear, however, that some land was settled on Edward John eldest son of the second marriage, by his father, which was not included in the entailed estate due to the eldest son from his first marriage.⁴⁰⁷

Elizabeth remarried after the death of her husband Edward in 1788 after ten years of marriage. She was remarried to William Richardson the accountant-general to the East India Company in 1791, and widowed by 1826. In 1798 the Right Honourable Elizabeth Turnour, daughter of Edward and Elizabeth married Francis Richardson son of William Richardson. This was followed in 1799 by the wedding of the Honourable Edward John Turnour, son of Edward and Elizabeth to Elizabeth

⁴⁰⁵ WSRO 454/9/13/1

⁴⁰⁶ WSRO 37/25/25

⁴⁰⁷ WSRO 454/9/13/2

Richardson daughter of William Richardson. This does not seem to have been such a prestigious marriage, but William did have freehold premises in the city of London and Hoddeston, Hertfordshire which was bequeathed to his daughter on his death and also premises in Upper Brook Street which continued to be the family home after his death.⁴⁰⁸

A marriage settlement exists for the marriage between Henry 6th Lord Arundell and Lady Ann Herbert who was to be his second wife. His first wife, Eleanor Everard, whom he had married in 1716 died in 1728 aged 34 leaving three sons. He then married Ann in the same year and remained married to her until his death in 1746. Lady Ann's jointure was £8,000 from which she was to receive a yearly rent charge of £300 for her separate use. After the death of her husband her jointure in bar of dower was settled at £1,000 annually tax free to be paid in two equal amounts half yearly. There was also a clause whereby twelve months after the death of her husband if she did not want to receive the annual sum of £1,000 the trustees were to raise by mortgage the sum of £10,000 to be paid to Lady Ann. Portions were also allocated for any children, namely £12,000 for one son, £10,000 if one daughter, If one son and one other child survived then the sums were to be £12,000 and £8,000 respectively. If more than one younger son or daughter survived then the eldest son was to receive £10,000 and a further £10,000 was to be divided equally between the other children. These were to be paid to the sons at the age of twenty one, but to the daughters at eighteen or marriage, if that was earlier. Amounts for maintenance of the children if they were still minors at the death of their father were agreed and fixed at

⁴⁰⁸ WSRO 454/9/12/2

an annual sum. An only child was to be allocated the sum of £60 per annum until the age of twelve and then rising to £100, a second child £50 rising to £80 and three or more children £50 rising to £70. If any of the children died before the age of twenty one the money was to be divided equally between the other children. An unusual clause states that if any children were living abroad before the portion became payable then they should only receive £500. Exemptions were included into the settlement based on previous indentures, one made in 1660 by Lord Arundell's great-grandfather when the manors of Fontmell and Melbury Abbas were mortgaged to raise £14,000 and one dated 1717 to raise the sum of £10,000 for his daughter Elizabeth's marriage portion of which £4,000 was paid at the time of her marriage to the Earl of Castlehaven. Henry Arundell agreed to pay off the portion of Lady Ann Herbert. A debt of £4,000 was payable to his brother Thomas and, after Lady Ann Herbert's £8,000 had been paid, he had to pay £2,000 interest to the Earl of Castlehaven. In 1741 the £4,000 was still outstanding.⁴⁰⁹

Henry Benedict, 11th Baron Arundell was married three times. After the death of his first wife Lucy Smythe in 1826 at the age of about eighteen after about six months of marriage he married, in 1829, Frances Tichborne aged twenty and one of six daughters. In the event of the marriage her father agreed to pay the sum of £4,000, with interest, within three years of the date of their marriage.⁴¹⁰ Under the will of James Everard Arundell Henry Benedict was entitled to £9,400 and also £4,659 4s 7d with interest secured on land at Pace Farm. The marriage settlement agreed that the total amount would be put into a trust and the interest paid to Henry Benedict and

⁴⁰⁹ WRO 2667/4/56

⁴¹⁰ WRO 2667/4/20

Frances Tichborne for their own use. The amount set for the portion of any children was for £6,000 for one child, £8,000 for two children £10,000 for three and £12,000 for four or more. The amount for one child is the same whether a son or a daughter and both the son and the daughter are to inherit at the age of twenty one. This marriage lasted for seven years and in 1838 he married Theresa Stourton.

Although provision was made for children yet to be born in the marriage settlement, the possibility of survival until marriageable age throughout the 18th century was limited. The expectation of life in the middle of the 17th century was thirty-two years and, of those who were born alive, newborn babies were most at risk. After 1750 the age of infant mortality began to rise possibly because of the introduction of inoculation against small pox, but even so as late as 1764, 49% of children born in London had died before they reached the age of two years and 60% died by the age of five. Even in wealthy families, between a quarter and one third of children died before they reached the age of fifteen. As has already been shown, a number of those inheriting the estates were second or younger sons, but other children also died before they reached their majority. Of the ten children born to Thomas and Etheldred Bennett between 1720 and 1741 at least five children died at birth or within the first year of life and another at the age of twelve. This means that only four of the ten children survived to achieve their majority. This was not the case for the children born to Edward, 1st Earl Winterton and his first wife Ann Archer. Of the fourteen children born to them it has not been possible to ascertain the death of two children who possibly died at a very early age. Two more died at ages fourteen and sixteen and the remaining ten died between the ages of thirty six and seventy. In his second

marriage to Elizabeth Armstrong, however, of the four children born, two died at a very young age.

Stone⁴¹¹ quotes statistics which show that the median age of first marriages amongst the elite rose sharply and by the 18th century the age for women was twenty-four and men between twenty-eight and twenty-nine. Until the 16th century of those who reached adulthood only 2% of males remained unmarried. This percentage had risen to 12% by the 19th century. The age of marriage also increased throughout this period. In the 16th century most men were married by the age of twenty-one, but this had increased to twenty-six or twenty-seven by the 18th century, by which time more choice was being given to couples over their future marriage partner. According to Outhwaite⁴¹² the ages of the first marriage for both men and women was inclined to vary over time, but this seems to have varied not only between localities but also between the sexes in the same locality. There were, therefore, considerable differences in the age of marriage at any one moment of time. For example, during the mid 18th century bachelors at Powick, Worcestershire, married at 22.4 years, whereas in Charlton in Oxfordshire it was 28 years. In the 18th century the average age for the Turnour family was twenty four, twenty three for the Arundells but thirty four for the Benetts. Is it possible that the greater involvement in their farming activities meant that marriage was not of such importance? For spinsters the average age for marriage between the early 17th and mid 19th centuries rarely dropped below twenty four and never above twenty six, but this should not be generalized. Again there is a difference between the ages of the three families with the average ages of

⁴¹¹ Stone 1977 page 46

⁴¹² Outhwaite 1972 pages 55-70

the Arundell spinsters of the first marriages was twenty three, the Turnours twenty and the Benetts twenty seven. Thomas⁴¹³ produces a list which shows the age of first marriages amongst peers to be between 29.3 and 31.93 between the years 1700 and 1899, which is much higher than those already mentioned. He points out that the rates of child and adult mortality fell from 1750 onwards for males between the ages of fifteen and thirty nine. This had the effect on the number of sons surviving to a marriageable age and coincided with an increase in family size.

Most men married wives who were two to three years younger than themselves and could expect the marriage to last for approximately twenty two years. By the 19th century the length of a marriage had risen to twenty-nine years. Most marriages produced about five recorded children, which reduced to four children after 1650. Several reasons for this decline include: a rise in the mortality rate, a deliberate policy for limiting the size of the family, and there is a possibility that fertility may have declined. The difference in ages between couples in all three families was about two to three years but on three occasions in the Arundell family the bride was older than her husband. On two of these occasions the bride was heir to a large fortune and it was the husband who was below the average age. In the late 17th and early 18th centuries it became more common for the younger sons of the nobility and gentry to remain unmarried unless they could find an heiress who would enable them to continue to maintain their previous lifestyle.

⁴¹³ Thomas 1972 pages 99-111

Unless there were other estates in the family, often part of the mother's dowry, which was not entailed which could therefore be left to the younger son they were often left with a small annual payment in the marriage settlement and were required to make their own way in the world. They were originally given a guaranteed share in the estate, often outlying areas of the estate, usually for the lives of themselves and their wives. By the 17th century this had become a life annuity and by the 18th century this had become the same cash sums as their sisters. The cash sum, in theory, made it easier for them to marry although the rising cost of education and the launching of a career, especially commissions in the forces which had to be purchased diminished the advantage.⁴¹⁴

The situation is summed up by Willcox and Arnstein⁴¹⁵ when they say a father's best hope was that he would be able to provide rich wives for his boys and rich husbands for his daughters. His main desire would be to find an heiress for his eldest son in order to provide a good income for his widow, substantial dowries for his daughters and allowances for his younger sons which would continue throughout their lifetime. It would appear that both the Arundells and Turnours came into this category and it has been shown that where possible wives with a good dowry were found for the heir to the estate. Despite this, however, they only seemed to marry within their own group, that is, good Catholic families for the Arundells, and professional families and those involved in the City and politics for the Turnours. The Benetts, on the other hand, seemed to change their marriage partners as their financial resources and position in society improved. They continued to marry into families within a close

⁴¹⁴ Stone 1984 page 74

⁴¹⁵ Willcox & Arnstein 2001 page 58

geographical area of Norton Bavant and Pythouse whatever level of society they were marrying into. This would suggest that a family had to be firmly established in a particular group to be accepted in it, however long they had been living there. It would also appear from the results that even when the son seemed to be marrying from outside the accepted parameters there was often a connection between the two families in previous generations.

Chapter 4 - The Influence of the Land

Until the 19th century agriculture remained the backbone of the economy and was the major source of employment.⁴¹⁶ The land holdings of the three estates were, therefore, of great importance to all three families under consideration. This chapter will look at the ways in which land was being used as a commodity throughout the time span of this study, and the movement of land both as a way of raising cash, in order to consolidate the land holdings, and in order to increase the main estate. It will also consider the agricultural changes that were affecting the estates including: agricultural improvements, changes in the types of leases being offered and enclosure of the land. The relationship between the landowner and his tenants will also be considered.

The area of Wiltshire being studied was dominated by great estates and major landowners, and therefore, the manorial control over the tenant farmers remained strong. The system of common field agriculture continued in many manors including those belonging to the Benetts and Arundells, and there were also numerous large farms which were dependant on the work of the landless labourers.⁴¹⁷

In the 17th century approximately thirty eight million acres of land were in the hands of the gentry and, in fact, most of the south and east of England was dominated by

⁴¹⁶ Mingay 1976 page 80

⁴¹⁷ *ibid*

estates of the gentry of various sizes. In 1680 both the number of large landowners and the acreage owned by them increased, some at the expense of lesser gentry and yeoman. Beckett,⁴¹⁸ however, maintains that the wealthiest families in the late 17th century had only an even chance of retaining their estates over two or three generations. An estate was an inheritance and the current owner could not escape responsibility for its improvement, development and conservation.⁴¹⁹

By the end of the 17th and until the beginning of the 18th century the majority of greater gentry seem to have abandoned large scale commercial farming which was a highly speculative business and its income from rents offered a more certain return. From the 1750s onwards, however, the opportunities for commercial farming were growing in districts which had good communications with towns and ports. There was an expanding market for both food and raw materials, and therefore, large scale farming employing advanced techniques of cultivation became more profitable. This resulted in large scale farmers buying or renting additional land which encouraged the trend towards large farms. These advances were only made where conditions of soil, relief, climate and communications favoured them. Mingay⁴²⁰ gives an example of the Chapman family who farmed at St Pauls Cray in north-west Kent. At the beginning of the 18th century they were substantial freeholders with over four hundred acres of land. During the 18th century they added several hundred more acres in the Crays and adjoining villages through a piecemeal and gradual process. Some of the acquired land was then let out to tenants and some was let out privately.

⁴¹⁸ Beckett 1986 chapter 2

⁴¹⁹ Beckett 1985 pages 283-308

⁴²⁰ Mingay 1963 page 93

Langford⁴²¹ considers that the ownership of land was a more complicated business than it seemed. In principle a landed proprietor who derived his income entirely from his rent rolls was considered to be an independent gentleman, but this did not take into account the extent to which lending on the security of the land had changed his outlook. He suggests that the mortgage was essential to the landed family's comfort and possibly to its survival.⁴²² Impoverished landowners, however, could suffer if they needed to take out or renew a mortgage since they could find it difficult to find a money source. This could result in mortgage foreclosure or a forced sale.⁴²³

In the early 18th century the great landowners considered a good estate to be one which was tenanted by large farmers holding two hundred acres or more, paying their rents regularly and keeping their holdings in repair.⁴²⁴ By the middle of the 18th century the average return on land represented by rent was about 3-4% after deductions had been taken for taxes, repairs and management expenses. Mortgages, on the other hand, yielded 4-5% and became a popular form of investment amongst all the propertied classes.⁴²⁵ Landholders were inclined to retain a home farm for its convenience, but the bulk of the land was let out permanently to tenants. In 1744, however, the Home Farm at Shillingley is recorded as being let for £88 per annum.⁴²⁶ When land fell into hand it was quickly re-let, although sometimes it was kept in

⁴²¹ Langford 1991 page 63

⁴²² Discussed in greater detail in chapter on Financial Affairs

⁴²³ Beckett 1984 page 15

⁴²⁴ Habakkuk 1939 pages 2-17

⁴²⁵ Mingay 1976 page 82

⁴²⁶ WSRO 454/3/27/3

hand, especially if the land had been neglected, in order to get it back into good condition before letting it again.

From the beginning of the 19th century there was considerable change in the Wiltshire countryside. It saw the disappearance of virtually the whole of the common field farming system resulting in a considerable proportion of the labour force being thrown off the land and being reduced to the status of unemployed paupers.⁴²⁷ By 1820 there was considerable unemployment in the county, and those who were in employment had their wages reduced by one fifth as a result of cuts made in 1817 and 1819. Farmers being unable to pay their workers' wages resulted in unemployment.⁴²⁸ Despite this, however, in 1811 agriculture still employed one third of the country's labour force.⁴²⁹

Landholders, often found that they had problems with neighbouring owners and it was difficult for landowners to keep out of court with regard to matters such as titles to property, the extent of manorial rights, boundaries of estates, interpretation of leases, wills and marriage settlements and the recovery of debts. It was at this time that the gentry began to demand accurate maps of their estates in order to settle disputes over boundaries and also to facilitate exchanges of land. The maps could consist of anything from a rough sketch map to elaborate works of art.⁴³⁰ The maps below show maps of the Wardour Estate. The first, which is undated, is a sketch

⁴²⁷ Dodd 1982 pages 154-165

⁴²⁸ *ibid*

⁴²⁹ Mingay 1976 page 80

⁴³⁰ Mingay 1976 page 89

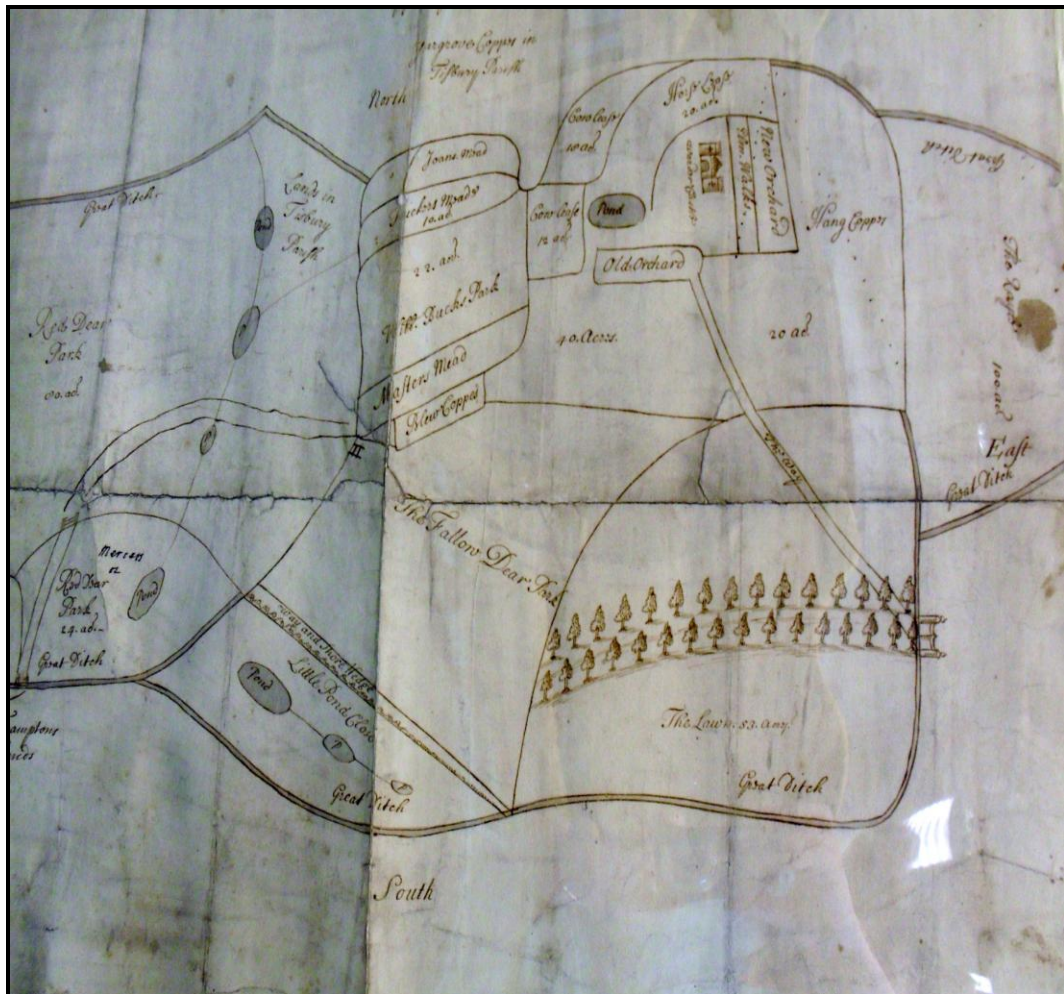
showing the Wardour Estate with the size of fields indicated,⁴³¹ whilst the second, which was produced in 1753, although not to scale, is more neatly produced and shows Wardour Park and some land adjoining.⁴³²



Map 5:1 Wardour Estate WRO 2667/21/14

⁴³¹ WRO 2667/21/14

⁴³² WRO 2667/21/9



Map 5:2 Land Adjoining Wardour WRO 2667/21/9

Land was important because it carried with it membership of a particular social class, and if it had not been for the social significance of being a landed proprietor, land would have been less expensive and more profitable.⁴³³ Landownership was not always clear cut as shown by the incident in 1760 when Lord Winterton was engaged in a dispute with Elizabeth Peachey, a widow, over the ownership of lanes in Ebernoe. The dispute led to several men forcing an entry onto some of Lord Winterton's closes where they destroyed timber and underwood to the value of £200.

⁴³³ Gash 1979 page 17

They also cut down and lopped 200 oaks, 200 elms, 200 beeches, 200 other trees and 5 acres of other underwood to the value of £500.⁴³⁴ In 1743 Lord Arundell was also having difficulties with tenants over the illegal cutting of timber and Charles Hunt, a yeoman, was accused and found guilty of cutting down timber in the Manor of Semley, carrying it off the estate and selling it. He was fined £50 and forbidden to cut timber at any time without permission from Lord Arundell.⁴³⁵

The value of land was of great importance for the landlords, especially in times of financial difficulty when it might be necessary to sell some land in order to pay debts. In the indenture for 1641 Shillinglee Manor is valued at £3,287,⁴³⁶ and added to this are the lands in Essex. Initially it was intended that these lands should continue as two separate estates, and were only joined by the failure to produce a direct male heir to inherit the Essex and Norfolk estates. In 1696 these estates were reckoned to have a rents and profits of £932 19s 3d. The Shillinglee estates can be divided into two parts; those around where the house was to be built extending over the Sussex/Surrey border towards Guildford and those on edge of the coastal plain from the south east of Chichester at East Hampnett and the onto the Selsey peninsula at Earnley.⁴³⁷ When Sarah Garth died in 1739 the estate was considered to be worth £1,300 per annum based on rents, profits, interest and produce with an additional personal wealth listed as upwards of £60,000.⁴³⁸

⁴³⁴ WSRO 454/3/30/1

⁴³⁵ WRO 2667/15/2

⁴³⁶ WRSO 454/3/33/1

⁴³⁷ WSRO 412/11/24/1

⁴³⁸ WRO 454/3/27/3

The manor of Pythouse was valued at £214 in 1727 based on meadow land valued at thirty shillings per acre,⁴³⁹ with pasture and arable at twenty shillings per acre.

Sometimes the death of estate owner can give an indication of the value of the estate.

The will of John Benett in 1833 estimates his personal estate to be worth £16,979 4s 10d including farming stock of £5,632 8s and rents due at the time of his decease of £5,834 15s 5d⁴⁴⁰

Family settlements, which are discussed more fully in chapter 2, helped to keep the estate together and, therefore, it was in the interest of the owner to ensure that the estate was limited to that of a life tenant. As part of the settlement agreement a proportion of the family's land was reserved for the paying of jointures, portions and annuities to members of the owner's family but, because it was a strict legal settlement, it became the main instrument for securing the passage of the estate from one generation to the next and for securing the interest of widows, daughters and younger sons in the property.⁴⁴¹ It was not uncommon, however, for an entail to be broken by an owner who wished to sell a distant estate in order to purchase property nearer to the principal seat.⁴⁴² When Edward Turnour inherited the estate from his father, Arthur, the settlement was broken, extinguishing and destroying all estates, titles, claims and demands on the estates he had inherited.⁴⁴³ In 1694 the family estates were settled on Edward Turnour, the son and heir of Arthur Turnour who had inherited the Shillinglee Estate under the terms of his maternal grandfather's will.⁴⁴⁴

⁴³⁹ WRO 413/93

⁴⁴⁰ WRO 413/376

⁴⁴¹ Mingay 1976 page 68

⁴⁴² Beckett 1984 page 11

⁴⁴³ WSRO 412/11/29/1

⁴⁴⁴ WSRO 412/11/24/1

These included the Manor of Easthampnett in the Parish of Boxgrove, consisting of approximately 900 acres of land. This was let to Charles Baldwyn in 1733 for a fine of £600.⁴⁴⁵ When Edward Turner Garth married Anne Archer a bill was drawn up allowing him to sell part of his estates in Sussex, Surrey and Norfolk which were included in the marriage settlement in order to buy other estates of equal or greater value.⁴⁴⁶

Henry Lord Arundell acquired land in the county of Lincolnshire when he married Mary Conquest who had inherited a personal estate of rents and profits several freehold estates worth £15,000 under the will of her brother. This land, with one exception, was to be limited to the use of Lord Arundell and Mary Conquest for their lives and after their deaths to be passed to the second son, in tail remainder, who was to take the name Conquest.⁴⁴⁷

From the late 17th to the mid 18th century there was a very active land market and a tendency for landed property to be concentrated into fewer hands. After the Civil War, falling land rents resulted in a falling of purchase rates. In Essex, for example, estate tenants were failing so much that rents had to be reduced by about one fifth between 1660 and the 1690s. Clay makes suggestions for the rise in rates during the 1690s, despite the four shilling land tax. One reason he gives is that expectations about future net income from land was becoming more optimistic and that rent reductions on many estates may have contributed to this. He gives examples of the

⁴⁴⁵ WSRO 412/11/29/3

⁴⁴⁶ WSRO 23/13/1

⁴⁴⁷ WRO 2667/4/12

Earl of Rochester whose rents in Wiltshire were reduced by one seventh, and by one fifth in Essex.⁴⁴⁸ The number and size of very large estates was increasing and the number of freeholders and lesser gentry were decreasing.⁴⁴⁹ Some inherited land was often sold on the death of the recipient, especially if it was a woman. When Edward Turnour died in 1721, he left his real estate to his daughter Mary who died unmarried, without issue. The second daughter, Isabella, inherited the Little Parendon, Great Parendon estates and several pasture grounds and meadows in Norfolk, but the estates were to be sold to clear her debts.

The acquisition of a great estate was usually the patient work of several generations. Land available for sale was usually detached, outlying and the least favoured portions of the estate. The estates were usually quite small, for example, the estates of minor gentry, or the old fashioned residences of larger land owners. The new family, therefore, began in a small way, rebuilding the house and extending the perimeter of the estate with purchases of adjacent land.⁴⁵⁰ The Benetts originally acquired their freehold land when it was released after the dissolution of the monasteries. Despite setbacks after the Civil War and Commonwealth they were able to steadily build up the estate, concentrating on buying land around Pythouse, and at the same time moving socially from yeoman to landed gentry.

Land was not always sold in outlying areas, however, in order to buy other land nearer to the main estate. It could also be a way of clearing debts. The Benett family

⁴⁴⁸ Clay 1974 page 181

⁴⁴⁹ Clay 1968 page 503

⁴⁵⁰ Mingay 1963 page 26

were forced to sell land in Semley between 1601 and 1613 as a result of a fine inflicted on them by Cromwell because of their loyalty to Charles 1, but were able to buy it back in 1792 for £2,000.⁴⁵¹ A summary of estates produced in the early 19th century estimates John Benett's occupation of land in Semley as approximately 673 acres out of a total of 2,702 acres.⁴⁵² This included lands in Tisbury and Donhead for £850 and in Semley for £5,000 which were bought from Henry Lord Arundell in 1806 at the time when the open fields were being enclosed; an obvious time for lands to be exchanged.⁴⁵³ They were also renting land from other local landowners such as three acres in Wood Close in Donhead which was rented from Lord Arundell who was living abroad. The fine was £12 with an annual rent of one shilling, but the rights over the woods were not included.⁴⁵⁴

An Act of Parliament enabled the lands in Essex, Suffolk and Norfolk to be sold for £5,000 to clear debts referred to in the will of Sir Edward Turnour in 1727.⁴⁵⁵ In 1735 Edward Turnour sold an estate called Water Newton in the county of Huntingdon. This estate had been bequeathed by Gerard Gore to his grandchildren, Sir Edward Turnour, Arthur Turnour and Sarah Turnour in 1675, and passed eventually to Edward Turnour on the death of his father, Arthur, in 1724.⁴⁵⁶ In the early 18th century the family were selling land in outlying areas, but in 1830 Earl Winterton sold Northbridge Farm in Sussex, part of the main estate, for £3,000.⁴⁵⁷

⁴⁵¹ WRO 413/94

⁴⁵² WRO 423/44.5

⁴⁵³ WRO 414/43

⁴⁵⁴ WRO 413/147

⁴⁵⁵ WSRO 454/23/12/1

⁴⁵⁶ WSRO 454 25/12/2

⁴⁵⁷ WSRO 454/23/19/1

In 1698 William Benett acquired from John Mervin 103 acres of land in Norton Bavant including 97 acres of arable land.⁴⁵⁸ A query was raised in 1786 referring to the possible sale of Norton, but Thomas Benett continued to increase the Pythouse estate. He purchased land in Semley in 1792 and 1796, and an estate in Chicklade close to Pythouse, in 1797. His other land holdings included lands in Sutton Very and Warminster, the Manor of Kingston at West Stour, the advowson of Askerwell in Dorset, the manor and farm at South Litchfield and a mansion and park called Freemantle Park at Kingsclere in Hampshire. Of the lands around, Tisbury Mr Benett's West Hatch estate containing nearly 867 acres, made him the main holder out of a total of 7,553 acres, with 5,831 acres subject to the payment of fines.

Estate growth was not a neat process of land accretion around a central core.

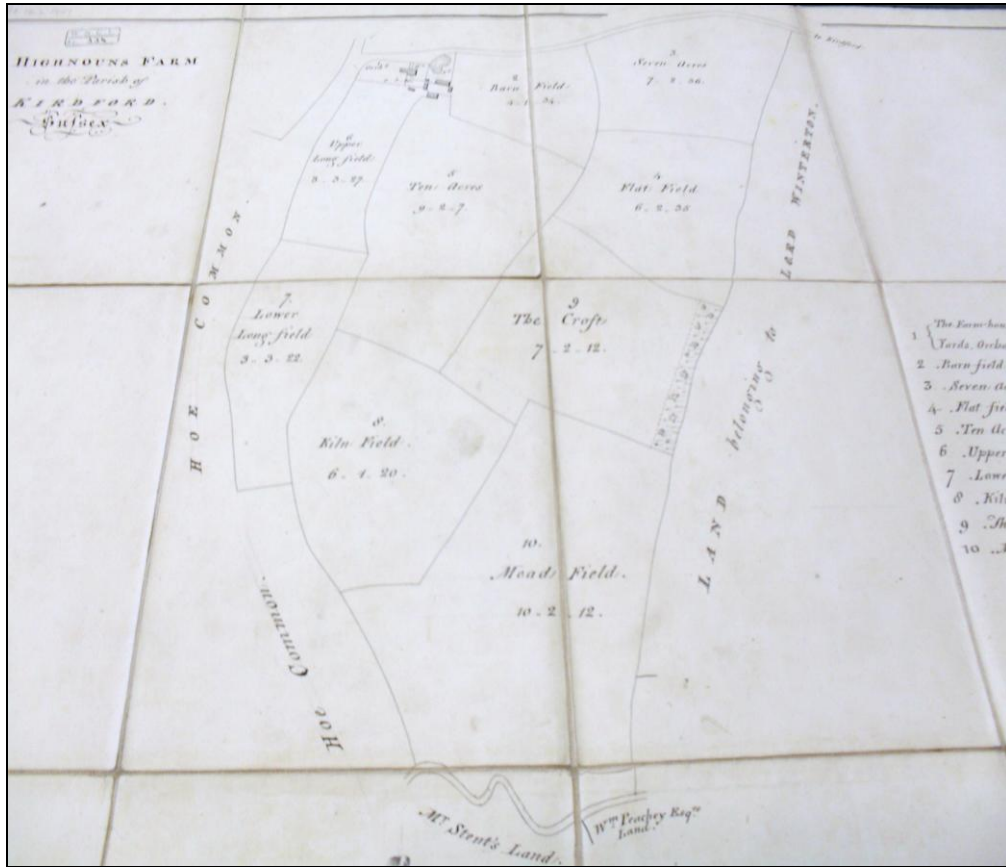
Properties were consolidated by piecemeal purchase and exchange of adjacent lands and sales of outlying portions.⁴⁵⁹ Edward Earl Winterton bought Highnoons Farm in Kirdford from Mrs Ann Blundell in 1767 for the sum of £900. The farm was close to the Shillinglee Estate and added sixty acres of land, a dwelling house, barn, stable, hovel, cart house and outhouses and the right of common on several acres of land.⁴⁶⁰ The map below shows a Highnoons/Highnouns Farm which shows how the land was adjacent to Earl Winterton's estate.⁴⁶¹

⁴⁵⁸ WRO 413/168

⁴⁵⁹ Clemenson 1982 page 34

⁴⁶⁰ WSRO Box 31 9/11

⁴⁶¹ WSRO Add Mss 298



Map 5:3 Map showing Highnoons Farm in Kirdford WRO Add Mss 298

By the late 19th century many estates appear to have been comprised of a number of separate land parcels of varying sizes within the boundaries of one county, or scattered over a number of counties which were often acquired through marriage or inheritance. These outlying estates were often occupied by the dowager, the landowner's sons and daughters or seasonal occupants.⁴⁶² When the property passed onto an heiress it led to a reduction in the number of estates and an increase in their

⁴⁶² Clemenson 1982 page 34

average size, but led to an increase in the size of the estate of the husband's family.⁴⁶³

The settlement of the land through entails obviously limited the amount of land which was available to appear for sale on the open market. The entails held firm almost into the twentieth century since the English estate system was rooted in the desire of land owners to order their estates in order to establish a dynasty.⁴⁶⁴ The prospect of holding the estate intact in the family was sufficient to induce a psychological willingness among existing owners to acquire further land wherever possible in order to build up the family holding.⁴⁶⁵ This form of settlement facilitated the accumulation of property, and with fewer children to provide for, the landowners had a reduced burden of settled charges and, therefore, more money to spend.⁴⁶⁶

One way in which the landowners were able to consolidate their holdings was by property exchanges and the sale of detached properties, through which they were able to realize capital for acquisition nearer home. The Earl of Egremont in West Sussex, for example, bought 14,000 acres outright and between 1800 and 1830 acquired another 1,000 acres by exchange.⁴⁶⁷ Evidence of land sales reveals the inability of many families to hold their estates together despite the strict settlement. The older landed families frequently had to part with their estates, and were often replaced by newcomers of a similar status. Only rarely were their lands swallowed

⁴⁶³ Habakkuk 1939 pages 2-17

⁴⁶⁴ Beckett 1985 pages 283-308

⁴⁶⁵ *ibid*

⁴⁶⁶ Cannadine 1994

⁴⁶⁷ *ibid*

up by a neighbouring estate and this process slowed down by the 19th century.⁴⁶⁸ It was accepted that the estate was in trust for life to the tenant to develop for future generations. The owners accepted that they had a management responsibility.⁴⁶⁹ Minorities were frequent between 1660 and 1760 and this offered opportunities for retrenchment and reorganization which were in the long term interest of the estate.⁴⁷⁰ Owner occupiers and tenant farmers were the most mobile, adding acre to acre over time until they emerged as landed gentry. In Lincolnshire the Dixon family progressed from graziers to tenant farmers and then to landed gentry all by way of piecemeal acquisitions from small landowners over the period 1760 to 1870.⁴⁷¹

By the end of the 17th century demesne farming⁴⁷² had virtually disappeared in England, but most families retained a home farm to supply the family need. Once landowners opted out of demesne farming they were faced with the need to let their property to tenants. Most substantial owners had land in-hand from time to time. This was deliberate and was used as the home farm or by accident when a suitable tenant could not be found for land which was usually let. The majority of aristocrats let at least part of their resources to tenants. The Home Estate contained an estate nucleus comprising of the principal country house, gardens and parkland, which was predominantly in same county, mainly rural land let or in hand. Sales of peripheral land and secondary estates prolonged the life of many estates.⁴⁷³ The Benetts were certainly running their own home farm in 1771 as shown by the accounts, which

⁴⁶⁸ Beckett 1985 pages 283-308

⁴⁶⁹ Beckett 1986 page 139

⁴⁷⁰ Cannadine 1994

⁴⁷¹ Beckett 1985 pages 283-308

⁴⁷² The land or estate belonging to a Lord which was not rented out or let.

⁴⁷³ Clemenson 1982 page 34

included the figure of £35 18s 10 ¼d for money received for perishable commodities sold out of the home dairy. The same set of accounts also record own consumption including wheat, nearly eight dozen pigeons, three hundred and thirty pounds of butter, four raw milk cheeses each weighing thirty five pounds, twenty eight skim milk cheeses and seventy one family cheeses.⁴⁷⁴

The period between 1785 -1802 was good for agriculture; large landholders had capital and technical knowledge to increase the productivity of the land and also alternative sources of income. Consolidation and rationalisation of landholding was the order of the day with outlying lands sold and land adjacent to the estate bought, having the home estate in a single county.⁴⁷⁵ The owner's capital consisted of the land, the farm buildings, fences, hedges, gates, access roads and drainage works. These all required annual maintenance.⁴⁷⁶ The estate was expected to produce a level of profit sufficient to support the lifestyle expected of an aristocrat.⁴⁷⁷

Extending the holding sometimes meant purchasing smaller parcels of land, for example, between 1780 and 1816 Thomas William Coke laid out more than £50,000 in Norfolk on internal rounding off of property, sometimes acquiring holdings of no more than an acre.⁴⁷⁸ In 1540 John Thynne, son of a Shropshire farmer, purchased

⁴⁷⁴ WRO 413/468

⁴⁷⁵ Clemenson 1982 page 13

⁴⁷⁶ Beckett 1985 pages 283-308

⁴⁷⁷ *ibid*

⁴⁷⁸ Cannadine 1994

sixty acres of land at Longleat in Wiltshire for £53. As steward to the Earl of Hertford he was able to buy up other land, eventually having six thousand acres.⁴⁷⁹

From the 17th century the main landholdings for the Turnour family were situated in Essex with the Manor of Parendon as the main estate. In an undated document, thought to be from the 18th century, the Essex and Norfolk estates were let out to tenants and produced annual rents of £932 19s 3d.⁴⁸⁰ Gerard Gore began buying land on the Surrey/Sussex border in the mid 17th century, and in 1663 paid £750 for the land and house in Godalming known as the Manor of Ashhurst.⁴⁸¹ In his will dated 1678 lands in Sussex mentioned include Shillinglee, Easthampnett, and Crocker Hill in the Parish of Boxgrove.⁴⁸² John Gore then bought other land as well as that which was included in the Shillinglee Estate. In 1683 he bought the Manor of Easthampnett from Sir George Jeffeys, Lord Chancellor to James II.⁴⁸³ Land at Down Place under Guilddown was added to the estate in 1688 when it was conveyed to the estates of Gerard Gore, deceased.⁴⁸⁴ His will also referred to the farms in Norfolk and Suffolk and also lighthouses and requested that profits from these should be used to purchase land, tenements and hereditaments in the counties of and Surrey.⁴⁸⁵ Down Place remained in the family until the third Earl Winterton sold it to James Mangles, MP for Guildford.⁴⁸⁶

⁴⁷⁹ Clemenson 1982 page 10

⁴⁸⁰ WSRO 454/23/22/3

⁴⁸¹ WSRO 412/15/46/3

⁴⁸² WSRO 412/11/22

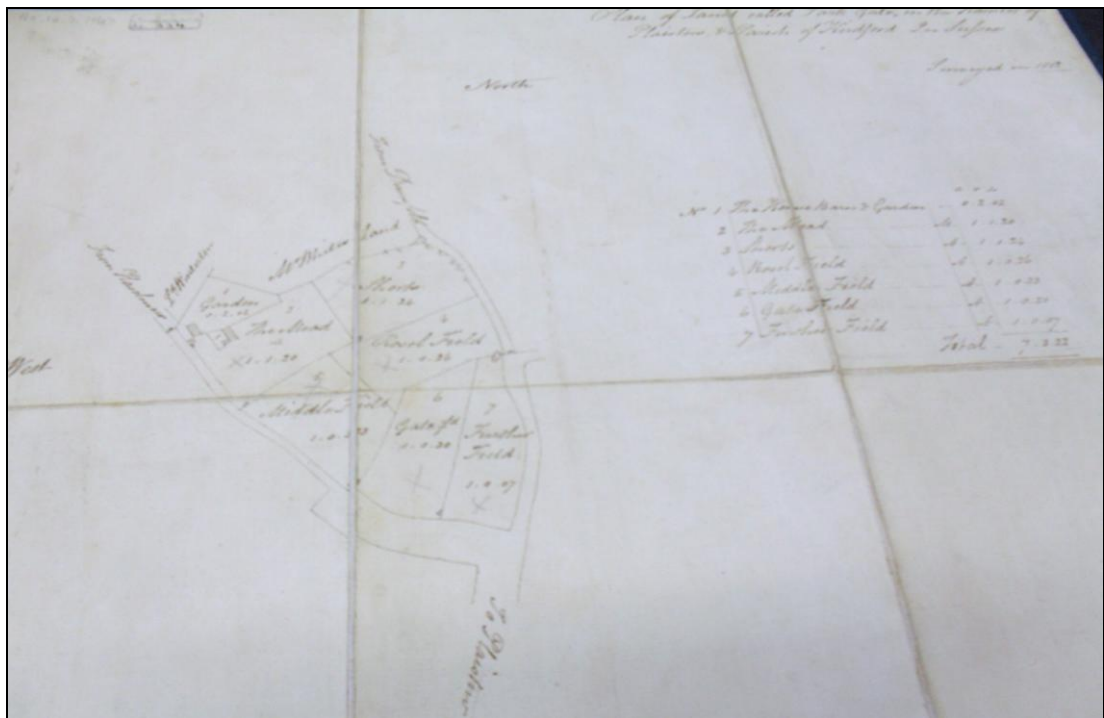
⁴⁸³ Salzman L 1953

⁴⁸⁴ Malden HE 1911

⁴⁸⁵ WSRO 412/11/22

⁴⁸⁶ Salzman 1953

The Turnour family, however, did buy some other land including the estate at Earnley which was bought in 1700 by Sir Edward Turnour.⁴⁸⁷ An assignment for a mortgage of £914 1s in 1836 lists land which was bought in the 18th century although it does not record the cost. In 1757 Edward Turnour purchased Earnley Farm including a decayed farmhouse and 142 acres. Other lands included Quennells of 60 acres, Bettfolds 40 acres, Clements 2 ½ acres, Pitts 12 acres, Fletchers and Eleanor's 21 acres which were acquired in 1775. Westhams 10 acres (also called Park Gate and West Ham), and High Noon Farm 60 acres, were purchased in 1767. These were added to by the purchase in 1776 of 146 acres in Lurgashall, a coppice of 20 acres and 36 acres of land in Selham.⁴⁸⁸ With the exception of the land at Earnley which adjoined land bought by Gerard Gore on the Selsey Peninsula, the remaining land was all around the Shillinglee Park Estate.



Map 5:4 Plan of land called Park Gate WSRO Add Mss 297

⁴⁸⁷ Salzman 1953

⁴⁸⁸ WSRO 454/9/13/4

Obviously Benett's estate differs from the other two since it resulted from the merger of two estates through marriage. This means that land movement needs to be monitored in both the Norton Bavant and Pythouse estates. The Benetts had been prosperous farmers in Norton Bavant since the fourteenth century and then became the prominent farmers after the sale of the land in 1611. Over time the farming transferred from demesne farming to leasing with a gradual consolidation of smaller customary holdings into the larger farms. From the beginning of the buy-out the Benetts added to their holdings. In 1611 they added other land including a large estate called Marvens. By 1711 the only estate of any size which did not belong to them was Middleton Farm⁴⁸⁹.

A map produced in 1775 shows the layout of the fields which consisted of two great stretches of arable north and south of the downs each divided into three fields. The land near the village named as East, Middle and West fields and the ones beyond the scarp as Castle, Middle and South.⁴⁹⁰ Over time strips of farmland were consolidated into larger pieces of land measuring between five and thirty acres. Cow Down was pasture land of one hundred and ninety six acres which provided winter grazing for as many Black cattle as each holding could winter. The flocks of sheep from the holdings were found on Scratchbury, Cotley Hill and Downs amounting to two hundred and thirty acres.⁴⁹¹ When Norton Bavant enclosed in 1805 North Field was

⁴⁸⁹ Crowley 1965

⁴⁹⁰ *ibid*

⁴⁹¹ Crowley 1965

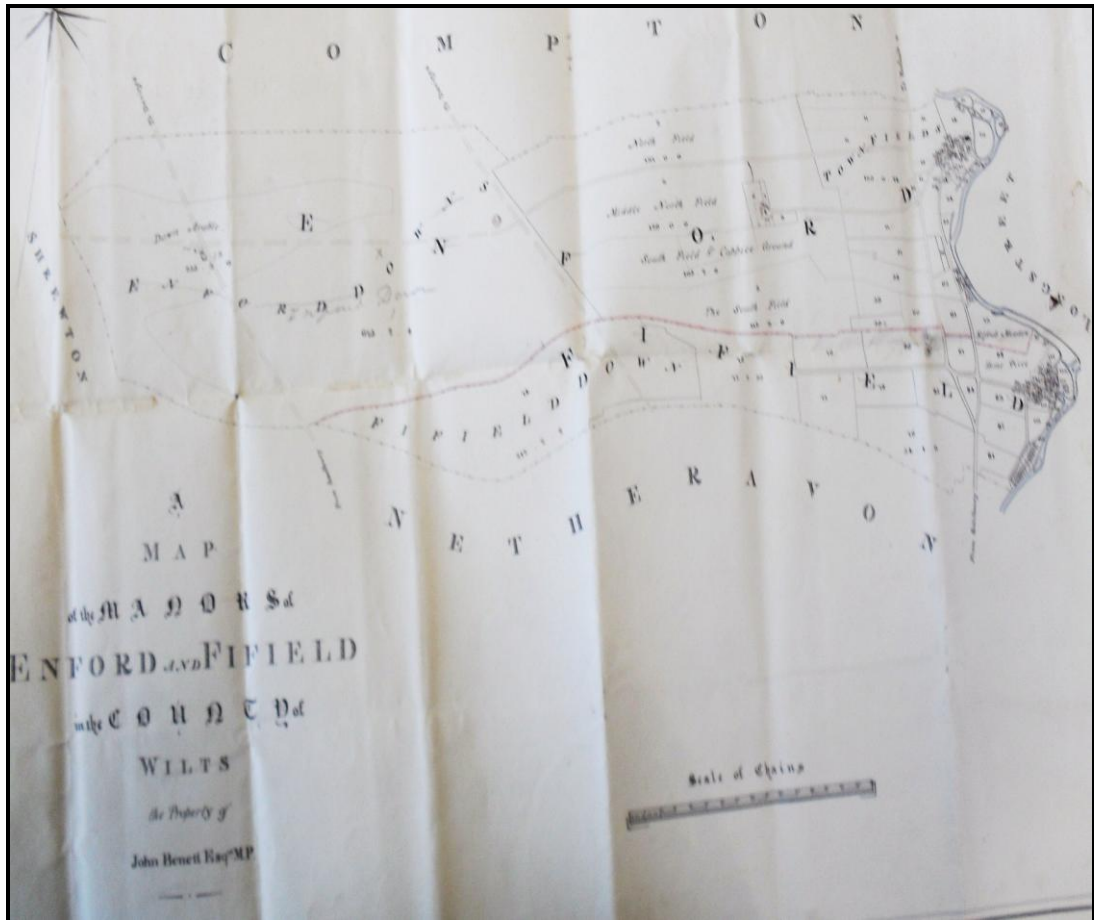
ignored by the Commissioners and it was presumed, by Crowley, to remain commonable.⁴⁹²

Thomas Benett bought Enford, which does not adjoin land in either Norton Bavant or the Pythouse estate in 1769. This included the tithes from Enford and Fifield. In the early 19th century open fields existed on the chalk to the west of the Upavon to Salisbury Road and was separated from the downland pastures. These fields were known as Town Fields closest to the village, North, Middle North, South and Middle South. Very little land remained unenclosed, and any remaining was enclosed in 1809. John Benett was allocated 2 acres of arable land and 245 acres of Cow Down in Enfield and, in the Fifield tithing, 189 acres of arable and 212 acres of downland. This land was eventually merged into Fifield Farm. John Benett sold this land in 1836.⁴⁹³ The map below shows the land before it was enclosed.⁴⁹⁴

⁴⁹² *ibid*

⁴⁹³ Crowley 1980

⁴⁹⁴ WRO 413/104MS



Map 5:4 Map of Fifield and Enford WRO 413/104MS

Both Lord Arundell and John Benett held land in Semley which is described by Crowley⁴⁹⁵ as butter country, a small amount of arable land and little evidence of open fields. Inter-commoning had ended by an agreement dated 1241 although in the 16th century there were 800 acres of common pasture in the village, including some for sheep on the hills to the south which was shared by the Lord, customary tenants and some free tenants of Semley Manor. The sheep were stinted on the hill at the rate of 40 sheep for every yardland⁴⁹⁶ until 1668 when the manor court ordered that the number of beast leazes⁴⁹⁷ should be halved. During the 16th century there were twenty three copyholders, but by 1769 all copyholds had been converted to

⁴⁹⁵ Crowley 1987

⁴⁹⁶ Also virgate, an English measure of land, often equal to about 30 acres (12 hectares).

⁴⁹⁷ Leaze – pasture, meadow or grassland

leaseholds and 500 acres of pasture in the parish had been enclosed. This may have been because of increasing demands for wheat and barley not only from the surrounding towns of Southampton and Salisbury, but also from London and Bristol, which brought in higher returns for the farmers.⁴⁹⁸ The remaining 300 acres remained unenclosed until 1922, despite proposals in 1813 and 1836 to enclose the common pasture and convert all or part of it to arable, but this was not implemented. Most of the land consisted of strips beside the Warminster and Shaftsbury roads and also beside other roads in the western part of the parish.

Between 1806 and 1820 John Benett bought about 800 acres of land comprising the Manor of Semley which was sold by Henry, Baron Wardour. This included 147 acres in 1806, 206 acres in 1808 and 888 acres in 1820. He also bought Salmon's Place and Hats in 1826. By 1839 the Benetts estate in Semley was 1,064 acres. The land bought from Lord Arundell and the land bought in 1826 had been sold by 1847. Thomas Benett also bought 60 acres of land from the Manor of Northouse, Chicklade Manor in 1797.⁴⁹⁹

John Benett, who died in 1852, continued the family trend in extending the estate. He bought land in Berwick St John in 1806, the same year as much of the area was enclosed, and sold it in 1823 to John Farquarson. John Benett lived in Chicklade House, but sold both the house and park around 1811. Winchcombe Park Farm, consisting of about 137 acres was sold in 1807 to a Mr Hinxman. Between 1807 and

⁴⁹⁸ Bettey 2005

⁴⁹⁹ Crowley 1980

1808 he bought Tisbury Manor, Church Green in 1832 and West Hatch Manor, which became part of the Pythouse Estate in 1841. Abbey was another estate in which John Benett was interested. In 1825 it was owned by John Farquhar apart from 240 acres which adjoined John Benett's land. The terms of sale were not agreed until 1838 because of the death of John Farquhar. The particular of the estate in 1842 records that about 975 acres in hand with 1139 acres let out at rack rents for the sum of £1,872 12s. None of the land was leased. John Benett tried to sell the land in order to raise the purchase price, but was unsuccessful and therefore mortgaged it until it was eventually sold in 1844.⁵⁰⁰

On the other hand, the Arundell family, whose estates were spread over a much greater area, partly through ancient family estates in Cornwall and partly through settlements, appeared to be selling rather than buying land. Semley Manor was sold by the state to the trustees of Henry, Baron Arundell in 1653, and between 1806 and 1820, 800 acres of the manor were sold, including the 753 acres already mentioned, to his neighbour John Benett.⁵⁰¹ A letter from J Hodgkinson in 1809 recommends that no more land should be sold around Wardour if it could be avoided. He considers it to be worth preserving because it was worth about £3,500 per annum in hand of which Lord Arundell would have immediate possession as well as the £10,000 in reversions from the parishes of Donhead, Tisbury, Semley, Ansty, Melbury, Compton and West Orchard.⁵⁰² By 1839 the Wardour Estate only included

⁵⁰⁰ Crowley 1980

⁵⁰¹ WRO 413/34

⁵⁰² WRO 2667/21/87

550 acres in Semley, which stayed in the family until 1946.⁵⁰³ Lord Arundell continued to sell land, including 58 acres of Broad Oak Farm to James Bracher in 1806. Between 1806 and 1808 he also sold 112 acres to George Parham, 104 acres to William Rixen and 62 acres to John Phelps.⁵⁰⁴ The family also had land at Tollard Royal, some of which was in open fields in 1783 but all land was enclosed by 1814. 500 acres was sold between 1814 and 1817 to Thomas Grove and the remainder was sold to George Pitt, Baron Rivers in 1819. The Arundell family also had land in Donhead St Andrew which in 1768 consisted of 1,606 acres of which 903 acres were divided between fourteen farms and 903 acres in farms based in the parish of Donhead St Mary.

Details of land for sale in about 1818 includes land in Tollard Farnham of about 80 acres which sold for £1,750 15s, comprising eleven lots ranging from two acres to thirteen acres. He also sold land in Donhead for at least £2,090 amounting to about 80 acres plus another two lots of 23 acres where an amount is not recorded. Lands in Tisbury realised a further £1,080 for about 20 acres. These sales totalled at just over £6,000.⁵⁰⁵ There is some evidence of land being bought, for example the manor of Leigh Court by James Everard Arundell in 1819 which Lord Arundell sold to his brother and heir Henry Arundell in 1830.

Marriage settlements also brought extra land into the estate, but the land was often situated at an inconvenient distance from the main estate. This situation and the fact

⁵⁰³ Crowley 1987

⁵⁰⁴ *ibid*

⁵⁰⁵ WRO 2667/11/270

that landowners were often absent in London, possibly, because of parliamentary responsibilities, resulted in farms being let out to tenants and supervised by stewards. One result of this was that farming became a joint operation between the landowner and the tenant farmer.⁵⁰⁶

The largest estates, especially where they were scattered, were normally in full time management and this became the standard format over time. Land agents who were used on a part time basis were often attorneys, and were responsible for rent collecting, transactions of leases and held manor courts. Some smaller estates used a land agency firm, many of which began in the 18th century. Some landowners did the job themselves.⁵⁰⁷ The job of running the estate varied according to the size of the estate and extent of the interests. The great landowners had estates and houses scattered over a wide area and therefore personal control was impossible. Therefore they had to divide the responsibilities with managers. The smaller estates were better placed to take a day to day interest in the affairs, although some owners were still away from their estates for long periods of time because of responsibilities e.g. in parliament⁵⁰⁸

Over time John Benett gradually extended and improved the Pythouse Estate. In 1728, under his grandfather Thomas, the Pythouse Estate was around 300 acres, but

⁵⁰⁶ Mingay 1976 page 84

⁵⁰⁷ Beckett 1986

⁵⁰⁸ Beckett 1985 pages 283-308

by 1800 John Benett had gradually expanded it by buying up neighbouring estates as shown below.

Estates Bought by John Benett	
1808	Billhay Farm, Upper Linley Farm, Lower Linley Farm
1824	Middle Linley Farm
1825-1838	Fonthill Abbey Estate, land in Tisbury
1829-1838	Lower Lawn Farm
1837 & 1841	West Hatch Manor

Table 5:1

By 1845 after the sale of Lower Lawn Farm and much of Fonthill Abbey, mostly situated in the west part of the Parish of Tisbury John Benett's land holdings were about 2,700 acres, 2,000 of which were in Tisbury.⁵⁰⁹

In 1840 the main farms were:

⁵⁰⁹ Crowley 1980

John Benett's Main Farms

Dennis Farm & Cherrfield Farm	299	including 202 acres of grassland
Lower Hatch	214	including 127 acres of arable
East Hatch	128	including 80 acres arable
Linley Farm	245	
Pythouse	280	(in hand)

Table 5:2

This period also includes a rise in agrarian improvement and reform. Thirsk⁵¹⁰ suggests that from the 1580s to the 1650s a new flexibility was introduced into agriculture. The distinction between strict arable rotation and pasture changed and it became the common practice to lay down old ploughland and lays⁵¹¹ for periods of four and twelve years which was then ploughed again. By the beginning of the reign of George I, Jethro Tull⁵¹² had already invented the seed drill. It was, however, only the great landowners who were, or could afford to be, interested in agrarian reform.⁵¹³ The aristocratic owner was in a position to promote agricultural improvement on a wider scale through membership of local and national organizations.⁵¹⁴ The pace of improvement, however, was slow especially amongst

⁵¹⁰ Thirsk 1997 page 24

⁵¹¹ Lays – land given over to temporary pasture

⁵¹² Tull, Jethro (*b*1674, *d.* 1741), agricultural innovator and writer. Also invented his horse-hoe and the four-coultered plough and drill, for his new system of grain cultivation. In 1731 he published *Horse-Hoeing Husbandry*

⁵¹³ Burton 1967 page 2

⁵¹⁴ Beckett 1985 pages 283-308

those classes furthest removed from the factory and the powered machine i.e. the agricultural labourer and the handloom weaver.⁵¹⁵ Thirsk, agrees with Gash but suggests that in the period 1640-1750 new crops and cultivation systems were introduced more successfully than in the previous one hundred years.⁵¹⁶ John Benett, working as Lord Arundell's steward in the 17th century actively encouraged drainage work, forestry and the introduction of new stock.⁵¹⁷

In the early 18th century the most important improving landlords were the large old families who owned estates which were undeveloped, but they had the incentive to improve using the capital from non agricultural sources despite an increasing burden of debt charges.⁵¹⁸ Brown⁵¹⁹ commenting on the work of the Duke of Bedford in the 18th century suggests that interest in agricultural improvement was not just financial, but was also derived from the intellectual environment of his time. The improvements made on his Woburn estate were reported in agricultural publications, and according to Brown, many of his ideas were copied by other aristocrats on their home farms and estates.⁵²⁰

John Benett is described as an improving farmer. By 1838 he had built new farms at Pythouse and Linley Farm and had threshing machines installed. He tried to introduce Merino sheep into Wiltshire based on his belief that they were more

⁵¹⁵ 1979

⁵¹⁶ Thirsk 1990 page 263

⁵¹⁷ Bettey 2005

⁵¹⁸ Habakkuk 1939 pages 2-17

⁵¹⁹ Brown 1999 page 182

⁵²⁰ Brown 1999 pages 191-192

profitable than Southdowns, and imported some Merinos in an attempt to save the local sheep, Wiltshire Longhorns, but it was not successful and by 1844 there were no Merino sheep in Wiltshire.⁵²¹ Both farms were in hand. Mingay, however, believes that the great landlords were not usually known as innovators.⁵²² Although the large owners did much to improve estate administration, consolidate holdings and bring waste land into cultivation they did not make great contributions towards new discoveries. He sees the main concern of landlords as rents and estate administration resulting in improvements to farm buildings, the layout of farms, the enclosure/consolidation of scattered holdings, and the extension of cultivation to waste and commons and the encouragement of soil improvement.

The result of this was that they were able to improve the level of rents and keep their tenants prosperous and content. Davies⁵²³ thought that the land owner was likely to merge several small farms into one in order to meet the costs of his improved standards of living, by raising the rents and avoiding the expense of repairs. He describes the rich farmer as one who was engrossing as many farms as he was able to stock, thereby living in more credit and comfort than he could otherwise do, and out of the profit of several farms makes an ample provision for one family. He sees the improvements as one which deprived the villagers of some independence because few cottages had enough land around them on which they could grow enough to be partly self-sufficient. He also implied that cottages had been pulled down and families were crowded together in decayed farmhouses.

⁵²¹ Moody 2005 page 133

⁵²² Mingay 1963 page 166

⁵²³ Davies 1795 page 39

The most important methods of improvement in the early 18th century were the consolidation of holdings, enclosure and the replacement of leases for lives by leases for a term of years.⁵²⁴ During the 18th century agricultural improvement was mainly achieved through pioneers, owner occupiers and large tenant farmers, rather than the large landlord. Mingay⁵²⁵ considered the main functions of the landlord as that of establishing the conditions under which improved farming could develop, for example, compact farms held under liberal tenures at moderate rents, with the necessary basic facilities such as farm buildings. He also thought that they should act as a buffer between the farmers and the impact of changing economic conditions.

Decisions about farming were also made at the village level, rather than from the landowner, as is shown by the Court Rolls from Semley, where both Lord Arundell, and the Benetts owned land. In 1739, before enclosure, the custom of putting out and depasturing sheep on the common from Martinmas to Candlemas, that is 11th November to 2nd February, was found to be prejudicial to the common and therefore, the parishioners and commoners agreed that no sheep should be put out on the common on a penalty of 13s 4d for everyone each time they offended.⁵²⁶

In the second half of the 18th century the landed classes caught up with the idea of improvement and began to plant, drain and run the farms for themselves. They also

⁵²⁴ Habakkuk 1939 pages 2-17

⁵²⁵ Mingay 1963 pages 167-168

⁵²⁶ WRO 2667/12/62

encouraged tenants to improve the farms that were on lease. The advancement of farming techniques was responsible for both boosting food output and possibly doubling income from rents.⁵²⁷ Improvements included areas of waste being transformed into areas of beauty and profit.

From the mid 18th century less land was available on the open market but estates were extended through marriage, inheritance and piecemeal land purchase. Very few large estates entered onto the market during the 18th and 19th centuries because of acts of settlement, and therefore, marriage was a means of extending the estate.⁵²⁸ Every successor to the Townsend estate from the end of the 16th century to the late 18th century married heiresses, seven marriages in all.⁵²⁹

From the 1780s to 1800s Britain was driven by the competitive desire to increase their income and, therefore, sought to make agriculture more progressive and more profitable. The structure of tenure altered from communal to individual husbandry. Enclosure was only one of a number of factors influencing the size of farming units in the 18th century. Farms increased in size because larger units were more efficient and more profitable. Even where there were still open fields there was still a bias in favour of fewer, larger units.⁵³⁰ Neeson suggests that between 1750 and 1850 it

⁵²⁷ Girouard 1978 p 217

⁵²⁸ Clemenson 1982 page 13

⁵²⁹ Habakkuk 1979 pages 187-205

⁵³⁰ Mingay 1962 pages 496-488

suited some of the large farmers to keep open fields since they felt some obligation to the peasant farmers.⁵³¹

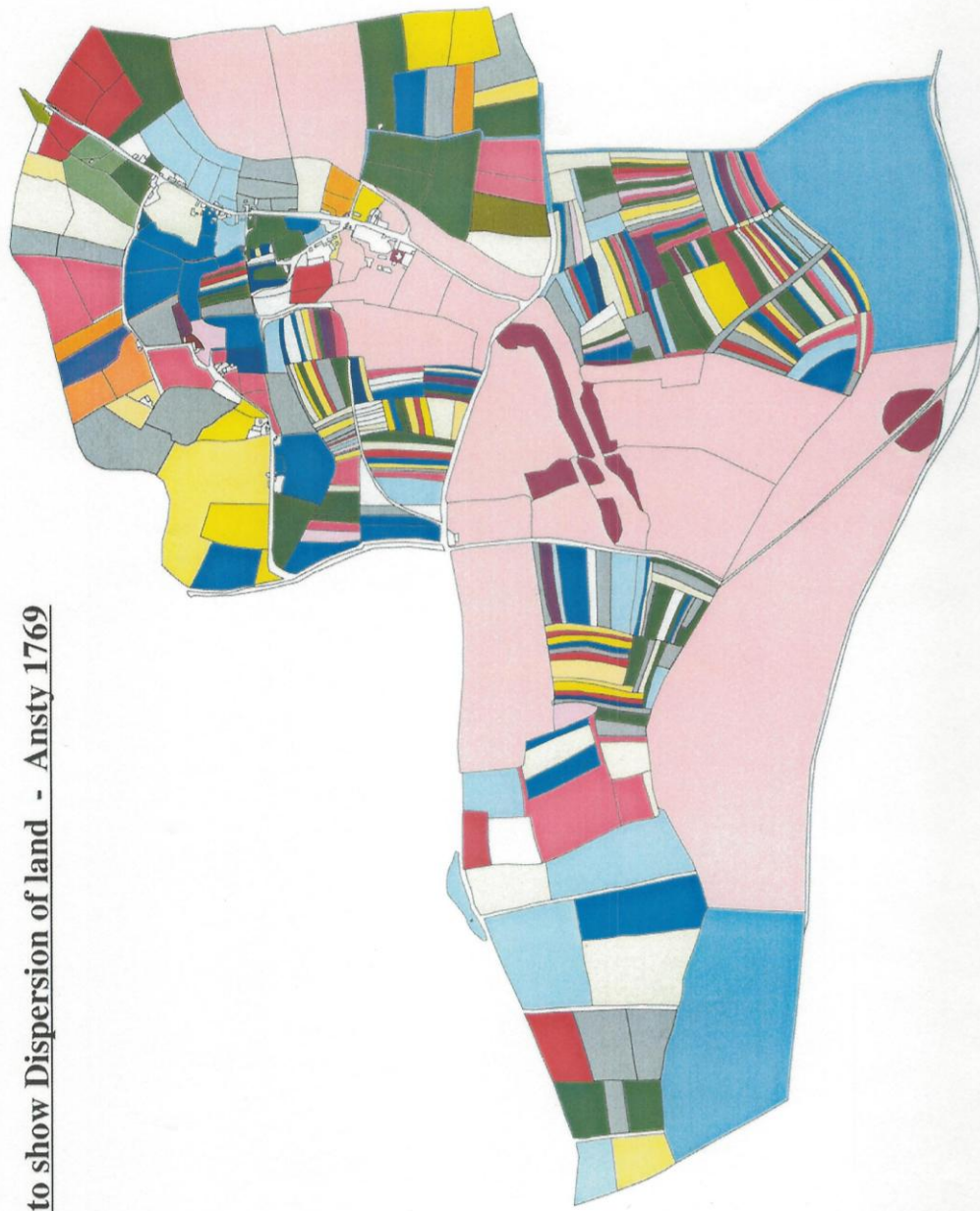
Davies⁵³² considered that it was possible to trace the immense transfer of landed property between 1780 and 1815 through studying; the movement of land before and after enclosure, new mortgages, and by tracing newly created farming proprietors through the assessments from 1815 to 1826. Three maps of Ansty dated 1769, 1806 and 1809 are shown below. The information was obtained from the three surveys produced for the village of Ansty prior to enclosure. This was then digitised to show how even before enclosure some of the field strips were being consolidated to produce larger landholdings.⁵³³ After enclosure, however, the number of people with land has reduced considerably from 31 in 1806 to 11 in 1809.

⁵³¹ Neeson 2000 page 20

⁵³² Davies 1927 page 91

⁵³³ James 2000 unpublished MSc

Map to show Dispersion of land - Ansty 1769



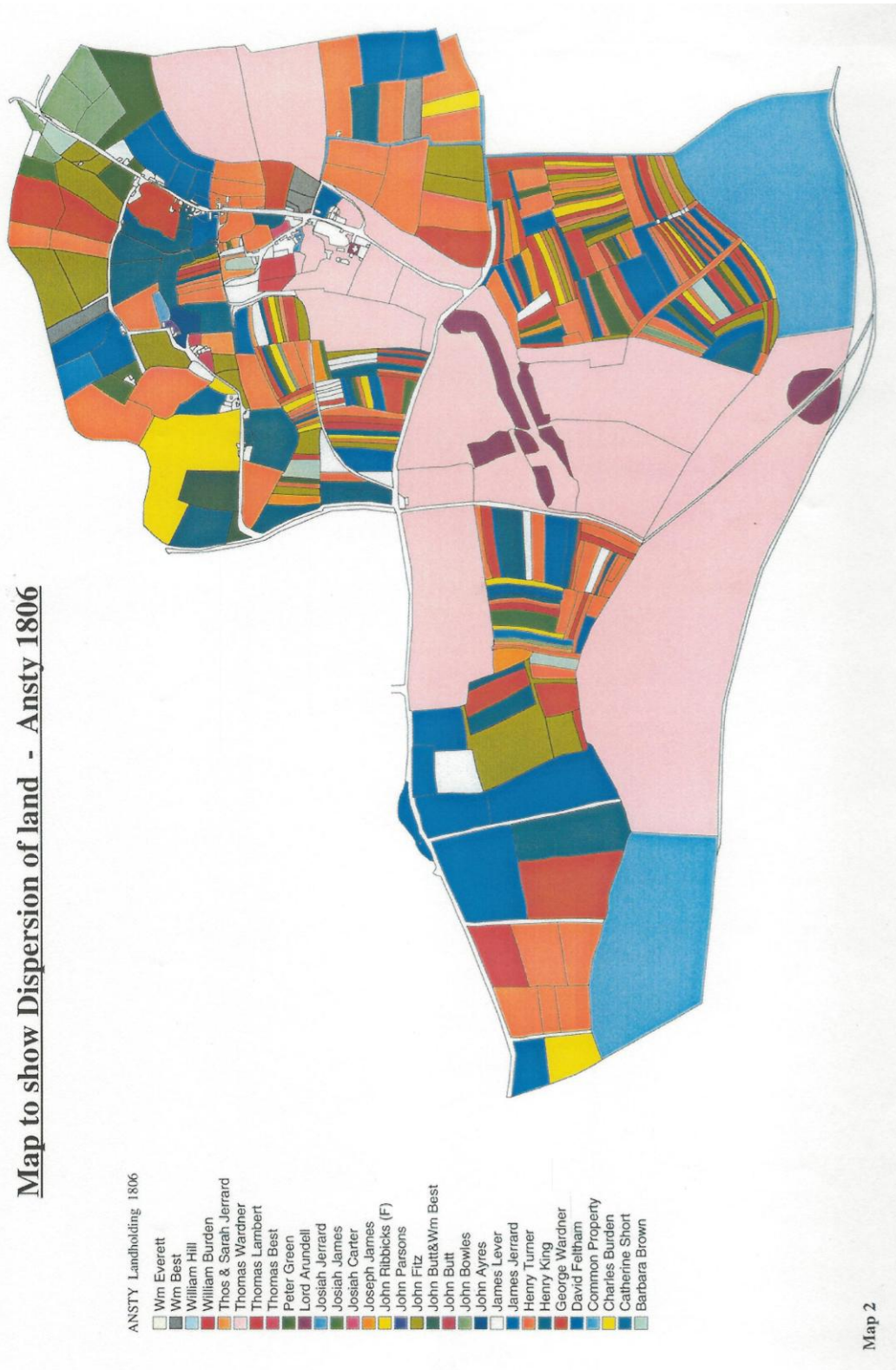
ANSTY Landholding 1769

- William Hill
- William Frampton
- William Coombs
- William Burden
- William Best
- Thomas Wardner
- Thomas Shepherd
- Thomas Parsons
- Thomas Lambert
- Thomas Best
- Robert Moor
- Nicholas Parsons
- Mary Pike
- Lord Arundell
- Joseph Jerratt
- Joseph Butt
- John Ayres
- John Ribbicks(F)
- John Moger
- John James
- John Fitz
- John Butt
- John Ayres
- James Walker
- George Brookman
- Elizabeth Herod
- Edward Jerratt
- Common Property
- Charles Burden
- Augustin King
- Andrew Barratt
- Adam Hill

Map 1

Map 5:6 Dispersion of Land in Ansty

Map to show Dispersion of land - Ansty 1806



Map 5:7 Dispersion of Land in Ansty 1806

Map to Show Allotments of Land After Enclosure - 1809



Map 3

Map 5:8 Ansty fields after Enclosure

Ellis⁵³⁴ gives a breakdown of the typical enclosure act including details of the types of land, the people concerned, the need for improvements and information detailing the commissioners and other people involved in the procedure, and payments. Enclosures could be accomplished by an Act of Parliament, formal agreement or informal agreement. Formal enclosure required a written document although it could be as varied as one which mirrored the formality of a parliamentary act or recorded in the manorial court papers.⁵³⁵ Both aspects were included in the enclosure of Ansty since, although the land in Ansty on the Wardour estate did not enclose until 1806 at the same time as the other parts of the Wardour estate, some members of the Leet Court agreed in 1733 to have all the common fields, common pasture and commons or floodings enclosed.⁵³⁶ The copy of the document recording this is shown below.⁵³⁷

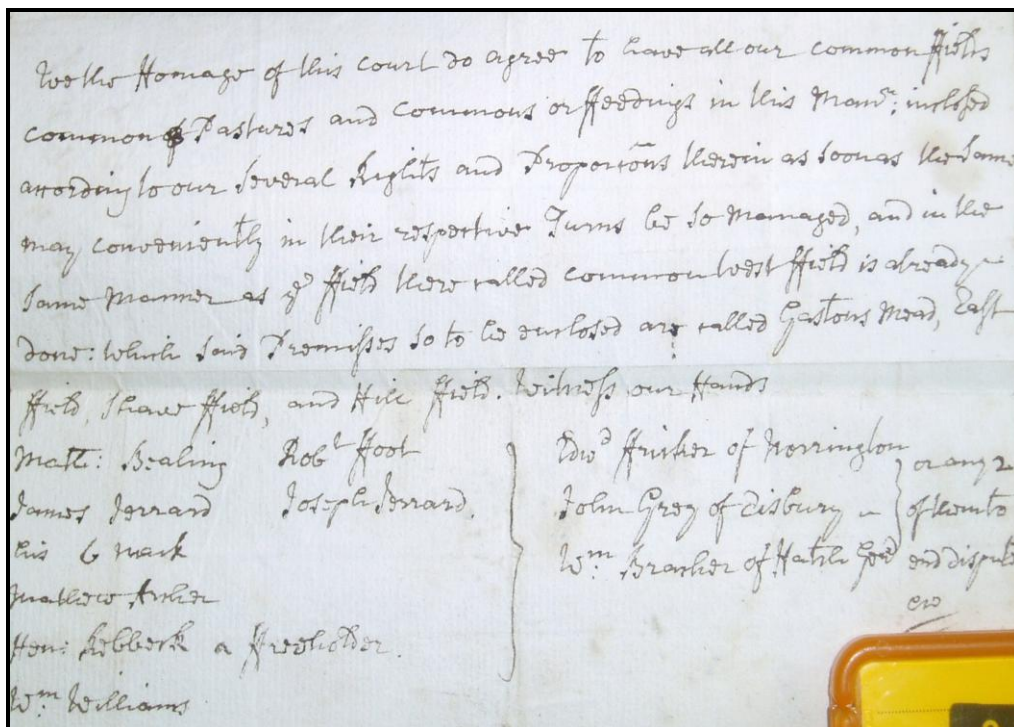


Illustration 4:1 Agreement to enclosure WRO 2667/15/15

⁵³⁴ Ellis 1971 unpublished PhD

⁵³⁵ Chapman & Seeliger 1996 pages 100-106

⁵³⁶ WRO 2667/15/15

⁵³⁷ WRO 2667/15/15

The extensive enclosure of land between 1760 and 1815 was, according to Mingay⁵³⁸ an acceleration of a development which had been proceeding since the Middle Ages. Shillinglee cannot be included in this since, unlike the Wardour and Pythouse, a survey map of 1648 indicates that the whole of the Great Park had been enclosed for farming by 1630.⁵³⁹ Mingay⁵⁴⁰ perceived the rapid development in the later part of the 18th century to be a result of growth in demand, and a sustained rise in prices after about 1760. Turner⁵⁴¹ proposes two ‘waves’ of enclosure: the first occurring mainly in areas of the country suited to conversion from arable to pasture land, and secondly areas associated with the reclamation of commons and wastes for arable farming as a result of war time grain shortages. Both Wiltshire estates fit into the second wave. Mingay⁵⁴² considered enclosure to be mainly concerned with improved exploitation of the land, putting the soil to its most profitable use and securing rights of individual ownership and occupation. Both the Arundells and the Benetts enclosed most of their, commons and wasteland in 1806. To accomplish this they also included old enclosed lands as part of the settlements so that newly created fields would be a sensible size for economic farming practises.⁵⁴³

⁵³⁸ Mingay 1963 page 180

⁵³⁹ Kenyon 1951 pages 121-125

⁵⁴⁰ Mingay 1963 page 180

⁵⁴¹ Turner 1980

⁵⁴² Mingay 1976 page 94

⁵⁴³ WRO 413/91

The enclosures which took place during the 18th and 19th centuries occurred at a time when landlords had more money available for estate development as new capital came into the land from industry and commerce.⁵⁴⁴ Landlords supported enclosure because they anticipated a major rise from rents as well as the increased control brought about by the end of open field farming with its communal practices.⁵⁴⁵ It was also a means of converting waste land into more advantageous arable or pasture and of securing claims to the exclusive use of woodlands and minerals.⁵⁴⁶

Large landowners were also the proprietors of the sub-surface minerals on their estate although the economy was still mainly rooted in agriculture until the first half of the 19th century. In the later part of the 18th century income from sources other than farm rents became more usual. These might be from sales of timber but could also include profits and royalties on coal, iron, lead mines, iron works, limekilns, brick kilns and quarries.⁵⁴⁷ A lease granted to James Pope, a labourer, from Lord Arundell in 1787 excluded all trees standing or growing, and all quarries, mines or royalties.⁵⁴⁸

It was not always the large owners who took the initiative in enclosure; it was often from the larger farmers who wanted more compact and easily worked farms. The small owners showed enterprise by exchanging lands and rearranging their holdings

⁵⁴⁴ Mingay 1976 page 94

⁵⁴⁵ Black 2008

⁵⁴⁶ Mingay 1976 page 94

⁵⁴⁷ Mingay 1963 page 57

⁵⁴⁸ WRO 2667/11/304

and, according to Mingay⁵⁴⁹ some villages stayed open until well into the 19th century because of the independence of small owners. Before 1774 an individual did not have to let his neighbours know he was asking parliament's leave to re-distribute their property. In 1774 the House of Commons made a standing order which stated that petitions should be fixed to the church door in each of the parishes affected for three Sundays in the month of August or September. The village was not given any choice since the owners arranged everything in secret and then gave notice or called a meeting. Any protests were ignored unless it was by a large proprietor. Any small proprietor was warned that they would suffer if opposed because they would have to bear the share of any increased costs.⁵⁵⁰

Marshall⁵⁵¹ comments on the situation in Pickering, Yorkshire, where in general the landowners were satisfied with the open field system, especially those who had inherited or purchased land at an advantageous price, lands which lay conveniently to the commons, and who were averse to an enclosure. The house owners were either apprehensive about the smallness of their claim, or their voices were too weak to be heard amongst those of the land owners. Marshall wrote a description of the layout of village land in Yorkshire. He describes three common fields which were divided into ox gangs evenly scattered over every field so that each occupier might have an equal or similar share of good and bad, near and distant land. Each field consisted of twenty two ox gang, of approximately twenty four acres. Each division had a

⁵⁴⁹ Mingay 1963 page 181

⁵⁵⁰ Hammond 1911

⁵⁵¹ Marshall 1788

common meadow, and other portions were laid out in stinted pastures with each ox gang having a limited number of gaits for cows and working oxen.

The Hammonds⁵⁵² divide the village land into three categories. Firstly the arable fields which were divided into strips with different owners, some owning a few and some many, which were scattered amongst the fields, divided from one another by a grass bank (baulk) or a furrow. The common meadowland was divided up by lot, pegged out and distributed amongst the owners of the strips and used for pasture after harvest time. Finally there was the common/waste which was used as common pasture all through the year and consisted of woodland, roadside strips and sometimes commons. Marshall⁵⁵³ describes how, during the 18th century the common fields and common meadows had been gradually contracting by amicable exchanges and transfers until they were completely enclosed. The stinted pastures were, at different times, enclosed by commission, that is, by the unanimous reference of the parties concerned to certain arbitrators or commissioners appointed by themselves, without calling in the aid of Parliament.

Enclosure did not really affect the overall pattern of the country until the reign of George III when enclosure acts were speeded up and the look of England began to change radically as a new pattern was superimposed upon the old.⁵⁵⁴ Enclosure entailed either the reorganization of fragmented holdings in open fields or the subdivision of former common pasture and waste, and was often accompanied by the

⁵⁵² Hammond 1911

⁵⁵³ Marshall 1778

⁵⁵⁴ Burton 1967 page 3

revision of tenure, and the replacement of tithes with land or grain rents.⁵⁵⁵ In some parts of England the look of the land was completely transformed by enclosure, reclamation, drainage and changes in land management.⁵⁵⁶

In Wiltshire one hundred and ninety one enclosure acts were passed between 1725 and 1883, with only nine acts before 1770. The Wiltshire Record Office reports that by about 1600 all the pasture land around Tisbury had been enclosed and by the time of the Civil War the area around Wardour consisted of efficiently run farms and estates.⁵⁵⁷ The post 1725 acts included seventy three local acts between 1725 and 1801, local private acts between 1802 and 1834 and general awards between 1839 and 1883.⁵⁵⁸ Ellis suggests that there were four ways in which the land could be allocated namely: new allotments could be created from land which was formerly commonable lands, old enclosures, that is, old or ancient lands could be included to give a better overall land distribution, new allotments which were exchanged and old enclosures which were exchanged.

Marshall⁵⁵⁹ describes three types of enclosure. Firstly enclosure by exchange whereby common fields and common meadows were mostly enclosed progressively, piece after piece, either in the original slips, singly or more than one of them have been joined by private exchanges between the several proprietors resulting in the appropriated land being enclosed and held severally. He sees the disadvantage of this

⁵⁵⁵ Black, 2008

⁵⁵⁶ Clemenson 1982 page 16

⁵⁵⁷ www.wiltshire.gov.uk

⁵⁵⁸ Ellis 1971 unpublished PhD

⁵⁵⁹ Marshall 1778

system as being where some enclosures were badly proportioned because ridges were more than a mile in length and were therefore; either too long for their width and resembling lanes rather than fields, or if cut into lengths there are no drift ways between the inner divisions. He also sees too much unnecessary fencing and the possibility that each man's property was still scattered around the village. Secondly he describes enclosure by private commission where several entire townships, except possibly unstinted commons, were laid out by commissioners chosen unanimously by the several interested parties without soliciting the assistance of Parliament. In this instant distinct properties were laid together in well sized and well proportioned enclosures without the expense, the inconvenience or the hazard attending an application to Parliament. Thirdly he mentions enclosure by Act of Parliament which he feels caused more problems than enclosure by private commission, unless there were various interests involved, such as the dividing of unstinted commons where it was unlikely that everyone involved would be in agreement.

Enclosure offered potential benefits to owners through the adoption of more efficient production methods, full cultivation of common pastures which had formerly been overstocked and poorly maintained, and an increase in output per acre.⁵⁶⁰

Agreements could take place over many years without any necessity to maintain formal records. The use of commissioners to control the operation of enclosure by legislation ensured the keeping of records.⁵⁶¹

⁵⁶⁰ Beckett 1986

⁵⁶¹ Beckett 1985 pages 283-308

Enclosure did not just involve the consolidation of land into fields, however, it could also include drainage, flood control, the improvement of farm buildings, transport projects, revision of tenure, improved interest in methods of cultivation and improving breeds of livestock.⁵⁶²

Norton Bavant was enclosed in 1806 after notices were put at various places around the village. It did not only involve the enclosure of the field strips but also the creation of new roads. A road was created following the track of an ancient track leading from Norton Bavant to the Turnpike Road leading from Warminster to Heytesbury. Other public roads were created which also followed the tracks of ancient roads. A private carriage road was also to be built to be used by John Benett and the vicar.⁵⁶³ The land was divided and allocated in lieu of that held on commonable land, for example John Knight was allocated land which had already been enclosed in lieu of that held in the common fields and his right of feed in Banham Mead, amounting to about thirty five acres. John Benett on the other hand at the other end of the land holding was allocated approximately 1135 acres comprising arable, downland, meadow and heathland.⁵⁶⁴ The enclosure award includes land which had been enclosed previously such as the old enclosed land called parsonage otherwise vicarage close.⁵⁶⁵

⁵⁶² Mingay 1976 page 94

⁵⁶³ WRO 413/91

⁵⁶⁴ WRO 413/91

⁵⁶⁵ WRO 413/91

Although the land around Shillinglee Park had been enclosed before the Turnours acquired it the copyhold tenants were still allocated land where they could graze their cattle and pigs. The record entitled the “Customary of the Honours of the Oanors (honours/owners?) of Shillinglee⁵⁶⁶ was produced in 1764 and records that Mr Scarlett and Thomas Slade were each allowed to put nineteen rother beasts, a bull, nineteen hogs⁵⁶⁷ and a boar at the east end of the park, and other tenants were allowed to put designated numbers of beasts in the same area of the park. They were not allowed to kill the pigs for eating, however, unless they paid 2d for each beast. The tenants were given precise details of where they were able to collect fern, for example Mr Scarlett was allowed to take his fern from the pound between the lake and Ede’s hedge. There were also restrictions placed on the tenants of the Wardour estate at a similar time to those at Shillinglee, but before the estates were enclosed. In 1741 the members of the Leet Court agreed that no geese or pigs were to go onto the common land at Semley and this document was signed by all the copyholders, freeholders and leaseholders who had rights on the common.⁵⁶⁸ In 1747 a further amendment stated that no one should let their pigs onto the common after Michaelmas, and a penalty of 2d for every offence would be charges, and any pigs found on the common would be put in the pound.

The landlord had to consider the ability to pay for proposed changes, the ability of tenants to pay higher rents and the anticipated level of proposed post enclosure

⁵⁶⁶ WSRO 454/3/35/1

⁵⁶⁷ WRO 2667/16/6

⁵⁶⁸ WSRO 2667/9/12

rents.⁵⁶⁹ Ellis⁵⁷⁰ shows that there were no apparent rises in rent in Wiltshire as a result of enclosure since most land was still held on long leases and was not, therefore, amenable to sudden changes. The investment required for enclosure increased through time. Early enclosures were probably less expensive because they involved little reorganisation or were simply confirming earlier enclosures by agreements.⁵⁷¹ In unenclosed parishes the labourers could graze their cow if they had rights in the common law, and they could gather furze for fuel. Wives and children could earn a little extra money at harvest time, by weeding in the fields or setting beans.

These seemed to have an impact on land improvement particularly on poorer lands. About 70% of enclosure acts passed between 1757 and 1835 included commutation of tithes either for a cash sum or a land allocation to the owner. Tithe owners obtained more than one tenth of the land in return for exonerating the rent in perpetuity. Commutation at enclosure also established a precedent for the legislation to interfere with property rights and opened the way for the Tithe Commutation Act of 1836.⁵⁷² The first payment of the rent charge, instead of tithes, in Semley was made in April 1838 and the amount of £516 was given to the rector, Ralph Ord.⁵⁷³

Relationship between landowners and tenants were complicated. The owners were anxious to ensure that tenants looked after their farms properly and made profits to

⁵⁶⁹ Beckett 1985 pages 283-308

⁵⁷⁰ Ellis 1971 unpublished PhD

⁵⁷¹ Beckett 1986

⁵⁷² Beckett 1986

⁵⁷³ WRO 413/97

pay an economic rent. The tenants looked for the best possible deal from a landlord, including capital investment and flexible lease covenants.⁵⁷⁴

An example of an agreement made after a tenant had given notice that he wanted to quit his tenancy appears amongst the Shillinglee papers where articles are drawn up on the occasion of a tenant not desiring to renew his lease. It was agreed between Lord Winterton and the tenant, William Heath, that he and his heirs would, in the last year of the lease plough, harrow, drag harrow and small harrow forty acres of a proper part of the land which was due to be fallowed and leave it ready for wheat to be sown the next year. Lord Winterton on his part agreed to pay for such ploughing at the rate of six shillings per acre for the first time of sowing, five shillings for the second ploughing, five shillings for the last time of ploughing, two shillings for the drag ploughing and one shilling for the small harrowing. William was to sow and harrow the summer corn, and a proper quantity of clover and grass seed and Lord Winterton would provide the seed and allow one shilling per acre for labour and workmanship. If William kept the cattle off the grass and left on the land all the wheat straw grown in the last year then Lord Winterton would pay twelve shillings per acre. For turnip seed sowed at the right time, harrowed and left in the ground Lord Winterton would pay twenty shillings per acre. William also agreed to keep thirty two acres of sown grass for the sum of sixteen shillings per acre and would leave the coppices untouched. If all this was carried out Lord Winterton agreed to pay all sums of money due at the end of the lease.⁵⁷⁵ Estate surveys often show a

⁵⁷⁴ Beckett 1986

⁵⁷⁵ WSRO 454/23/14

considerable turnover of tenants, and those families who continued on the same lands for generation after generation were not very numerous.⁵⁷⁶

Mingay⁵⁷⁷ suggests that in the 17th century little attention was paid to the selection and qualification of the occupancies of the small tenancies, and they were inclined to be the sons or daughters of sitting tenants. Tenants of large farms, however, were chosen carefully, but the landlord's choice was often very limited, and larger farms were more commonly let out on lease. Tenants were expected to provide their own stock and equipment and, therefore needed a reasonable amount of capital.

The key element in the system was the relationship between a landlord and his tenants. The landlord was in the dominant position as long as the rural population continued to increase and generated competition for farms among prospective tenants. The great depression significantly changed the landlord/tenant relationship on many estates. Tenants were forced to take a stronger stand and bargain for rent reductions or quit the farms altogether. If they left the landlord had to find new tenants or take in hand and many traditional associations between tenant families and landed estates were broken- newcomers had less allegiance to the big house.⁵⁷⁸ In 1815 John Benett threatened to emigrate with his family within a year unless there was a comprehensive reshaping to enable farmers to pay reasonable rents⁵⁷⁹

⁵⁷⁶ Mingay 1962 pages 488-496

⁵⁷⁷ *ibid*

⁵⁷⁸ Clemenson 1982 page 98

⁵⁷⁹ Eyre 2002 page 31

Leases could be a way of preventing a landlord from improving his methods of management, especially if they were copyhold or leases for lives. John Broad states that the great landowners, who managed both the copyholds and the manorial courts, gradually altered copyhold leases for short or medium terms (up to twenty one years). These replaced the lifehold arrangements, fines, heriots and labour service requirements. He suggests that this form of rent reflected the real profitability of the land more closely for those who worked it.⁵⁸⁰ Replacing this form of lease by terms of years or annual agreements was usually a lengthy procedure and it was sometimes well into the 19th century before this scheme was implemented.⁵⁸¹ The most common form of tenancy on the great estates in Wiltshire was that of Copyhold usually for three lives. According to Bettey⁵⁸² Copyhold tenure meant that the rights of both landlord and tenant were subject to traditional practice. Rents, however, were usually low with the landlords depending on entry fees for the bulk of their income. Lord Arundell, however, showed himself as a generous landlord on occasions such as 1776 when the renewing the leases to Joan Goulden, a widow, and another lease to Christopher Gosney. They were agreed at a fine of ten shillings and a rent of 6d, but instructions were given for the fines to be returned.⁵⁸³ The tenants' ledger of 1806 also records a house held for life by Mary Pike, by order of Lord Arundell because she had been nurse to the Arundell children.⁵⁸⁴

Copyhold and customary tenancies were fixed rents, and the landlords only means of compensation for inflation was to increase the level of fines. Two thirds of Cumbria

⁵⁸⁰ Broad, John (2004) page 1

⁵⁸¹ Mingay 1976

⁵⁸² Bettey 2005

⁵⁸³ WRO 2667/11/297

⁵⁸⁴ WRO 2667/12/86

was held in customary tenure, but the tenants were so numerous they could finance resistance to legal cases brought by owners trying to raise fines.⁵⁸⁵ Copyholds were originally the terms of tenure entered in the manorial rolls, and were therefore tenures in villeinage which were gradually renamed as copyhold.⁵⁸⁶

Leases were first applied to the demesne and were subsequently extended to include the lands on the common field, usually known by the name of 'stockland and lease'. Under this system the landlord supplied the implements and the stock as well as the land, and the tenant paid a certain share of the produce in return. The lease was granted: for a number of years, for life, for a number of lives, and sometimes at the will of the Lord. If the tenant was granted a lease for a fixed term his tenancy was secure until the end of the term, but if it was at the will of the Lord he had no security.⁵⁸⁷

In the West of England life leasehold was widespread in the 18th century. Individuals paid a nominal rent and a fine was paid when purchasing the tenancy. Some leases were guaranteed for the lives of three named individuals and others for the term of ninety nine or occasionally sixty, years terminable on three lives.⁵⁸⁸

⁵⁸⁵ Beckett 1986

⁵⁸⁶ Johnson 1909 page 32

⁵⁸⁷ Johnson 1909 page 35

⁵⁸⁸ Beckett 1986 page 183

Lord Arundell made notes of how he calculated the cost of the lease as follows.⁵⁸⁹

The ordinary value of copyhold estates for three lives was fourteen years purchase, which was assessed as: eight years purchase for the first life, four years for the second life and two years for the third life. The ordinary value of a leasehold estate was calculated for thirteen years purchase, but in order to keep the tenants, four years for a second life and two years for a third life were added. The costs of exchanging a very old life for a young one are shown in Table 5:4.

Estimating the Cost of a Lease	
The exchange of a very old life for a young one	2 years purchase
To exchange three lives	2 years purchase
To exchange two lives	1 ½ years purchase
To exchange one life for one life	1 years purchase
Table 5:4	

If Lord Arundell sold the fee of a copyhold estate the values were:

Estate Values for a Copyhold Lease	
12 years purchase after one life	
8 years purchase after two lives	
6 years purchase after three lives	
An example is given as:	
A copyhold estate at a rack rent	£30 00 00
Reserved rent per annum	£ 1 00 00
Reserved remainder per annum at 22 years remainder	£28 00 00
Table 5:5	

⁵⁸⁹ WRO2667/12/7

As landlords concentrated on maximizing income, rack rents became the norm. Landlords granted fixed term tenancies at the full annual value of the land.⁵⁹⁰ David Low writing in 1840 considered the system to be advantageous because the landlord offered security of possession and beneficial terms of management in return for an equitable rent and adequate capital outlay. It was the advantages of the rack rent that persuaded the landlords in the north and west to try to convert the customary and copyhold alternatives. Originally such tenures were regarded as a means of ensuring that tenants looked after the property and financed building and improvement, spurred on through a long and perpetually renewable lease. The landlord took his share of the profit by increasing the level of fines. One difficulty arising from this was that the tenant spent all his capital acquiring the property and was therefore short of resources. John Broad suggests that where great landlords and squires held sufficient concentrations of land; enclosure, the extinction of manorial rights and the conversion of terms from copyhold to leasehold would go hand in hand with an increase in farm sizes.⁵⁹¹

Owners contemplating ending such arrangements had to prepare for over cropping and abuse was likely to occur in the closing years of the lease. This encouraged owners to keep their life leaseholds going and the system remained widespread in the South-West and Wales in the early 19th century. In the Vale of Porlock in Somerset tenants' rents were not converted to rack rents until the 1830s but by the 1870s the

⁵⁹⁰ Beckett 1986 page 184

⁵⁹¹ Broad 2004 page 3

majority of leaseholds had disappeared.⁵⁹² Ansty, although it had been enclosed in 1806, did not change from leasehold to rack rents until 1833 when James Everard, 10th Lord Arundell, purchased the lifehold interest from most of his tenants. On a fixed rent the landlord depended on fines and other casualties, but when rents were revisable he could think about reducing the tenants to a minimum by leasing large plots to a few wealthy individuals. It was regarded as good practice to set farm sizes, rents and tenancy agreements in advance. The owner attempted to increase the farm size as far as justified by terrain culture proximity to market and regional characters.⁵⁹³

One of the disadvantages of leases was the possibility of a bad tenant who, if the prices were falling the tenant wouldn't pay the rent. Leases also went out of favour because it was not necessarily beneficial in promoting agricultural improvement and annual tenancies were advantageous to the owner and tenant. The advantage to the land owner was that it enabled him to raise rents and rid himself of poor tenants. Tenants, on the other hand, could react to low profits by quitting before losing their capital, as was his right, and compensation could be paid to an outgoing farmer for his unexhausted improvements.⁵⁹⁴

In the middle of the 18th century a minimum of £2 per acre was considered essential for a farm of two hundred acres which was mainly laid down to arable.⁵⁹⁵ By the

⁵⁹² Beckett 1986 page 185

⁵⁹³ *ibid*

⁵⁹⁴ *ibid*

⁵⁹⁵ Mingay 1962 pages 488-496

second half of the 19th century rents had risen to sometimes double their pre-war level, and ownership of land which was purely for agricultural purposes was not a particularly profitable investment.⁵⁹⁶ Financial responsibilities for an estate were clearly divided. The tenant provided his own working capital, but the owner was responsible for the fixed capital. The landlord's responsibility was to put the property into repair and to finance improvements likely to add value to the estate beyond the term of the current lease⁵⁹⁷. Mingay⁵⁹⁸ suggests several responsibilities of the landowner including: the provision of land, farmhouses, barns, stables, fences, embankments and wood for repairs. Over and above this they took in waste and commons for additional farmland, consolidated holdings in common fields, rebuilt farm buildings, undertook flood control and drainage work and encouraged tenants to enrich their soil with marl⁵⁹⁹. They also made access to markets easier by improving turnpikes, making river improvements and being involved in canal schemes.

Although tenants usually paid local taxes the division of responsibility was not uniform. For national assessments the tenants might be required to pay the tax themselves or to pay the tax and deduct an equivalent sum from the rent, or the responsibility might rest entirely with the landlord or might be shared between the landlord and the tenant⁶⁰⁰. Experts urged landowners to accept the tax burden on leasehold property; it was in the interest to let the land free of all charges except the poor rate.⁶⁰¹ Taxation also affected estate investment: between 1803 and 1805

⁵⁹⁶ Gash 1979 page 17

⁵⁹⁷ Beckett 1986 page 192

⁵⁹⁸ Mingay 1976

⁵⁹⁹ A chalky subsoil used as a lime substitute

⁶⁰⁰ Beckett 1986 page 200

⁶⁰¹ *ibid*

property owners were entitled to repairs allowance of 5% on house property and 2% on a farm property but this was discontinued in 1806 because of fraudulent returns.⁶⁰²

In a normal year during the 18th century there was a tendency for supply to exceed demand which kept agricultural prices low. This resulted in cheap food prices, and therefore, an improvement in diet. There was an upward movement of rents during the 18th century, but this varied according to the type of landlord. According to Mingay⁶⁰³ the upward movement of rent was probably more marked on the estates of the large landlords than that of the gentry who had a larger proportion of land fully developed for commercial farming, and were already charging high rents. The great landlords on the other hand kept rents low for political reason and as compensation for tenants where their land was used for hunting. A large proportion of this land was of inferior quality and remote from markets. There is a suggestion of falling rents on the Shillinglee Estate. The tenant of Fountains Farm was paying an annual rent of £40 per annum, but when the lease was renewed for a further eleven years in 1744, after the landlord had put it in repair, a new lease of £34 per annum was agreed. Most of the other leases renewed at the same time continued at the previous rent.⁶⁰⁴

There was an incentive for aristocrats to improve their estate, but any assessment of income reflects rack rents, since copyholds and life leasehold rents were fixed and the level of fines is almost impossible to calculate on a yearly basis with any

⁶⁰² Beckett1986 page 200

⁶⁰³ Mingay 1963 page 52

⁶⁰⁴ WSRO 454/3/27/3

accuracy. William Turner, who was a tenant of Lord Arundell, rented Horwood Farm. In 1818, whilst still a leaseholder, he was paying an annual rent of £400, but in 1833 he was still only paying £213 10s 10d rent for half a year with a reduction of £11 0s 8d for land tax and gate hanging.⁶⁰⁵ Even rack rents varied according to the agricultural conditions, for example, in Nottinghamshire the rent per acre on sandy soil was half that of clay soil. All mean rent levels were subject to the vagrancies of the agricultural depressions of the 1730s, 1740s and 1820s and the final decades of the 19th century.⁶⁰⁶ The ongoing profitability of the estate demanded ongoing investment in farm buildings and repairs.⁶⁰⁷ Between 1750 and 1770 rents trebled in Wiltshire, and in Essex they were 67% higher than in the first half of the 18th century. The most significant items influencing the rents were rising prices and enclosure. During the Napoleonic wars rent increases were sometimes between 80-100 %⁶⁰⁸

A survey of the Manors and estates of Henry Lord Arundell in 1781 showed rental incomes is shown in Table 5:6

⁶⁰⁵ WRO 2667/11/269

⁶⁰⁶ Beckett 1986 page 194

⁶⁰⁷ Ibid page 197

⁶⁰⁸ Beckett 1986 page 196

Donhead	£2,347	0	4
Tisbury	£1431	17	10 ½
Haseldon	£ 174	10	0
Bridzor	£ 123	11	0
Ansty	£ 350	11	8
Tollard	£ 407	00	0
Farnham	£ 297	7	0
Stubhampton	£ 97	11	0
Semley	£1129	13	4
Fontmell	£ 863	4	6
Hartgrove	£ 687	13	4
West Orchard	£ 587	5	0
Melbury	£1551	15	11
Chideock	<u>£1762</u>	<u>1</u>	<u>11 ½</u>
Total	£ 11,811	2	11

Table 5:6 Lord Arundell's Rental Income, 1781

A statement of income was given for the years 1785 to 1802 for the Manors of Ansty, Tisbury, Donhead, Semley, Bridzor and Hazeldon for the lands owned by Lord Arundell.⁶⁰⁹

⁶⁰⁹ WRO2667/11/176

Table 5:7 Income from Lord Arundell's Farms 1785-1802

	Ansty	Tisbury	Donhead	Semley	Bridzor	Hazeldon	Total
1786	1043 07 09	1066 4 6 ½	670 19 07 ¾	525 10 00 ¾	215 14 01	7 19 03	3529 04 06 ½
1787	731 04 05	1188 16 01 ½	420 14 02 ¾	473 11 09 ¾	218 17 01	7 19 03	3041 02 11
1788	717 04 05	995 17 0 5 ½	874 02 05 ¾	508 11 09 ¾	220 00 01	163 19 03	3485 15 06
1789	711 04 05	924 00 11 ½	654 03 05 ¾	245 18 05 ¾	222 14 01	7 19 03	27766 00 08
1790	741 04 05	931 10 11 ½	510 09 00 ¾	483 15 09 ¾	226 06 01	7 19 03	2900 15 07
1791	723 04 05	2438 18 11 ½	751 13 08 ¾	379 09 06 ¾	226 04 01	97 19 03	4626 10 00
1792	721 04 05	1029 04 11 ½	1370 02 05 ¾	419 12 06 ¾	226 04 01	7 19 03	3774 03 04
1793	712 06 05	1417 10 11 ½	886 13 07 ¾	385 15 10 ¾	255 03 03	7 19 03	3665 09 00
1794	714 04 05	1051 19 03 ½	1540 12 03 ¾	435 12 10 ¾	250 03 03	7 19 03	4714 11 00
1795	983 16 05	1092 17 11 ½	3273 14 03 ¾	842 10 10 ¾	172 05 03	7 19 03	6373 03 08
1796	1814 03 05	4387 04 03 ½	2404 17 07 ¾	708 05 10 ¾	170 10 03	7 19 03	9492 19 11
1797	867 02 11	3358 09 05 ½	2057 03 03 ¾	430 16 04 ¾	621 10 03	7 19 03	7341 01 07
1798	950 16 11	1118 12 09 ½	751 10 07 ¾	534 16 04 ¾	127 10 03	7 19 03	3491 06 03
1799	1371 06 11	1064 12 03 ½	742 03 01 ¾	542 15 10 ¾	196 05 03	7 19 03	3925 02 09
1800	691 16 11	1293 13 09 ½	4256 14 03 ¾	411 17 10 ¾	373 01 03	32 19 03	7059 13 05
1801	661 06 11	2419 12 09 ½	2579 03 09 ¾	1195 15 10 ¾	549 10 03	7 19 03	7413 14 11
1802	610 18 11	1853 00 09 ½	454 15 01 ¾	359 16 10 ¾	884 02 03	7 19 03	4167 16 07

In these years the tenants were leaseholders usually for three lives resulting in a steady income for Lord Arundell, and in the years when the amount of income was considerably greater it was usually as a result of fines. In 1796 in Ansty for example fines of £1012 16 06d were received. Generally rents remained constant. In Ansty the rents for the years 1786 to 1794 remained at about £670, rising steadily to £810 by 1799 and then dropping to £470 in 1801. Rents also remained steady in Tisbury between 1786 and 1794 at £868 10 00d, then after a rise to £1029 17 06d in 1795

stabilised in 1798 until 1802 to £941 05 00d. Semley also followed this trend with rents remaining static until 1791, variable amounts between 1792 and 1796, and then rising on two occasions between 1797 and 1802. Rents at Hazeldon remained unchanged for the whole period. Donhead had the most variable amounts for rents, rising steadily most years until 1795 after which they fell for the next three years and then rose again, but did not exceed the amounts for 1794 until 1802. Accounts produced for 1818 and 1835 show annual income from rents as £3681 15s 5 ½ d and £6,168 07s respectively. These are both reductions in the amounts considering the difference between the years. In the second half of the 19th century there was a marked increase in rental incomes.

Trees made a significant contribution to the landscape and trees were planted in the parkland and elsewhere in the estate. Between 1787 and 1899 the Earls of Yarborough planted over 17 ½ million trees on the Brocklesby estate although few parklands were created after the mid 19th century.⁶¹⁰ Aristocrats planted trees for a variety of reasons: they were a form of social assertiveness since trees symbolised the continuity of the generations, the laying out of parks and gardens added an aesthetic quality to the estate, it was perceived as a type of patriotism especially post 1660 as showed loyalty to the restored monarchy, there was a need to provided the navy with timber in early 19th century, and it offered a means of long term profit. As an encouragement for planting trees the Royal Society gave medals to those taking part in the scheme. After it had been planted the timber offered a saleable resource which could be used as an annual supplement to income or as a short term means of

⁶¹⁰ Clemenson 1982 page 76

relieving debts.⁶¹¹ The production and sale of timber could be an important source of income. Woodlands were cultivated and cut systematically to provide supplies for shipbuilding, house building and fuel, both for heating and charcoal burning.⁶¹² Wood provided fuel for industry, and the timber for construction of barns, sheds, gates and fences, especially around newly enclosed fields.⁶¹³

Until the late 18th century, houses were built in the centre of the village surrounded by the traditional open fields, perhaps a mile or more long and half as wide. They were divided into scores of unhedged strips, severally owned by large and small holders and cultivated under an archaic and profitless system to which they were compelled to conform.⁶¹⁴ According to Bovill⁶¹⁵ progress was impossible as long as the open field system survived. It prohibited individual enterprise by forbidding change of any kind. The bringing of more land under the plough by breaking the wastes were equally impossible because of the legal and customary rights of the villagers over them, rights which were as essential to the village economy as the open field. This view is not held by everyone, however, and Turner suggests that enclosure did not automatically reduce the technical inefficiencies of open field agriculture, and states that it is partly dependent on the attitude of the farmer.⁶¹⁶ Black agrees with Turner, but suggests that although enclosure did not necessarily increase efficiency it appears to have made it easier to control the land.⁶¹⁷ Clark, however, argues that enclosure was unprofitable before 1760 and only changed

⁶¹¹ Beckett 1986 page 230

⁶¹² Mingay 1976

⁶¹³ Black 2008

⁶¹⁴ Bovill 1962 page 2

⁶¹⁵ Ibid page 3

⁶¹⁶ Turner 1986

⁶¹⁷ Black 2008

because changing prices made private property rights marginally more efficient. Neeson believes that impressive development had been made in common field farming,⁶¹⁸ but in the end common fields had to give way to enclosed farms. She believes, however, that this does not mean that good replaced bad agriculture, but that one mode of agriculture made way for another.⁶¹⁹ Before the end of the century pressure of population has created a problem of how to feed mouths a problem which the French Wars quickly rendered acute.⁶²⁰ Neeson sums up the enclosure debate by suggesting that although historians continue to disagree about the effects of enclosure on agricultural productivity, they agree with the social impact it made.⁶²¹

In the late 18th century there were two well known innovators; Thomas Coke of Norfolk and the Marquis of Raynham (Turnip Townshend). Another innovator was Lord Delaval who transferred his 7,000 acre estate consisting mainly of unenclosed moorland to a landscape of regular fields fenced with quickset hedges and interspersed with woodlands and coppices. He was fortunate in that he had the capital and incentive to experiment with new techniques in farming and estate management.⁶²²

A survey of Pythouse in 1727 makes recommendations for the improvement of the land including fields to be trenched and soil from ditches to be mixed with lime and thrown over the meadow land. It was also suggested that there was no better

⁶¹⁸ Neeson 1993 page 8

⁶¹⁹ Neeson 1993 page 156

⁶²⁰ Clark 1998

⁶²¹ Neeson 2000 page 17

⁶²² Clemenson 1982 page 75

improvement for arable land than sowing grass seed and turnips, and keeping sufficient sheep, which should be penned.⁶²³

Only the few who took to the new machines, new crops, new methods of drainage and new fertilizers were able to weather the coming slump with comparatively light hearts.⁶²⁴ John Benett was eager to practice and publicise the latest developments in farming techniques. He was an active member of several agricultural societies including the Wiltshire Society for the encouraging of agriculture of which he was elected president in 1813, and The Bath and West of England Society for the encouragement of Agriculture, Arts, Manufacture and Commerce.⁶²⁵ He won prizes on new techniques of oxen ploughing and for a type of turnip drill and by scientific methods of ploughing he transformed some of the land at his farm in Berwick St Leonard which was considered unfit for corn growing. One result of improvements on the farm was fox hunting. Farming kept landowners in the country for longer periods. Large, well-drained fields separated by jumpable hedges, a typical land pattern produced by enclosure, resulted in livelier hunting and more profitable farming.⁶²⁶ Low rents could be a compensation for fox hunting depredations and could sway voting intentions

The boom prices of the Napoleonic Wars brought the landowners wealth, and as a result, most farmers saw no reason to change their ways in favour of new and greatly

⁶²³ WRO 413/93

⁶²⁴ Bovill 1962 page 28

⁶²⁵ Eyre 2002 page 25

⁶²⁶ Girouard 1978 page 218

improved methods of agriculture.⁶²⁷ England emerged from the Napoleonic wars victorious but crippled by a huge national debt, excessive taxation and an enormous poor rate.⁶²⁸ Wartime expansion and inflation had left British agriculture impoverished, and by 1815 farms were over manned and over capitalized. The twenty years following 1815 were marked by mainly good harvests resulting in a period of stagnancy for British farmers. The short term remedies used were lowered wages and under employment which was masked by heavy subsidization from the poor rate. Wages for labourers varied across the country. In the north where there was a smaller rural population the competition from the industrial districts kept the wages up, but in the south and east the wages remained low, and after Waterloo seemed to fall even lower⁶²⁹.

War prices had brought large profits to the farmers, but some of this had been absorbed by the growth of taxation, most of which had fallen on the agriculturists. These new burdens included poor and highway rates, new duties on hops and barley; taxes on farm horses, heather and sheep dogs amounting to eight shillings.⁶³⁰ Bovill maintains that what was left from the war profits had mostly been reinvested in the land, in improvements and new acres. Some mansions were rebuilt and enlarged, and over and above this, expenditure on farm buildings, roads, drainage and breaking and fencing the waste had been raised on the security of ancestral homes and farm land.⁶³¹

⁶²⁷ Bovill 1962 page 28

⁶²⁸ Ibid page 32

⁶²⁹ ibid

⁶³⁰ Bovill 1962 page 32

⁶³¹ Ibid page 32

The years from 1820 to 1835 were a bad time for the agricultural labouring classes, and an uncertain time for farmers. There were three bitter winters between 1828 and 1830 at a time when poor law disbursements were inadequate, wages were low and bread was expensive. At the same time the harvests were poor and the penalties against poachers increased.⁶³² The difficulties experienced by the agricultural labourers produced a feeling of resentment at the introduction of the threshing machine. The six most militant counties were Wiltshire, Hampshire, Berkshire, Buckinghamshire, Norfolk and Essex.⁶³³ In August 1816 a band of 400 Kentish labourers started smashing threshing machines.⁶³⁴ This was not an unreasonable response because in some villages threshing with the flail was the only work available for labourers during the winter months, and for many labourers it was the only work that enabled them to earn little more than the bare minimum essential for survival.⁶³⁵ The riots were generally governed by marked restraint, and persons and property, except for ricks and threshing machines, were rarely in any danger.⁶³⁶ The swing riots reached Pythouse on 25th November 1830. Jackson⁶³⁷ gives the number of rioters as approximately five hundred who wreaked damage at Home Farm and Lindley Farm.

Hansard reported that John Benett, in London, was informed of the threat of attacks by a large group of rioters in Foothill Gifford. Apparently nightly meetings in

⁶³² Eyre 2002 page 32

⁶³³ *ibid*

⁶³⁴ Bovill 1962 page 36

⁶³⁵ *Ibid* page 36

⁶³⁶ *Ibid* page 36

⁶³⁷ Jackson 1984

random places were taking place and people were assembling with flags and coloured sashes. He returned to Pythouse on 24th November and was woken at 7:30 the next morning by his bailiff, Arthur Legge, who told him of an attack taking place on a manufactory at Fonthill Gifford. On riding to the site he found a mob of about five hundred men. Two men said that they intended to break up the threshing machines and demanded an agreement to a rise of two shillings a day. The mob proceeded to Pythouse and on reaching the farm went into the farmyard to smash the machinery and pull off the roof. The mob talked of going to Pythouse but Benett pulled out a pistol and said he would fire if they threw another stone. Pythouse was barricaded by men inside with firearms. The mob tossed pennies and decided to go to Linley Farm to break the machinery there. The yeomanry defeated the crowd in the woodland near Linley Farm and twenty men were taken prisoner. Twenty nine men were arrested altogether. Twenty three were originally charged but this was reduced to seventeen of which eight had previous records. One man was acquitted, and of the sixteen men convicted fourteen were transported to Tasmania and two were imprisoned with hard labour.⁶³⁸ Jackson⁶³⁹ reports that one man fired a shot, at which point the Yeomanry from Hindon were called in and twenty five prisoners taken. At the trial in Salisbury on December 21st 1830 sixteen men were charged with the Pythouse assault including William Sanger, Thomas Rixon, William Gray and James Mould.

⁶³⁸ Eyre 2002 page 35

⁶³⁹ Jackson 1984

Life was very difficult for the agricultural workers and Cobbett⁶⁴⁰ describes the general state of the poor in Hampshire and Wiltshire as the most depressing in England. He states that he had never seen such human wretchedness equal to that found in Chicklade, a place near to the Wardour estate, not even among the free Negroes in America.⁶⁴¹ Many agricultural labourers' wives and children added to the family income by spinning. From 1819 no child under the age of 9 was allowed to be employed and no child between the ages of 9 and 16 was permitted to work for more than 12 hours per day.⁶⁴² Although this now seems to be a reasonable ruling, it nevertheless reduced the income in an already impoverished family. David Davies⁶⁴³ writing about his parish in Barkham, Berkshire in 1795 described his parishioners as indifferently fed and badly clothed, including some children without shoes and stockings. Very few of the children were attending school and there was very little appearance of comfort about their dwellings. Over a large part of southern and eastern England the agricultural population was amongst the worst paid, and worst fed of all classes of the community. Agricultural wages were barely sufficient to keep a man and his family at subsistence level, as shown in Table 5:8 indicating the wages paid to labourers on the Shillinglee estate between 1716 and 1761.

⁶⁴⁰ Cobbett 1830

⁶⁴¹ *ibid*

⁶⁴² Burton 1967 page 37

⁶⁴³ Davies 1795 page 35

The Shillinglee archives record the wages paid for work carried out on the estate which included daily rates for men of 1s for farm work and 1s 1d for digging gravel or carting hay in the orchard.

1716	Men's work	1s per day
	Old men's work	8d per day
	women	4d per day
1724	Mowing and making grass	3s 6d per acre
	Reaping wheat	6s per acre
1732	Women rate for haying	6d per day
	Girls for mowing	4d per day
	Men for mowing	1s 6d per day
1755	Men's labouring work	12d per day
	Labouring work at the mill	14d per day
	Mowing-	1s 6d per day
1759	Mowing upland grass	1s 3d per acre
	Mowing meadow lands	1s 8d per acre
	Women haying and cutting	7d per day
	men	12d – 14d per day
1761	men	1s – 1s 6d per day
	women	8d per day
	boys	7d – 8d per day
Table 5:8	Cost of labour on the Shillinglee Estate 1716 to 1761	

Women were paid approximately 7d per day for haymaking and boys were paid 5d daily.⁶⁴⁴ In 1755 other payments are recorded such as 2s 6d for feeding oxen on five Sundays. Wood cutting and fagotting was also paid by quantities including: cord

wood £1 per load, stack wood 1s 2d per stack, fagots 1s 3d per hundred and cutting wood at 1s 2d per load.⁶⁴⁵

Low wages obviously meant that some would look to other methods of improving their income, but this was reduced over time. In 1670 it became possible for the nobility and gentry to reserve all game for themselves, including deer, secured warrens and fisheries, against poaches with guns nets and snares. The 1678 Deer Killing Prevention Bill imposed financial penalties on poachers or, if they were unable to pay, one years hard labour in a house of correction.⁶⁴⁶ It was reported in 1765 that the pales of one of Lord Winterton's paddocks had been broken down and 2 ½ brace of fat bucks were stolen. Lord Winterton offered a reward of thirty guineas to any person who could provide information. Eventually two men were convicted of stealing the animals and the blacksmith from Haslemere was also charged with receiving stolen deer for which he had promised the thieves a groat per pound.⁶⁴⁷ Since a groat was worth 4d this was the equivalent of one third of a land workers daily wage.

By 1832 the labourer's weekly wage had risen to 8 to 12 shillings per week; £20-30 per year. Annual expenses for a wife and 3 children was £28 pa, £20 on food. Wages had risen to 2 shillings per day by the time of George I, but the price of bread had trebled.⁶⁴⁸ Rural labourers gradually became less dependent on the large estate.

⁶⁴⁵ WSRO 454 box 49/7

⁶⁴⁶ Thirsk 1990 page 194-195

⁶⁴⁷ WSRO 454 454/3/29

⁶⁴⁸ Burton 1967 pages 206-207

Workers were attracted to the expanding towns and cities and in the early 19th century this began to affect the size of rural communities and abundant, cheap supply of labour in the 1820s and 1830s. This may have led to an increase in estate housing from the 1840s to 1870s.⁶⁴⁹

Commenting on life in Wiltshire Cobbett states that there were many good cottages, but also houses made of mud and straw with bits of glass or old off-cut windows without frames or hinges, frequently stuck into the mud walls.⁶⁵⁰ The influence of an individual landowner could make a terrific difference to the comfort of the rural labourer. On large estates wealthy proprietors could, and often did, provide decent cottages with gardens and at the same time prevent the more demoralized and shiftless poor from finding a settlement.⁶⁵¹ The Turnours were obviously making great changes across the estates between 1755 and 1792 when bills for £1273 6s 0 ½ d were paid to Thomas Southin and other workers for building work at all farms.⁶⁵²

When Thomas Benett inherited the Pythouse estate in 1727 it seems to have comprised about 300 acres. The original holding from 1225 had been increased to approximately two hundred and ninety acres by the acquisition of Hatch House on the death of Robert Hyde.⁶⁵³ The second Thomas Benett is described by Eyre as an

⁶⁴⁹ Clemenson 1982 page 99

⁶⁵⁰ Cobbett 1830

⁶⁵¹ Gash 1979 page 32

⁶⁵² WSRO 454 45

⁶⁵³ Jackson 1984 page 33

active developer of land holdings who, in the last half of the 18th century transferred most of his land capital from Hampshire to Wiltshire.⁶⁵⁴

In December 1806, the same year that Tisbury enclosed the open fields and common land, John Benett bought from Daniel Warner land for £3,400. Benett agreed to pay for these in two instalments. John Benett sold off most of the land north of the two turnpike roads to cover electoral expenses, but he also increased the land holdings to more than 2,700 acres. He also sold off the remains of Thomas' estates around the Avon Valley and Enford and concentrated the estate around Semley, which grew from 334 acres to approximately 1,160 acres, including Church Farm, Bilhay and Linley Farms. He also enlarged the Tisbury Holdings with lower Lawn Farm and much of East and West Hatch including Hatch House in 1841. On top of this he bought some of the Arundell lands around Wardour.⁶⁵⁵

John inherited the Pythouse estate in 1797, following the death of his elder brother who died in 1789: it comprised about 300 to 400 acres. He also had other estates in Hampshire, Dorset and the Avon Valley north of Salisbury at Enford. The total landholding was probably more than one thousand acres. After his wife's death in 1790 he acquired more land in the Semley area and also two hundred acres north of the Salisbury to Taunton Turnpike Road. To this he added land at Westbury near Warminster, Sutton Veney, Berwick St John and Portwood, as well as buying Chicklade House and estate four and a half miles north of Pythouse. In 1830 he

⁶⁵⁴ Eyre 2002 page 23

⁶⁵⁵ *ibid*

created two lakes near to Pythouse. In 1826 John Benett bought Fonthill Abbey from its owner John Farquhar including the ruins and enclosed grounds. This comprised 525 acres and the Abbey estates in Fonthill Gifford and in the parish of Tisbury comprising 2,450 acres for which he offered £89,416, but there were protracted legal proceedings because Farquhar died intestate before the deal was completed. Benett sold the estate and ruinous abbey consisting of 2,156 acres and the advowson of Fonthill Gifford in 1844, and shortly afterwards, he sold the remainder of the estate for £5,000.⁶⁵⁶ The Norton Bavant property, consisting of 1,329 acres, remained in the possession of his cousin William Benett until it was bought by their aunt, Catherine Benett, and which John inherited in 1798.

The Benetts who had started off as yeoman farmers continued to extend their estates from the late 17th century when the Norton Bavant and Pythouse estates were merged through marriage. Initially land was added as small units, but as their financial position improved they were able to buy whole estates. They were also improving landlords, using modern methods of farming wherever possible, although this was not always appreciated by his tenants. Their place in local society also rose over time resulting in better marriages and larger marriage portions. Although the Norton Bavant estate remained unchanged, they bought more land surrounding Pythouse, enlarging it considerably. To achieve this they sold off some outlying lands to raise the capital. Despite their improving wealth, however, they were not known as good employers, especially John Benett MP, who although he provided the traditional

⁶⁵⁶ Eyre 2002 page 21

feasts required from the Lord of the Manor, seemed to despise his workers and this was possibly a contributory factor when considering the riots on his land.

The Turnours, however, although they bought some manors to add to the original Shillinglee Estate, remained committed to life in London. Although they supported local charitable concerns, it seems to have been more distant than that of the two other families. Their time spent in London meant that most decisions must have been made through the steward. It is difficult to know whether the tenants who occupied the estate were held responsible for providing the support required by the labourers in difficult times, although from the evidence they appear to have provided some support for the poor in difficult times.

Despite their having been owners of large estates for several hundred years longer than either the Benetts or the Turnours, the Arundells were the ones who were being forced to reduce the size of their estate in order to pay off debts. Despite many financially advantageous marriages, and acquisitions of land through settlements, they continued to sell outlying estates throughout the time period studied. They were unable to sell some of the lands in either Irnham or Cornwall because of the terms of inheritance and succession, but many other small estates were disposed of as a whole estate or piecemeal. Financial constraints meant that they were also selling land attached to the main estate, including land to the expansionist Benetts. However, although they were the family with the greatest financial constraints, they were the

ones who appear to have been most concerned for their estate workers, and to provide for them where necessary.

Chapter 5 - The New House

The main family seat on any estate was vitally important as a visual indication of the wealth and social position of house owner. This chapter will consider the ways in which the Country House developed architecturally and socially from the time of the Restoration until the mid 19th century. To achieve this it will also be necessary to look at the effects of the Civil War and the period of the Commonwealth, since they had a contributory effect on the development of all three estates. The influence of architectural design, the financial implications of building, and the cost of maintaining the household will all be considered. Since all three families also had other houses, the purpose and importance of these within the structure of the families' way of life will be considered. This will show how each family conformed to or differed from the group to which they have been assigned.

In the time period under consideration all three families built, rebuilt and extended their main country house. Rebuilding or enlarging the house was a way in which an enduring monument could be left for subsequent generations. This might include building a new wing or stable block; beautifying the park; or by adding new art, sculptures or objets d'art to their collection.⁶⁵⁷

⁶⁵⁷ Mingay 1976 page 148

The prestige of the aristocratic family depended on the size of its houses and parks, which were of considerable significance, and also on the extent of the estate's acreage. A new or a rebuilt house stood as a permanent memorial to the builder,⁶⁵⁸ and the appearance of the house was also the public expression of its owners' status and culture, and the plan evolved in response to the increasing demands for privacy.⁶⁵⁹ During the period between 1400 and 1900 there was a gradual change in the purpose of the house. In 1400 the manor house was designed for the use of the community, and until the 18th century, when someone talked about his family he meant everyone living under his roof including his servants, but by the 19th century he meant only his wife and children.⁶⁶⁰ From the Middle Ages to the 16th century everyone in a house was on public display all of the time according to Stone,⁶⁶¹ but by the 17th century the master and mistress began to withdraw, so that they were no longer eating at the high table in the great hall with their servants, but in a private dining room.

Girouard⁶⁶² suggests that "the country house", that is, the houses of the ruling class, was significant at two levels. At the local level it might be a small manor house, probably that of the local squire who spent most of the year at that site, but at a national level it could be the seat of a landowner who was also a member of parliament or a great magnate, spending more than half the year in London.

Newcomers, for example London financiers who had already amassed a fortune through business, were the group most likely to build a new house, which the

⁶⁵⁸ Beckett 1985 pages 283-308

⁶⁵⁹ Cooper 2002 pages 291-310

⁶⁶⁰ Girouard 1978 page 10

⁶⁶¹ Stone 1977 page 253

⁶⁶² Girouard 1978 page 2

Turnours did, but since the land did not include a house, this was a necessary requirement. When people were thinking about changing the design of their property they could make the choice between replacing or extending the country house already in existence, and possibly laying out the grounds in contemporary fashion. This, however, reduced the capital available for longer term productive investment.⁶⁶³ House building, and land buying, expenditure on agriculture, improvements and borrowing to finance urban improvement or mining all helped to push up the level of indebtedness.⁶⁶⁴ Both old and new families financed the houses from a range of sources including, rents, the wool trade, land, service in India, sugar from Jamaica, lending money and service at the court or in government. Most court or government posts were remunerated with handsome salaries and perquisites. Sir Robert Walpole, for example, built Houghton Hall out of the proceeds of public service.⁶⁶⁵ The Gore family as merchants in the sugar trade, with properties and business interests in Morocco would be included in these groups.

From the 1600s onwards, new investors in land and houses were entering the market. These included people in commerce, mainly merchants, but also lawyers and other professionals, such as the Turnours as Members of Parliament and the Gores as City merchants. It was important that the estates they were buying were within travelling proximity to court, and as a result, Hertfordshire and Essex were popular locations initially because of easy access into London. The decision by the Turnours to settle in Essex could have been affected by the necessity of being close to London for

⁶⁶³ Beckett 1985 pages 283-308

⁶⁶⁴ *ibid*

⁶⁶⁵ Girouard 1978 page 3

parliamentary commitments. By the mid 17th century the number of available, suitable houses had increased as old houses were rebuilt or fragments of old estates were sold off. As a result active politicians and office holders began to invest in property. Londoners who were buying estates were inclined to be middle aged businessmen, often with grown up children who had left home, and they appear to have bought a seat for personal gratification, often remaining active in their business or profession.⁶⁶⁶ When Gerard Gore bought the Shillinglee Estate jointly with his brother, Christopher, it does not seem as if he had any intentions of developing the estate or living there. Under the terms of his will it was left to his son, John, and then his grandson Arthur Turnour, and it was not until the Turnours acquired the estate that plans were drawn up for building a residence on the estate.

In the early 17th century a plan for a house for a rich yeoman or lesser gentry would probably consist of two wings, one of which had polite rooms for entertaining guests, and the other wing rooms for everyday use. At the centre of the house would be a hall which would mediate between the house's two ends.⁶⁶⁷ By this time rooms were beginning to have specific purposes, for example, the great chamber and dining parlours were being superseded by dining rooms.⁶⁶⁸ An inventory of goods was made of Norton Bavant in 1618 which listed the rooms and contents. At this period nearly all the rooms apart from service rooms, contained a bed and most rooms were merely described as chambers.⁶⁶⁹ The only exceptions were the parlour whose contents are recorded as seven books, one long table, side table, nine stools, three chairs, and the

⁶⁶⁶ Stone 1984 page 164

⁶⁶⁷ Cooper 2002 pages 291-310

⁶⁶⁸ *ibid*

⁶⁶⁹ Picard 1997 page 36

hall which contained two tables and a still.⁶⁷⁰ In 1641 the Benetts made an agreement to have a house built at Norton Bavant in the west garden of the old house, which was still standing. It was to consist of six bays and to be built with good brick and iron nails. A plan, shown below, in the Benett archives shows a main house of sixty six feet by sixty four feet, with adjoining stables of forty two feet by twenty four feet.⁶⁷¹

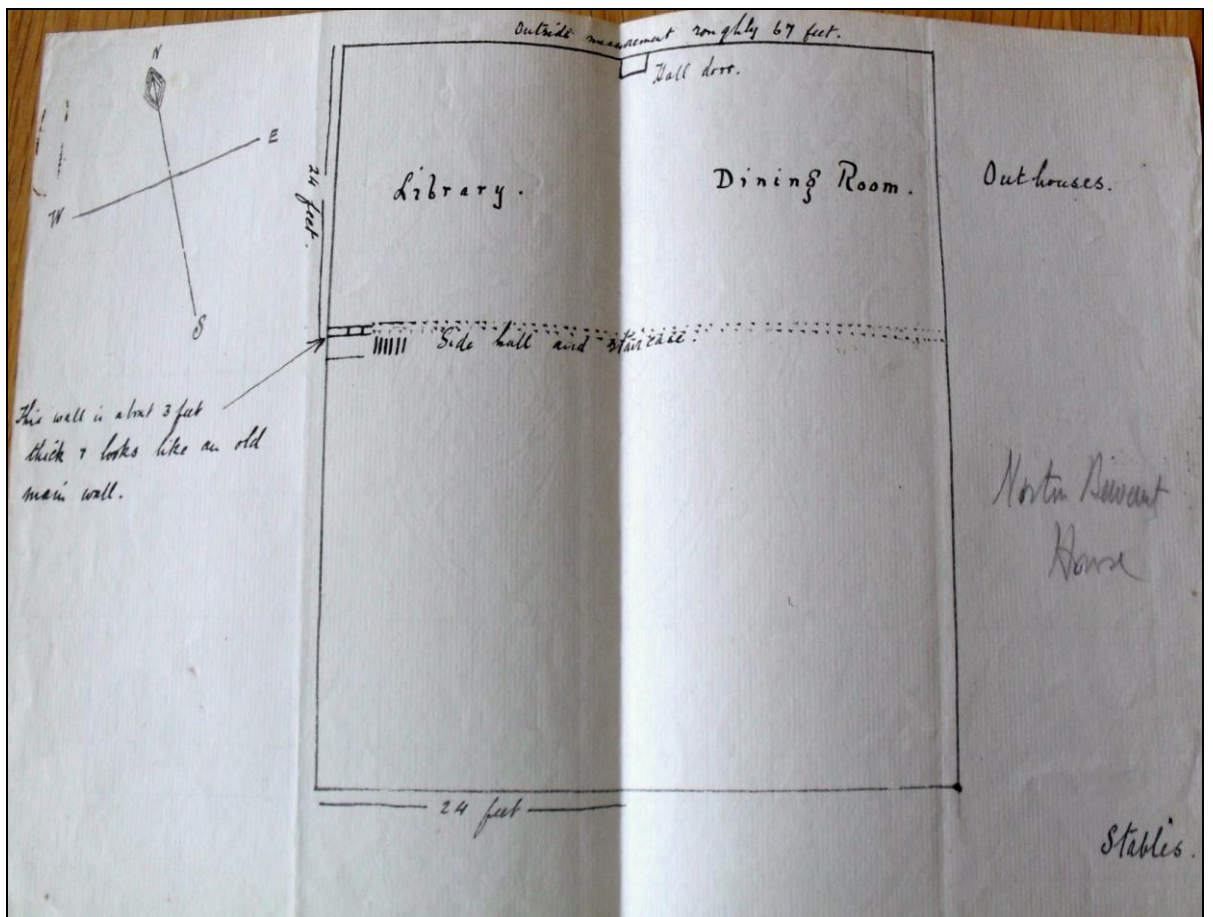


Illustration 5:1 Plan for new house at Norton Bavant WRO 413/84

⁶⁷⁰ WSRO 413/338

⁶⁷¹ WRO 413/84

Throughout the 17th century there was a growing feeling for a need of greater privacy by the house-owner and, as families began to value and desire this they started to distance themselves from their servants. From the 18th century the house began to be split into sections including public rooms for mass entertaining, the servants' quarters with its own staircase, family rooms, and a nursery area for the children. The removal of the servants from the main rooms resulted in individuals, both the family and their guests enjoying the security of private apartments, each sometimes containing two or even three rooms. Interconnecting rooms, which had previously been the norm, and offered no privacy to the individual, were no longer acceptable. In order to achieve this privacy some older houses, such as Wilton House, added additional inner walls to form corridors to allow for circulation without having to pass through other people's bedrooms.⁶⁷²

In the late 17th century a modest country house might cost about £3,000 to build, but the lesser gentry probably spent in hundreds rather than thousands. Only the rich could hope to build a house from scratch or raze an old one and start again. The large country house was an expensive annual burden and therefore a proportion of the owners' gross income was spoken for in advance. The outlay was usually spread over a period of time.⁶⁷³ Shillingee does not seem to have paid one person to both design and be responsible for building the house, but to pay the individual workers as

⁶⁷² Stone 1977 page 254

⁶⁷³ Girouard 1978

work was completed. In 1755 for example, William Tullick was paid £105 11s 6 ½ d for bricklaying at Shillinglee.⁶⁷⁴

The most convenient design for a house in the 18th century was one which was arranged around a top-lit central staircase surrounded by reception rooms on the first floor. Some rooms were in the rustic, which often included a study or business office for the owner and possibly a billiard room. The rustic also contained cellars, the steward's room, the servants' hall and rooms belonging to the butler and the housekeeper. The kitchen and its appendages might also be accommodated in the rustic but they were often situated in a separate pavilion.⁶⁷⁵ Until about 1770 a state apartment consisting of bedrooms with attendant dressing rooms or closets continued to be provided on the main floor in some great houses, but from then on these rooms were relocated upstairs because there was no room for them on the floor below. During the 18th century bedrooms still normally had dressing rooms attached to them, but apartments were on the decline. Dressing rooms were usually also furnished as sitting rooms and women guests often spent their mornings there. The master's suite, often on the ground floor, usually included a study and dressing room. The wife's and family bedrooms were usually on the first floor.⁶⁷⁶ In older house the existing state bedroom was also often moved upstairs in order to provide more downstairs living space.

⁶⁷⁴ WSRO 454/45/36

⁶⁷⁵ Girouard 1978 page 194

⁶⁷⁶ Girouard 1978 page 206

Books and pictures became more important and, by the beginning of the 18th century, they were required to have special accommodation. Books were becoming an essential part of country house life and rather than being considered works of rarity they were beginning to be collected alongside works of art, especially as general interest was moving away from science to art. This is evident in the Turnour household where in 1618 an inventory of the listed seven books, including three Bibles and four other little books.⁶⁷⁷ By 1724 the contents of the library had risen to more than three hundred and twenty seven books with a range of books including Bibles in Latin and English, and books relating to the law, history, geography, classics and medicine.⁶⁷⁸ Gradually the library moved from being the personal equipment of the owner, to the common property of the family and his guests. The room began to be used as a living room for the family, and then an essential part of entertainment for house parties in the late Georgian era.⁶⁷⁹ The state rooms were above the common level, with doors and windows, which were often heavily pedimented or framed by a moulding with a superimposed blocked quoin or round headed Venetian windows like triptych, set within a relieving arch. All the windows had thick glazing bars.⁶⁸⁰

By 1730 it was possible for country houses to have running water on all floors, but bathrooms, if available, were usually located in the basement or on the ground floor.⁶⁸¹ The old manor houses in the villages were increasingly being left to the minor parish gentry by the 18th century, whilst larger proprietors were obtaining

⁶⁷⁷ WRO 413/338

⁶⁷⁸ WRO 413/387

⁶⁷⁹ Girouard 1978 page 180

⁶⁸⁰ Burton 1967 pages 70-71

⁶⁸¹ Girouard 1978 page 256

privacy by rebuilding new houses established in parks isolated from the community by high walls, lodge keepers, long driveways and belts of trees.

At the end of the 17th and beginning of the 18th century, according to Clemenson, a mania had begun for building in the classical style. Houses already in existence were modified to incorporate classical features, for example, Lyme Park in Cheshire.⁶⁸² By the 18th century homes tended to be smaller than in the past, but a movement for improving the parkland and gardens surrounding the country houses was an attempt to boost prestige. In the early decades of the 18th century many small and medium sized houses were built which Bold⁶⁸³ suggests had three purposes: to provide a secondary seat for the owners of great country houses, to enable a gentleman to retire from business into a country setting or to satisfy the need for a small manageable house for a gentleman of moderate income. There were two major building phases which can be placed in the periods 1670-1730, and then from the 1790s until well into the 19th century.⁶⁸⁴ The whole period down to 1880 saw remodelling and extending of country houses. During the 19th century almost as many country houses were built as in the previous three hundred years. Clemenson put the rise in building as being most active towards the end of the 17th century lasting into the 18th century, but stopping in the 1730s and 1740s during the agricultural depression.⁶⁸⁵

⁶⁸² Clemenson 1982 page 45

⁶⁸³ Bold 1988 page 17

⁶⁸⁴ Beckett 1985 pages 283-308

⁶⁸⁵ Clemenson 1982 page 50

In most homes only state or public rooms were newly furnished, old furniture was used elsewhere.⁶⁸⁶ In the 18th century some, who considered themselves to be Platonists, sought to re-create the ideal house including classical statues, contemporary Italian pictures and to creating the ideal landscape in their gardens. The second half of the 18th century saw the inclusion of the grand tour as an essential part of the education for every young man of wealth. This included travelling around the continent to form a collection for their new house. This often continued on their return to England, through the London art markets. Because of this, space had to be found for the combined accumulation of objects collected by them and previous generations. Libraries were enlarged and enriched by the purchase of new books or portfolios of engravings.⁶⁸⁷

Shillingee Park was mainly constructed during two dates in the 18th century. The original part, which was built in 1735 by Thomas Steel Junior of Chichester, had a pedimented front consisting of seven bays. The house was then a t-shape with a design representing a county mason's experience of the exact moment of transition from Baroque to Palladian, that is, Baroque in intention and Palladian in detail.⁶⁸⁸ When the new front was added some changes were made to the building including the old entrance hall, probably the room referred to as the great hall in 1745, became designated the white room and a new staircase was added in 1776. The main front was built between 1776 and 1778. It was of standard Palladian composition consisting of seven bays, two storeys built of brick with stone dressings. Viscountess

⁶⁸⁶ Burton 1867 page 120

⁶⁸⁷ Girouard 1978 page 178

⁶⁸⁸ Pevsner 1965 page 527

Wolseley writes in the *Sussex County Magazine* that the west front was added in 1807.⁶⁸⁹ The illustration below shows a picture of Shillinglee House.



Illustration 5:2 WSRO PD 130 Shillinglee House

The design of house, which became popular during the early part of this study, was the English Palladian style, which was derived from the works of the 16th century Italian architect Andrea Palladio. It was first introduced into English court circles in the early 17th century, and then reintroduced in the early 18th century when it was designated “neo-Palladian.” By the 1730s it was, according to John Bold,⁶⁹⁰ the established style for both country houses and public buildings. Two important and influential architects of the period were James Paine, 1718-1789, who was the

⁶⁸⁹ Wolseley 1936 pages 783-788

⁶⁹⁰ Bold 1988 page 15

leading mid Georgian architect,⁶⁹¹ and James Wyatt 1746-1813. From the 1750s Paine had his own practice and was responsible for designing many villas, often consisting of a central building with a fine staircase, and two symmetrical wings. He was a favourite architect with many of the leading Catholic families, and his work included Worksop Manor for the Duke of Norfolk, Thorndon Hall in Essex for Lord Petre and between 1764 and 1770 he built New Wardour Castle, the home of the Arundells. This suggests that of the three families the Arundells felt the need to use one of the most important and influential architects of the time whatever the cost, whereas, the Benetts designed their own house and the Turnours employed a local carpenter.

James Wyatt, an English architect, and a rival of Robert Adam in the neoclassical style, far outdid Adam in his work in the neo-Gothic style. He was described as the protagonist of the Gothic revival, designing houses such as Fonthill Abbey, Wilts, which was an estate neighbouring the Benett property. According to Burton⁶⁹² it was first conceived as a minor gothic ruin containing an apartment for its owner but ended up as a cross between Salisbury Cathedral and Westminster Abbey. Its central tower, which soared 78 feet into the air, finally collapsed in 1825, having partially collapsed on previous occasions. The house covered six acres and contained, in addition to the usual rooms, a very long gallery, choir, octagon room and dining room. It cost £273,000 to build and lasted for 5 years. Eighty seven servants were required to run it.

⁶⁹¹ Burton 1967 pages 88 & 100

⁶⁹² Burton 1967 pages 106-107

Palladian houses usually had exterior steps leading to the grand portico or entrance, which was not very convenient. All the state or reception rooms were arranged to open out from each other, and the doors were placed so that when they were opened there would be vistas running the whole length of the piano nobile. To achieve the ideal effect the rooms had to be square or rectangular with, exactly opposing doors.⁶⁹³ It also became a necessity for every great house to have a picture gallery to house the notable collections of paintings, marbles, bronzes, and a library to house newly acquired books⁶⁹⁴ Access for servants was usually by a series of single backstairs and corridor.

By this time the apartments were reducing in size and the family end of the house was made up of a complicated series of morning room, dining room, billiard room, smoking room and conservatory. This system of rooms was designed for socialising, such as weekend parties which might include visitors from all over the country.⁶⁹⁵ The great hall, formerly the accommodation for entertaining, was, by the 18th century considered to be in the wrong place since it opened straight onto the outside. New styles of entertainment now required a series of communal rooms leading from one to another.⁶⁹⁶ The plan of the ground floor of Wardour Castle illustrates how all the rooms were inter-connected, and also how between 1776 and 1935 some rooms moved to a different location, for example the audit room and others were no longer

⁶⁹³ Burton 1967 page 112

⁶⁹⁴ Burton 1967 page 11

⁶⁹⁶ Girouard 1978

in existence on the ground floor such as the Housekeeper's room and the servants' hall.

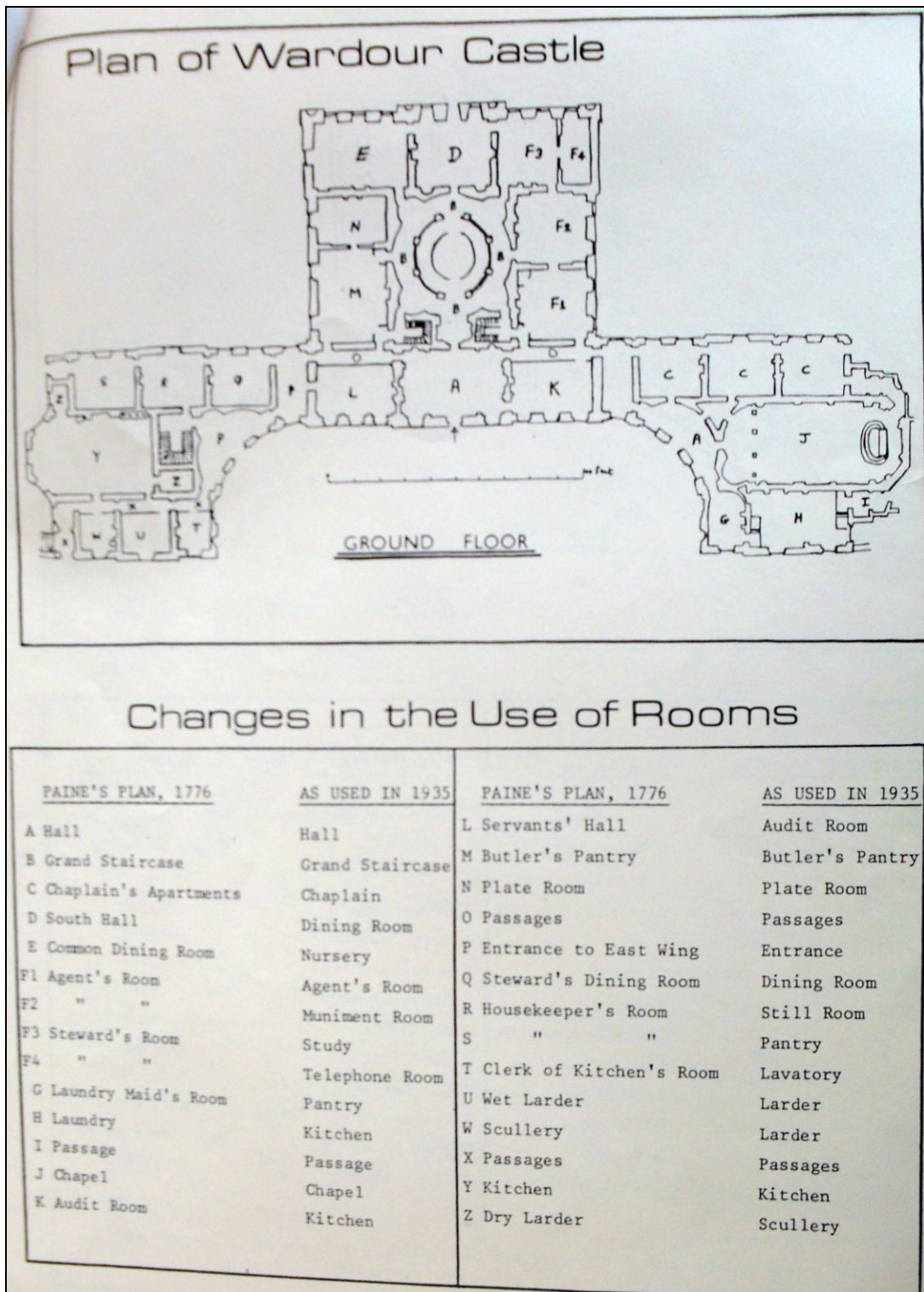


Illustration 5:3 Plan showing changes of use over time at New Wardour Castle WSRO 454/3/32

An inventory of goods in 1745 belonging to the estate of Mr Turnour Garth amounted to £203 16s 6d. The inventory lists a number of rooms, but does not indicate whether all the rooms are included.⁶⁹⁷ The details of the rooms can be found in Table 6:1. This can be compared to the inventory made in 1835 which lists many more rooms and values the goods at £1,738 18s 9d, including: household goods and furniture at £671 11s 9d, plate linen and china at £632 18s 0d, books, prints and pictures at £34 3s, Wine and other liquors at £388 4s and wearing apparel at £12 2s.⁶⁹⁸ This suggests that the Turnour family was moving away from its business roots and into the group of great landowners.

⁶⁹⁷ WSRO 454 box 43

⁶⁹⁸ WSRO 454/3/32

Rooms in the house inventory 1745	Rooms in house inventory 1845	Rooms in 1845 cont.
Upper garret called cheese chamber	South east attic	Over kitchen (bedroom)
Room over kitchen	Middle attic	Drawing room
Room over scullery	Picture attic	Dining room
study	North west attic	Oak parlour
nursery	North attic	Greenhouse parlour
Maids room in the old building	Bedroom opposite	Entrance hall
Little parlour	East attic	Billiard room
Great Hall	East lobby	Butler's pantry
Pantry	East chamber under attic	Turner room
Steward's room	Earl's bedroom	Kitchen
Kitchen	Adjoining dressing room	Mrs Robert's room
Scullery	Breakfast room	Men's room
Old kitchen	Best bedroom	Men's chamber
Brew house	Adjoining dressing room	Middle room (bedroom)
2 stables	Back dressing room	Footman's room
Chamber over stable	One windowed room (bedroom)	Chambers over the hall
Lodge house	Chintz room (bedroom)	Servant's hall
	Earl's dressing room	+ service rooms

Table 6:2 Comparison of Rooms in Shillinglee House, 1745 and 1835

By the end of the 18th century people began to think that the main rooms of a house should be in touch with the outside world which could be achieved by having fine views from the windows. This desire led to a design whereby important rooms were at ground level with low silled windows opening straight into the garden or onto the lawn.⁶⁹⁹ This meant that between 1760 and 1800 rooms began to be built at ground level rather than first floor with the addition of separate wings for the servants, usually facing north.⁷⁰⁰ The Grand Tour also affected the taste in house design, for example, visitations to Italy led to the development of the English, Palladian style with horizontal lines, balanced alteration of plain wall and openings onto the pillared portico with a pediment like the front of a Roman temple, which was nearly always set on a rusticated base or podium.⁷⁰¹

It was not always possible for a homeowner to start with a newly built house. Financial constraints meant that the original house was often modified to give the idea of a modern house. This might include putting in sash windows to replace casements, repairing or tearing out the wainscoting, putting in an arch over the stairs and painting or gilding the woodwork. Modifications to existing houses and complete rebuilding often occurred when houses changed ownership either by purchase or inheritance. This could be viewed as a way of putting their personal

⁶⁹⁹ Wolseley 1936 pages 783-788

⁷⁰⁰ Girouard 1978

⁷⁰¹ Burton 1967 page 70

stamp on the landscape.⁷⁰² There was also investment in alteration, adaptations, and extensions accelerated from the 1790s, peaking in the 1830s. New houses were sometimes built to replace former houses on the same site, or were built on newly saved or newly acquired land.⁷⁰³ There were still some Elizabethan mansions being occupied, but many of them were pulled down or completely disguised.⁷⁰⁴

Building was regarded as a major cause of financial difficulties, and it is recorded that the Marquis of Ailesbury was nearly ruined by building Tottenham Park in Wiltshire. Many others found themselves building with money which they would find difficult to repay.⁷⁰⁵ The cost of rebuilding was such that the most common practice was extension and improvement, for example, Wroxton Abbey in North Oxfordshire was built in the early 17th century on the foundations of a former priory, and then later in the century a north wing and a stable block were constructed, in the 1740s, a library and a chapel, in the 1820s another library and in 1859 a southern wing to match the north wing.⁷⁰⁶ Lord Grosvenor of Eaton Hall spent £100,000 remodelling his house between 1870-1883 and the 1st Duke spent £564,000 in rebuilding.⁷⁰⁷

⁷⁰² Burton 1967 pages 119-120

⁷⁰³ Clemenson 1982

⁷⁰⁴ Burton 1967 page 69

⁷⁰⁵ Beckett 1985 pages 283-308

⁷⁰⁶ *ibid*

⁷⁰⁷ *ibid*

The three estates differed in various ways. The Shillinglee Estate, for example, was unusual in that when the estate was purchased in 1687⁷⁰⁸ there was not a manor house on the estate, since originally its primary purpose had been as hunting grounds for the Howards at Arundel Castle. The new house was, therefore, not influenced or affected by any previous buildings. Shillingley House, in its initial design, belonged to an earlier period of design which is suggested when, in 1732, it is recorded that Sir Edward Turnour paid Thomas Reed the sum of £32 12s for building vaults and the new building above them. This gives an indication that the principal rooms were not at ground level.

Old Wardour Castle, on the other hand, which was destroyed during the Civil War, was rendered unsuitable for habitation when the buildings were returned to the Arundell family. The Ruins of the old castle are shown below.⁷⁰⁹

⁷⁰⁸ WSRO Shillinglee 11/22

⁷⁰⁹ WRO 2667/22/1/18



Illustration 5:4 Old Wardour Castle WRO 2667/22/1/18

The family slowly recovered power during the period of the English Commonwealth and the Glorious Revolution, whilst living in Breamore House in Hampshire and in Wardour House next to the old castle. This situation was rectified by the eighth Baron Arundell, who borrowed sufficient funds to finance the rebuilding of his new castle. These were acquired from the sale of the family house at Panton Street in London and of the Ashcombe Estate in Wiltshire. By the second half of the 18th century houses with central staircases were popular in both London and the country. Wardour Castle was based on a design for a proposed London house for the Duke of York which was then adapted by James Paine on a grander scale.⁷¹⁰ After the Parliamentarians finally gained control of the government, not only did they execute Charles I, but they also seized the Arundell estate at Wardour. The family moved to

⁷¹⁰ Girouard 1978

Hampshire, but later in the century they began a new building programme at Wardour. Rather than rebuilding the castle, they opted to remodel the outbuildings and, for a time, lived in the renovated stable block. Life was fairly comfortable, for they not only made use of a brew house and a banqueting house but also had a fine bath house, an orchard, and lavish gardens.

It was the seventh and eighth Lords who secured the wealth which was to pay for the new castle at Wardour. Henry, 8th Lord Arundell, succeeded in 1769 to the estates of his mother who had belonged to the Cornish branch of the Arundell family. He began the new house in 1771, which was completed in 1776, from a design of James Paine, with additional pieces from Giacomo Quarenghi who was a principal architect of Russian capital, Saint Petersburg. It was the largest Georgian house in Wiltshire, and is described as a vast Palladian Mansion.⁷¹¹ It had a plain exterior consisting of a central hall with a dome forty seven feet in diameter, with a chamber organ on one side of the gallery.⁷¹² The house consisted of a main block nine windows wide with quadrant links of five or six windows to three bay pavilions. The main block had a lower ground floor, a piano nobile and one attic storey to the garden. The building which was constructed from limestone ashlar with hipped Welsh slate roofs consisted of a square main block with flanking pavilions. The north front has a rusticated basement below a piano nobile with a mezzanine and attic floor above.

⁷¹¹ Sewell 1956

⁷¹² Jackson 1984 page 31

The design and work was supervised by the prominent Palladian, James Paine.⁷¹³ In stylistic terms the New Castle was not a castle at all, but a neo classical country house with a main block built around a central staircase hall and two flanking wings. Paine integrated the ruins of the Old Castle into the surrounding parkland, intending it to be viewed as a romantic ruin. The first floor consisted of a wooden floor with Roman columns rising to the vaulted ceiling. The surrounding balustrade was made from fine lead work with Gold leaf gilded flowers and topped by a wooden handrail. Leading off from the 1st floor were four fine alcoves with tall wooden doors. There was also a pipe organ in wood, ivory and gold on the first floor. The ceiling consisted of a high circular dome with a central window decorated with reliefs of musical instruments. When Henry Benedict succeeded as eleventh Lord in 1834 the property was in a poor state and he did a great deal of restoration work on it.⁷¹⁴

⁷¹³ Paine James, architect (*bap.* 1717?, *d.* 1789) He was a pioneer of the compact, centrally planned Palladian villa as a country-house form, in particular exploiting the practical and visual potential of the central top-lit staircase and the practical advantages of the 'villa with wings'. Towards the end of the 1750s, after a contact with the duke of Norfolk, he received further major commissions from Roman Catholic patrons, notably at the ninth Lord Petre's Thorndon Hall, Essex (1764–70), and the eighth Lord Arundell's Wardour Castle, Wiltshire (1770–76).

⁷¹⁴ Jackson 1984 page 31



Illustration 5:5 New Wardour Castle

The Catholic Chapel was also built by Paine and was originally opened in 1776 but was extended in 1789/1790,⁷¹⁵ and was known as All Saints Chapel, Wardour. It was expanded by John Soane⁷¹⁶ in 1788 on instruction from the 8th Lord Arundell.

Thomas Bennet, of Pythouse, also sustained substantial losses during the Civil War, resulting in the sale of his house Pythouse and some of the surrounding land. His

⁷¹⁵ Pevsner 1975 page 553

⁷¹⁶ Soane, Sir John (1753–1837), architect. Designed a picture gallery at Fonthill ‘Splendens’, Wiltshire, near to Wardour for William Beckford He was also the architect to the Bank of England,

granddaughter, Patience Bishop, the heir to the estate, married into a wealthy Norton Bavant family by the name of Benett. Their son, Thomas, bought back Pythouse from the Dove family and, with his wife Etheldred, moved back into the house in 1725. At the point of repossession Pythouse was an Elizabethan house, but Thomas demolished this house and using some of the foundations rebuilt it in a Queen Anne/Early Georgian style.⁷¹⁷ The Pythouse Estate was probably repurchased by Thomas Benett, son of William and Patience Benett in 1725 with completion in 1727. The original house is described by Moody⁷¹⁸ as a typical early Georgian house having three bays on each side, two principal floors built over a basement and an attic with a parapet. All the principal windows were very large, with the main door facing south. There was a courtyard on the south and east sides with pigeon house and stabling. It is suggested by Thomas's grandson John that the house was built for his wife, Etheldred if she survived him, but she remained living at Norton Bavant. Thomas Benett (1729-1797) her son was born at Pythouse and inherited it in 1754.⁷¹⁹

In 1801 John Benett married Lucy Lambert from Boyton, close to Norton Bavant, the only surviving daughter of a wealthy landowner. A term of Lucy's dowry was that the money was to be used to improve Pythouse. After their marriage John began to rebuild Pythouse, to his own design, and rather than demolishing the original house he enclosed it with new ranges. The house was similar in design to Wyattville's Philips House at Dinton which had been begun eight years previously.⁷²⁰ He remodelled and extended Pythouse, by designing an extension in a Palladian style

⁷¹⁷ Jackson 1984 page 33

⁷¹⁸ Moody 2005 page 16

⁷¹⁹ Eyre 2002 page 5

⁷²⁰ Pevsner 1975 page 356

which included adding a Palladian frontage with huge pillars, portico and steps. He built corresponding wings at the back of the house and pillared extensions on the east and west sides.⁷²¹ In 1802 he constructed two large new ranges one at the front and one behind the original house. The front (south) range was approached by a wide flight of steps which ended beneath four massive unfluted ionic columns. It had very large first floor windows and contained a marble floored hall, two large state rooms, one on either side of the hall. Other buildings included a huge walled vegetable garden with cottages attached, a dovecote, a stable block, an orangery and an ice house. Eyre⁷²² suggests that the building probably took at least three years to complete, based on the date of 1805 on the cast iron rainwater heads at roof level. The family lived at Chicklade while the property was being rebuilt.



Illustration 5:6 Pythouse

When Lucy's father died in 1802, he left considerable wealth to his daughter including £500 to build and maintain a chapel at Pythouse within two hundred yards

⁷²¹ Jackson 1984 page 33

⁷²² Eyre 2002 page 14

of the house. It was to be large enough for thirty to forty people and Divine Service was to be performed and a sermon preached in a manner agreeable to the Church of England. The will also provided £600, the income from which was to be used to pay for a clergyman to perform the services. Benett also intended it to be used as a mausoleum, but it was never completed and the north side which was left blank for memorials only had one fixed. The chapel was never actually used because the Bishop of Salisbury refused to consecrate it since it was exclusively for family use.⁷²³

If large houses were to run smoothly and efficiently, servants were a necessary part of the system; in fact the extensive household depended on the cheap labour of servants. In the 18th century people were cheap and possessions were expensive.⁷²⁴ In 1700 a living in servant might be paid £2 to £3 per annum and in the 1780s the cost of employing two maid servants annually including tax would be about £14 10 shillings which was less than a quarter of the families clothes bill, half the charge for keeping a horse in stable and straw and one tenth the cost of maintaining a four wheeled carriage with two horses.⁷²⁵ The employment of a servant was, according to Langford, one of the basic criteria of something approaching middle class status and was the social division of the day. The middling gentry would expect to have a staff of indoor servants amounting to about a dozen whereas the really wealthy would have between thirty or forty. The census of 1851 records Pythouse as having seven indoor servants, Shillinglee as nineteen and Wardour as sixteen. This again suggests

⁷²³ Ibid page 16

⁷²⁴ Langford 1991 page 10

⁷²⁵ Langford 1991 page 11

that the Turnours had moved to a similar social level to the Arundells, but that the Benetts had remained as local gentry. It is difficult to know how many other staff were employed who lived in the nearby villages or in other house on the estate, but the Shillinglee estate certainly mentioned a further three servants living in other buildings. The lower domestic staff were usually recruited in the neighbourhood from the daughters and sons of tenant farmers and labourers.⁷²⁶

In most households the person in charge of the employed household was the steward whose responsibilities included keeping the household accounts, paying the wages, and engaging the men servants; he also did much of the ordering. He often had three rooms in the house, and if no steward was employed the position was filled by the housekeeper who also had three rooms.⁷²⁷ Bovill gives an example of servants' wages for the year 1825 which are shown in Table 6:2

⁷²⁶ Mingay 1976 page 142

⁷²⁷ Bovill 1962 page 94

Servants' Wages		
	<u>Position</u>	<u>Wages in Guineas</u>
Men	French Chef	80
	Butler	50
Women	Housekeeper	24
	Lady's Maid	20
	Nursery Maid	7

Figure 6:2

Employers usually showed great consideration for their servants, and were reluctant to dismiss old servants. When servants did retire they were usually well cared for—many old men servants became publicans in one of the inns belonging to the estate, and pensions/legacies were paid to old and valued servants.⁷²⁸ Lord Arundell, for example, is recorded in 1756 as providing Edward King, his servant, with a cottage.⁷²⁹

Wages for indoor servants appear to have risen over the course of the 18th and 19th century. Beckett⁷³⁰ gives an example of the wages of the Earl Fitzwilliam's wage payments which in 1790 were £1,800 and had risen to £2,300 in 1815, and £3,000 by 1825. Wages for servants in the Benett household for 1740 and 1771 respectively were recorded as £84 2s 8d and £102 2s 5d. This can be compared to a total of

⁷²⁸ Bovill 1962 page 107

⁷²⁹ WRO 2667/1/1/180

⁷³⁰ Beckett 1986 page 338

£175 3s 10d for the upkeep of the stables and dogs.⁷³¹ These wages were paid yearly or half yearly for indoor servants.

On the Benett estate washer women or ironers were paid 6d per day's work as, the dairymaid about £4 4s per annum, personal maid about £12 per annum, and the housemaid £4 10s 6d. The men were paid more and included £12 12s per annum for the postillion, £4 per annum for the groom plus 10s for wearing his own leather breeches, and 7s per week for the gardener.⁷³² In 1771 the costings for the gardener were listed separately and the amount, including repairs and additional garden utensils came to £26 19s 10d.⁷³³ Between 1798 and 1810 the daily wages were recorded as 10d for a woman for hay work, 1s 9d for a man and 6d for a child.⁷³⁴ It is difficult to make an accurate assessment of wages, since they are not recorded consistently being quoted for days, weeks and annually.

The will of John Benett in 1833 gives an indication of the wages of servants based on the legacies received in his will. From this information, based on a legacy of six months wages, it would appear that the annual wages paid included the butler £20, groom £18, housekeeper £24, lady's maid £14, gamekeeper £13 4s, gardener £28, ploughman £16 16s, washerwoman £28.⁷³⁵

⁷³¹ WRO 413/462

⁷³² WRO 413/468

⁷³³ WRO413/468

⁷³⁴ WRO 2667/12/36

⁷³⁵ WRO 413/376

Country houses had to be warmed, lit and supplied with water. The uneconomic combination of wide-arched opening and a big chimney flue remained the standard arrangement from the middle ages to the late 19th century, with brick lined ovens for baking and open fires for other cooking.⁷³⁶ Lighting consisted of inefficient lamps fuelled with vegetable oil, or wax and tallow candles. From 1800 candles were increasingly supplemented by oil and to a lesser extent gas, although these were hot and smelly.⁷³⁷ In March 1771 the Benetts paid £3 13s 6d for eight and a half dozen mould candles.⁷³⁸ By the 1780s most country houses had a cold bath and an ice house which was usually vaulted in brick or stone and was built near a lake or pond so that in winter ice could be packed into it, insulated between layers of straw for use in the summer.⁷³⁹

In 1740 the years' expenditure at Pythouse was £964 16s 10 ½ d including £226 14s 2 ½ d for household repairs, £187 3s 9 ½ d for stables and dogs, £119 18s 0 ½ d for housekeeping, £84 2s 8d for servants' wages and £74 9s 9d for cellar expenses.⁷⁴⁰

By 1771 expenses had risen to £1,573 16s 9 ½ d against an income of £1437 5s 10 ¾ d. The major expenditure included £286 5s 4 ½ d for housekeeping, £203 5 ½ d for repairs and taxes on Pythouse and furniture, £175 3s 10d for stables and dogs, and £102 2s 5 ½ d for servants' wages and liveries.⁷⁴¹ The servant's wages varied

⁷³⁶ Girouard 1978

⁷³⁷ *ibid*

⁷³⁸ WRO 413/468

⁷³⁹ Girouard 1978

⁷⁴⁰ WRO413/462

⁷⁴¹ WRO 413/468

between £166 and £207 which changed from year to year but did not show an upward growth.⁷⁴²

Each of the families had other manor houses within the main estate and in outlying districts. The Benetts had fewer than the other two, which is as would be expected. Other important houses near to Pythouse were Hatch House which was begun in the late sixteenth/early 17th century but was pulled down by 1770, and had been used as a residence for the Benetts when Pythouse was not available. Another, Heytesbury House, was built in 1782, although behind the structure older parts are visible, such as the mullion window of the 17th century and two projecting wings which were filled in 1820. The best dining room during the 1780s had a Rococo chimney made from a piece of wood from Wardour.⁷⁴³ The other important house for the family was the building at Norton Bavant which had been the main house for the Benetts before they inherited the Pythouse estate through marriage, and which remained as a second house for the use of other members of the family, such as the unmarried sisters of John Benett.

The second house of any size mentioned in the Shillinglee papers is a house at Hampnett, mentioned as being within one mile of Chichester. It is described as a new built house, and is detailed with a view to being let, in an undated document thought to be from the 17th or 18th century.⁷⁴⁴ The house, with a frontage of eighty seven feet and a depth of forty five feet seems to be at an intermediate stage in house

⁷⁴² WRO 2667/12/33

⁷⁴³ Pevsner 1975 page 267

⁷⁴⁴ WSCC 412/11/35

building design, had a large hall on the ground floor and two large parlours, one small one, a large study, a large kitchen, servant's hall and other service rooms. Although there were large rooms on the ground floor, apart from the study, they were not named as having specific functions. On the other hand, on the first floor was a large dining room as well as four large bedchambers. The second storey had seven further bedrooms and two large garrets for the servants, with more garrets for servants on the third storey. The other property of any importance was from the Parendon estate, and had been the main house for the Turnour family before Shillinglee was built. Like Norton Bavant it was lived in by other family members.

Wardour Castle appears to be the only dwelling of any importance around the immediate estate. The Arundells did, however, have other properties around England, the main one being Irnham Manor in Lincolnshire, which was acquired as part of the marriage settlement of Mary Conquest and Henry Lord Arundell in 1764.⁷⁴⁵ Originally it was intended that this manor should pass to the second son of the marriage, but was inherited by their younger daughter, Eleanor, since there were no sons to inherit.

Many families with one or more houses in the country also had a home in London. The demand for high quality housing began in the 17th century mainly from semi-resident aristocrats who preferred to spend their time in London living in the West End rather than the merchant dominated City.⁷⁴⁶ The demand could have been as a

⁷⁴⁵ WSRO 2667/4/13

⁷⁴⁶ Picard 1997 page 58

result of the Fire of London in 1666, although even after this event there were still some mansions scattered about the City which were inhabited by City Aldermen who were obliged to live there. There were also, according to Picard,⁷⁴⁷ a group of old fashioned nobility and gentry who resisted the drift towards the smart western suburbs.

The Arundells, who as Catholics were not allowed to live within ten miles of London after a law passed during the reign of William III, were living in Stanley House in Chelsea between 1715 and 1729, but possibly for a longer period of time. Stanley House, which had been rebuilt in the 1680s, is described as isolated and in 1745 was surrounded by open land forming gardens and grounds.⁷⁴⁸ It may have been the seclusion which enabled the family to occupy this house so close to London, despite the law.

The Turnours appear to have always kept a house in London. In around 1720 a daughter of Sir Edward Turnour MP, described as Mary Turnour of Shillinglee, wrote a letter to her father, whilst living in the family house in Hallingbury, Essex. This house had been sold by the family on the death of her father in 1721.⁷⁴⁹ The house had been bought by his father in 1666 and after Edward Turnour's death in 1721 the estate was vested in trustees and sold to pay his debts.⁷⁵⁰ A copy of the will of Edward Turnour in 1736 puts his residence as Bloomsbury Square, London. The

⁷⁴⁷ *ibid*

⁷⁴⁸ Croot 2004

⁷⁴⁹ Steer 1954 pages 362-364

⁷⁵⁰ Powell 1983

square was developed by the 4th Earl Southampton in the late 17th century, and was initially known as Southampton Square. It was one of the earliest London squares. The Earl's own house, took up one side of the square. The other sides were lined with typical terraced houses of the time, which were initially occupied by members of the aristocracy and gentry. Although most people preferred to live in the West End as an indication of their improving place in society, John Gore still had a house in Bishopsgate in the City which is mentioned in his will. It is described as “a house of brick, new fronted, fit for a merchant, with four rooms per floor.” It comprised two parlours, a large hall, a counting house, plus a kitchen and convenient offices with cellars and vaults below. In the foreyard it also had a servants’ hall, a stable for five horses, a horse pond with leaden cistern, standing for carriages. This house was obviously used for commercial purposes. In 1771 the Turnours were based in the parish of St George, Hanover Square, and were paying £5 for the relief of the poor and the repair of the highways.⁷⁵¹ The house, 45, Brook Street, which was initially occupied by Edward Turnour Garth, 1st Earl Winterton, on land owned by Sir Richard Grosvenor⁷⁵², for which he was paying a ground rent £9 10s in 1758. The house was occupied by 1st Earl Winterton from 1757 to 1788 and by his son from 1788 until possibly 1799. They appear to have been based at the London address for a good part of the year and were paying £6 wheel tax for a four wheeled carriage and a two wheeled carriage in 1756 and 1759, and in June 1759 a further £12 for three four wheeled carriages, described as a coach, a chariot and a phaeton.⁷⁵³ An account dating from 1782 for £3 for three male servants retained or employed Sir Edward Turnour, however, describes Sir Edward Turnour as being of Lime Street in the

⁷⁵¹ WSRO 454 Box 43

⁷⁵² First Earl Grosvenor (1731–1802), politician and landowner. He purchased the hamlet of Belgrave and the manor of Eccleston in 1758, to become the Mayfair estate.

⁷⁵³ WSRO 454/44/31

parish of St Andrews.⁷⁵⁴ Messuages and land were bequeathed to the Turnours under the will of Gerard Gore in 1675, so it is possible that the buildings had remained in the occupation of the family since then. Other members of the family were also settled in London such as the Honourable Edward John Turnour who, in 1812 was living in York Street, Portman Square, but had some land in Sussex, evidenced by a charge of £1 18s for twenty seven acres of land in the parish of Chiddingfold.⁷⁵⁵ Eyre⁷⁵⁶ suggests that Thomas Benett (1729-1797) must have spent some of his time in London with his first wife Frances Reynolds. He definitely had property there in 1724, when he agreed with John Maidment in the parish of St Clement Danes, to erect a building in Rain Deer Yard near Drury Lane. The land measured approximately one hundred and sixty feet from east to west, one hundred and twenty eight feet on the south side and a depth of seventeen feet. Maidment was ordered to pull down all the old buildings on the site and build ten or more dwelling houses on part of the land, and three stables with brick walls on the remainder, at a cost of about £1,400.⁷⁵⁷ He then married the wealthy Catherine Darrell who had an address in St James Square. Their eldest son Thomas had an address in Portman Square where he died in 1789. The second son John then became heir to the estate. In 1814 John Benett is recorded as living in Grosvenor Square, London, and then Albemarle Street in Mayfair which remained as his London home until 1832.⁷⁵⁸

By 1750 the term villa was taken to mean a small country house, possibly the secondary seat of a nobleman in a suburban situation. The villa conformed to a fairly

⁷⁵⁴ WSRO box 42/5/(part 1)

⁷⁵⁵ WSRO 454/15/16

⁷⁵⁶ Eyre 2000 page 6

⁷⁵⁷ WRO 413/159

⁷⁵⁸ Moody 2005 page 230

uniform pattern being squarish in plan and cubic in elevation. The front and rear bays were divided into five bays in a rhythm 1-3-1 with the centre having either porticoed or astylar (without pillars or columns).⁷⁵⁹ The English villa was often situated in scenic grounds and was functionally distinct from a country house. It was inclined to be smaller in size and more compact in its design, reducing the amount of domestic help required. This resulted in the service accommodation being placed in the basement rather than as a separate wing. The main rooms were at a raised ground floor level.⁷⁶⁰ Some suburban villas showed a Palladian influence, described as square rosy brick houses with hipped roofs, dormers, regularly spaced sash windows and doorways with canopies, fanlights or both.⁷⁶¹ By 1830 the building design was a free for all being either gothic, mixed gothic, Grecian, castle style, Palladian or Moorish.⁷⁶²

One of the main purposes of the Country House was to fill the leisure hours of their owners as agreeably as possible, when they were in residence. A Country House was a symbol of its creator's wealth and status and, therefore, the surrounding gardens and parkland emphasised the power and prestige of the landowner.⁷⁶³ Ideally the Country House was set in its own grounds and the layout of the surrounding park demanded as much attention as the house because it emphasized the owner's power and prestige.⁷⁶⁴

⁷⁵⁹ Harris 1968

⁷⁶⁰ Bold 1988 page 17

⁷⁶¹ Burton 1967 page 86

⁷⁶² Harris 1968

⁷⁶³ Clemenson 1982 page 59

⁷⁶⁴ *ibid*

In the mid 17th century parks and woodlands were devastated after the civil war as a result of the excessive felling of timber and over grazing of animals.⁷⁶⁵ After 1660 greater emphasis was placed on the significance of the landscape rather than as a preserve for deer and woodland. Early 18th century parks and woodlands were redesigned to produce the landscape garden with walks, streams, classical/gothic temples.⁷⁶⁶ During this period gardens were expected to provide space for walking exercise. Paths were often paved or gravelled, with beds laid out formally in rectilinear shapes, edged with box, thrift or cotton lavender. Often elaborate swirls of coloured sands and gravels were outlined in slow growing evergreen or silver edged plants. Avenues of trees were trained to meet overhead or clipped and interwoven into walls which provided shady walks in summer and shelter from winter winds. There might also be a “wilderness” which consisted of a small group of small trees.⁷⁶⁷

People often had to find considerable sums for Repton or Brown’s⁷⁶⁸ landscape designs. A large sum was also invested in buying out small freeholders and copyholders to extend, and then ring fence to provide enough space for the required classical effect.⁷⁶⁹ In 1734 a new taste in gardening replaced the formal garden. Trees were planted around the periphery to shut out neighbouring houses. A survey of Pythouse in 1725 describes the gardens as “lying in an amphitheatre rising with

⁷⁶⁵ Clemenson 1982 page 60

⁷⁶⁶ Beckett 1985 pages 283-308

⁷⁶⁷ Picard 1997 page 54

⁷⁶⁸ Brown, Lancelot [*known as Capability Brown*] (*hap.* 1716, *d.* 1783), landscape gardener and architect. Capability Brown is rightly regarded as the classic English gardener. His style was derived from the two practical principles of comfort and elegance

⁷⁶⁹ Mingay 1976 page 153

terraces in good order, opening to the south and defending the house from the north which are well planted with hundreds of firs, and a great variety of fruit and forest trees.” The land was supplied with water from pipes from a conduit in the terraces. It also had a wilderness and bowling green. The whole of this area including the main house, a nearby lodge, pleasant gardens and canals were situated in nine acres of land.⁷⁷⁰ Although no named garden designer is named it is obvious from the description above that a great deal of time and money was expended on the landscaping of the grounds around the house.

When the Arundells built New Wardour during the 18th century, they hired the famous landscape architect, Lancelot "Capability" Brown, to transform the grounds, and several lakes and a new banqueting house soon appeared in the shadow of the ruins. The original plans for the grounds were suggested by Richard Woods⁷⁷¹ in 1764. However, these proved too expensive and were revised by George Ingham in 1773 before Capability Brown was brought in, who then undertook extensive earth moving and tree planting between 1775 and 1783. Again this shows that, like the Benetts, the design of the gardens was almost as important as the house itself. A section of the plan by Lancelot Brown is shown below.

⁷⁷⁰ WRO 413/42

⁷⁷¹ Woods, Richard (1715/16–1793), landscape designer, Roman Catholic. As a Catholic, Woods undoubtedly enjoyed patronage from some of the great Catholic families, and in 1764 he was a working for Lord Arundell at Wardour Castle, potentially the most important commission of his career; he spent seven years laying out the park round James Paine's new mansion, as well as at Irnham, Lord Arundell's other property in Lincolnshire.



Map 6:1 Part of Plan for Wardour Park by Lancelot Brown 1775

By the early 18th century there was a move away from the formal gardens and they were redesigned as park and woodlands. Aristocrats displayed their grandeur by increasing the size of their landscaped gardens – the park reflected the wealth, influence, and self confidence of the families – trees were planted for future generations.⁷⁷² The loss of income when a park was extended was serious, but few parks were purely ornamental- some were situated on former wasteland and might provide grazing for deer, cattle and sheep. Trees were exploited commercially. The Home Farm was sometimes situated within the park walls.⁷⁷³

⁷⁷² Beckett 1985 pages 283-308

⁷⁷³ *ibid*

On some estates, owners also built new country houses and set them in landscaped parks on newly enclosed or in expanded deer parks. Parks were not just ornamental but also provided grazing for deer cattle and sheep. Trees were used commercially and timber was a valuable source of revenue.⁷⁷⁴ Lancelot (Capability) Brown and Humphrey Repton⁷⁷⁵ were the dominant figures by the second half of the 18th century.⁷⁷⁶ Repton brought the flower garden back to the front of the house, marrying horticulture to landscaping he opened the way for gardening to become the great hobby it has remained ever since.⁷⁷⁷

The Turnour family appear to be fitting into the trend suggested by Beckett,⁷⁷⁸ in that they built a new house on a site where no residence had previously existed. The other two families also initially built new houses; the Benetts after demolishing an old Elizabethan house on the same site, and reusing some of the old building material, and the Arundells who built on a new site, incorporating the ruins of the old castle into the landscape of the new. The Turnours, in their original estate, settled in Essex, close to London and even Shillinglee, with the improvements in roads and travel arrangements was not an impossible travelling distance from London. They seem to have retained strong links to London, and always had a house there, which was often the main residence. The Arundells on the other hand kept Wardour Castle as the main place of occupation, but the restrictions put on Catholics meant that they were not allowed to live within ten miles of London, although they rented properties close

⁷⁷⁴ Clemenson 1982 page 62

⁷⁷⁵ Repton, Humphry (1752–1818), landscape gardener. His field of operations tended to be small scale. In contrast to Lancelot ‘Capability’ Brown, Repton rarely took on the responsibility for organizing the work on the ground.

⁷⁷⁶ Beckett 1985 pages 283-308

⁷⁷⁷ Bovill 1962 page 116

⁷⁷⁸ Beckett 1985 pages 283-308

by on occasions, such as the house in Chelsea. The Benetts, on the other hand did not have a permanent base in London. They had the properties near Drury Lane which were let and John Bennett lived in the West End of London when he needed to be there as a Member of Parliament. The families, therefore, seem to have lived the type of lives expected of them according to their original backgrounds.

Chapter 6 - Duties, Responsibilities and Occupations

The aristocratic role was essentially a paternalistic one designed to cement the ties of social deference.⁷⁷⁹ Stone⁷⁸⁰ describes their attitude as “self-conscious paternalism” which resulted in them serving as unpaid local bureaucrats who not only maintained order but also provided necessary welfare services to the deserving poor.

Thompson,⁷⁸¹ however, considered that the philanthropic motives were usually mixed up with utilitarian ones which were difficult to unravel. This chapter will consider the duties, responsibilities and occupations, paid, and voluntary, undertaken by members of the three families and will include the formal and informal channels of local control. The formal channel consisted of positions in local government which, because they were protected by property qualifications, fell predominantly on lower members of the group who were likely to be resident in the local area for the greater part of the year. Landowners were expected to foster their inheritance, look after their dependants, play their part in local government and be loyal to the interest of their own order. Many took these responsibilities seriously.⁷⁸²

Younger sons were often required to find some form of paid occupation, especially when the majority of the estate was entailed, and any unentailed land did not bring in

⁷⁷⁹ Girouard 1978

⁷⁸⁰ Stone 1984 pages 412-419

⁷⁸¹ Thompson 1963 page209

⁷⁸² Girouard 1978

sufficient income to support any person other than the landowner and his heir.

Stone⁷⁸³ lists the occupations available to those without land between the 16th and 19th centuries as follows:

Possible Occupations for Younger Sons	
16 th -17 th	office holding
Late 17 th	army/navy after times of war
Early 18 th	legal office
18 th	Indian Administration + banking
Mid 19 th	big business
Pre 19 th	overseas trade

Figure 7:1

He suggests, however, that after 1690 the professional officer corps in the army and navy offered attractive openings for the younger sons, although financial reward was limited in times of peace, and from that point on very few younger sons went into business.

In the City of London between 1600 and 1624, the men who were elected as aldermen were inclined to be the wealthiest, and were usually the most successful merchants. The Gore family were Merchant Taylors and Gerard Gore was possibly the Alderman of Farringdon from 1656 to 1657 but he was discharged from the

⁷⁸³ Stone 1984 pages 228-239

position in 1657 and also fined £820.⁷⁸⁴ According to Stone⁷⁸⁵ only eighteen of the one hundred and forty aldermen retired from the City and set themselves up as country gentry. This number increased as the 17th century progressed so that by 1689 forty two of the leading three hundred and eighty six leading merchants were sons of squires or above and one hundred and thirty three were the sons of gentlemen. Most of them had some form of country retreat, mainly in Middlesex, Surrey and Essex. By 1763 seventy four of the aldermen were wealthy tycoons who had bought a large estate and a country seat. The Gore family, as merchants based in the City of London could be included into this group as well as the Turnours, both of whom bought their Essex and Sussex estates at the end of the 17th century.

The noble families had great influence in politics, the army and the church, but not the navy or the legal professions, although these professions were sometimes the means of some obscure gentry families being able to elevate themselves to prominence and title. There was some prominence of noblemen in the upper ranks of the army, largely due to the system of promotion by purchase.⁷⁸⁶ Stone, however, names both the navy and the army as possible sources of occupation and suggests that they both absorbed large numbers of upper class younger sons.⁷⁸⁷ Edward Turnour in 1830 and Heys Turnour in 1840 were both appointed as ensigns in the Royal Sussex Regiment of Militia.⁷⁸⁸ This was the lowest rank of commissioned officer, but it was their duty to carry the colours of the regiment. The Turnour family also had younger members who entered the church, the services and in later years

⁷⁸⁴ Beowen 1913

⁷⁸⁵ Stone 1984 page 218

⁷⁸⁶ Harvey 1978 page 21

⁷⁸⁷ Stone 1977 page 379

⁷⁸⁸ WRO 454/29/48 & WRO454/29/50

went out to the colonies. George Turnour, the third son of Edward Turnour Garth was employed in public service in Ceylon where his son, George, was born in 1799. George junior was educated in England but returned to Ceylon in 1818 where he entered the Civil Service and also became a world famous orientalist.⁷⁸⁹ Stone⁷⁹⁰ suggests that the movement of the landed classes during the 18th and 19th centuries was partly caused by the change in attitude which made it unacceptable to live a life of idleness. At the same time he maintains that there was a drift of the elite back to country living as a result of a growing obsession with rural sports such as fox hunting and shooting.

There were many ways in which the Lord of the Manor could serve his community. The most important role was that of the Lord Lieutenant of the County, which was considered to be at the top of the local hierarchy. He was the King's representative in the county, and was usually one of the wealthier landowning peers. His responsibilities included being in the chair at the magistrates court, taking the initiative in quelling disorder and calling out the militia⁷⁹¹

Leadership in the community was provided by the largest landowner and Justice of the Peace, which was usually the squire. Other leaders might include the parson, who, like the squire, was usually resident in the village.⁷⁹² They were also inclined to be involved in local interest groups, often as chairman. John Benett, for example,

⁷⁸⁹ Leslie & Lee 1917

⁷⁹⁰ Stone 1984 page 254

⁷⁹¹ Gash 1979 page 54

⁷⁹² Harrison 1965 page 22

with his interest in agriculture, was president of the Wiltshire Agricultural Society, and since he was also a serving Member of Parliament, was able to pass on matters arising in the House of Commons such as the discussion on Corn Laws. On this, he reported that he was pleased that measure was thrown out of the House of Lords, since the British agricultural interest required more protection than that action could provide. He felt that in order to be fairly protected the agriculturist needed a fixed duty equal to taxation.⁷⁹³

Local administration was wholly in the hands of Justices of the Peace, and country squires. Before 1675, apart from during the Commonwealth, appointments to the position of JP were for social rather than political reasons, but from that date until 1720 there was a great upheaval and many new appointments were made as a result of a power struggle between the Whigs and the Tories. It was at this point that Dissenters and Catholics were permanently excluded from these positions, thus excluding the Arundell family from this form of duty.⁷⁹⁴ Even the course of politics was directed and controlled more from country mansions than from Westminster and its purlieus.⁷⁹⁵ The gentry were deeply conscious of their obligations is made clear by their readiness to censure those who neglected them⁷⁹⁶ As JPs, squires in the country performed all the functions of local government. Neighbours looked up to squires as their leaders in all matters of local concerns⁷⁹⁷ Most of the gentry thought their money was best spent in the country than in London- because local government

⁷⁹³ Reported in the Salisbury and Wiltshire Journal, Monday 23rd July, 1827

⁷⁹⁴ Stone 1984 page 52

⁷⁹⁵ Bovill 1962 page 1

⁷⁹⁶ Ibid page 66

⁷⁹⁷ Ibid

was wholly dependent on them it was desirable that they should remain on their estates.⁷⁹⁸

Another office which was expected to be filled by the local squires was that of Sheriff, and Arthur Turnour held the post of High Sheriff of Sussex in 1706.⁷⁹⁹ This was originally a prestigious post which carried considerable privileges and responsibilities, but it also involved heavy expenses which were not covered by the income of office. A responsibility which went with the post of sheriff was that of collector of taxes, which could be accompanied by harassment from the Exchequer.⁸⁰⁰

The Benetts, who had lived in the same area of Wiltshire for generations, had many responsibilities over the years beginning with John Benett who in the reign of Henry III was Sheriff of Wiltshire. William Benett, who married Patience Bishop, sister and sole heir to the Pythouse Estate, was the recorder of Shaftsbury and Bridport in Dorset. Her brother Colonel Thomas Benett had been a secretary to Prince Rupert, and Thomas, the son of William and Patience, was a registrar of the Prerogative Court of Canterbury.⁸⁰¹ John Benett who died in 1852 aged 79 had been a magistrate since 1800, and also deputy lieutenant and sheriff and commanding officer of the

⁷⁹⁸ Ibid page 67

⁷⁹⁹ WSRO 412/33/72b

⁸⁰⁰ Stone 1984 page 247

⁸⁰¹ Burke 1859

yeomanry. As a magistrate he was responsible for trying and condemning many of the labourers who were involved in the 1830 agricultural riots.⁸⁰²

County representation was accepted as a proper ambition for the son of the leading magnate and the two seats of the county would either be shared between the candidate of the gentry and the candidate of the prevailing noble interest or shared between two noble interests. The King, however, still exercised power in the choice of ministers and there were not really any political parties. The House of Lords was increased to three hundred and eighty eight members by the Act of Union with Ireland in 1800 and there were six hundred and fifty eight members in the House of Commons, which was still influenced by Aristocrats. At this point members were grouped together by interest and connection rather than by party.⁸⁰³ The Arundell's ceased to hold any office for the King after the abdication of James II.⁸⁰⁴

At the beginning of the 18th century only about 5% of the population had a vote and not all were politically tied to their landlord. The local gentry were able to influence the votes of their tenants, and the tenants usually voted as directed by their landlord. This was usually accomplished by constant entertaining, by giving small and large favours and by getting jobs for individuals and their dependants, and in giving lavish dinners. The nature of entertainment changed from the 18th century onwards, although tenants and others on business could still expect a meal or refreshment.⁸⁰⁵

⁸⁰² Jackson 1984 page 33

⁸⁰³ Harrison page 75

⁸⁰⁴ Jackson 1984 page 31

⁸⁰⁵ Girouard 1978 page 189

When Edward 1st Lord Winterton was fighting the election at Bramber in 1767 he is recorded as having been spent £662 02s on food and drink.⁸⁰⁶

The Benetts had been involved in politics for many generations, and one of their predecessors, Edward Benett, described as a Gentleman and Justice of the Peace, was Member of Parliament for Heytesbury in the reign of Elizabeth I and had an income of between £800 and £1,000 per annum.⁸⁰⁷ John Benet was a Member of Parliament from 1819.⁸⁰⁸ He stood as one of the candidates for one of the Wiltshire County Parliamentary seats in 1818 and again in 1819. In 1818 he was, however, described as being very unfit for the situation since he was a democrat; a suppressor of tithes and a supporter of the Catholic question.⁸⁰⁹ In 1820 he was returned unopposed and represented the county until the Reform Act of 1832. At this point he became MP for South Wiltshire.⁸¹⁰

John Benett was an enthusiast for the development of the railways and as MP was, from 1836, on the committee to supervise the plan for the London to Exeter railway and, together with the Wiltshire MP Sidney Herbert, supervised the subscription of shares for the Great Western Railway. The main route was to run through the Benett estate in 1836

⁸⁰⁶ WSRO Add Ms 1183

⁸⁰⁷ WRO 413/389

⁸⁰⁸ Burke 1859

⁸⁰⁹ Eyre 2002 page 28

⁸¹⁰ Jackson 1984 page 33

The Turnours also had a history of parliamentary involvement. Sir Edward Turnour, 1617-1675/6, was a Member of Parliament for Essex from 1658. Another Sir Edward (1643-1721) was appointed Gentleman of the Privy Chamber and represented Orford, Suffolk in Parliament

The local squire often acted as a local banker or trustee and made loans and held deposits at interest. He also acted as surety and executor and witnessed wills. John Benett, who died in 1663, acted as manager of the Arundell estates in Wiltshire, Somerset, Devon and Dorset. He was responsible for the conduct of the manorial courts, collecting rents and fines and all other aspects of estate business. He also cared for the ruined castle and parkland at Wardour and supervised the demesne farm at Ansty for which he was paid £50 per annum. He was, however, a wealthy man in his own right, and was lending large sums of money at a rate of 6% interest to clients from Bristol to the South Coast. He had lent more than £1,000 to Lord Arundell and other sums ranging from £20 to £800 were loaned to his own relatives.

From Elizabethan times the responsibility of looking after the poor was laid upon each parish under the direction of the JP. The Poor Law of 1601 provided Overseers of the Poor, who were to levy a poor rate for the relief of the sick, aged and unemployed. With the spread of enclosures after 1760 and the rise in the price of food during the Napoleonic Wars the number of poor to be relieved increased rapidly. As a result Speenhamland in Berkshire decided to grant relief on a scale determined by the price of bread and the size of a labourer's family. The object of

this was to ensure that each family had a minimum income sufficient for its needs but the effect was to subsidize low costing one shilling. The idea was that every man should have three shillings weekly either produced by his own or his family's labour, or by an allowance from the poor rates and one shilling and sixpence for the support of his wife and every other of his family.⁸¹¹ In 1800, George Villiers (later 4th Earl of Clarendon) finding that his villagers were being exploited by local shops, provided them with bread and meat at prices far below the shopkeepers

Even the modest country gentleman on a few hundred pounds a year was expected to devote part of his income to meeting the needs of his poor neighbours. The informal responsibilities involved undertaking poor law chores, building churches, schools and cottages and letting allotments. It also involved the possibility of distributing money at the park gates, providing food and clothing in harsh winters and donating prizes for agricultural shows⁸¹².

John Benett wanted to retain the poor law legislation of the 1790s, whereby magistrates could control the wages by law and keep them low by restricting the payment of subsidies. Most magistrates were landowners.⁸¹³

The gentry's giving was inclined to be more parochial, for example, helping old servants and tenants with reductions in rents or holdings and houses which were

⁸¹¹ Reading Mercury 1795

⁸¹² Beckett 1986 page 10

⁸¹³ Eyre 2002 page 29

provided free of charge. Also individual villagers who had misfortunes, sickness or were elderly expected help from the Squire⁸¹⁴. Particular care was reserved for old tenants and servants of the family⁸¹⁵.

Old servants were often provided with accommodation and many still in services at the time of their employer's death were given extra wages and often an annuity. When Mary, Dowager Lady Arundell died in 1794 the terms of her will allocated £30 per annum to her maid and butler if they were still in service at the time of her death. All other servants were given one year's wages.⁸¹⁶ When a member of staff or one of the servants became ill or when they retired from service the head of the estate often provided for them, possibly paying for medical treatment or providing accommodation when there was no longer a place for them within the household. On the death of Henry, Lord Arundell, annuities of between £40 and £80 were left to a number of his servants, and to all other servants who were employed and boarded at Wardour he gave one year's wages.⁸¹⁷ In addition to one year's wages Mary Christina, Dowager Lady Arundell also gave each servant a mourning ring.⁸¹⁸

Sometimes gifts were made to senior staff whilst they were still working. In 1666, for example, Thomas 4th Lord Arundell gave to John Bennett, formerly of Pythouse, in consideration of his faithful service as steward, a tenement in Twiford in the

⁸¹⁴ Mingay 1976 page 140

⁸¹⁵ Mingay 1963 page 208

⁸¹⁶ WRO 2667/8/4a

⁸¹⁷ WRO 2667/8/5a

⁸¹⁸ WRO 2667/8/5b

Manor of Melbury, for the life of John's son Arundell Bennett and other of his children.⁸¹⁹ This property was to remain in the Benett family for generations.

During the French Revolution and Napoleonic Wars emphasis was placed on the supervision of tenants and estate labour. Several owners constructed model housing for their workers and regulated the cultivation of cottage gardens⁸²⁰. Another way in which the landowners provided aid to their labourers was the provision of allotments. These were popular with the gentry in years of high food prices and pauperism, for example during and after the Napoleonic Wars. There was much debate about the size of allotments. Allotments were valuable to labourers, especially in the south where low wages were common. The tenancy often ceased if the allotment holder sought parish relief. Allotments were often resented by farmers since they thought that they would waste the labourers' energy, create a spirit of independence and cause them to steal the farmer's seed⁸²¹. The Morning Chronicle reported in 1842 that John Benett had enabled the poor of Hindon to grow potatoes in the brushwood at the foot of woodland trees. Every other year he took the land to himself and gave the people another piece of land.⁸²² Although the poor benefitted from this arrangement it was not a completely altruistic act on the part of John Benett, since it is possible that in the end John Benett gained more from the exercise than the poor as he regained which was ready for cultivation. The sums spent on improving village life were small when compared to the amount spent on private entertaining, travel and sport⁸²³.

⁸¹⁹ WRO 413/161

⁸²⁰ Seymour 1998

⁸²¹ Mingay 1976 page 140

⁸²² Eyre 2002 page 26

⁸²³ Mingay 1976 page 185

During the 1840s the low wages of the agricultural labourers made it almost inevitable that humane poor law guardians should resort to concealed illicit forms of outdoor relief. These could include special payments such as before and after pregnancy, during illness, on account of real or imputed disability, to assist the parents of a crippled or diseased child or to cover the costs of a funeral. These were often means of supplementing wages for the very poor⁸²⁴

John Bennet was not considered locally to be the most generous or sympathetic of employer or landlord. There was a great reaction against John Benett who was considered to be very harsh towards his labourers, and many of them applied to Lord Arundell for Poor Relief.⁸²⁵ John Benett had the reputation of being a ruthless landlord. In 1817, for example, he threatened to pull down vacant cottages on his land if Parliament altered the law in a way that would make it easier for labourers to claim benefits by establishing dwellings in his parish.⁸²⁶ One way in which most of the main landowners was involved in local affairs was in peacekeeping. In the local militia the colonels were frequently local peers.

By the end of the 18th century the situation for Catholics was improving and Charles Browne Mostyn a Gloucestershire landowner and papist, was both Commissioner of Taxes and Deputy-Lieutenant and Lieutenant –Colonel of Volunteers. Catholics were

⁸²⁴ Gash 1979 page 199

⁸²⁵ Jackson 1984

⁸²⁶ *ibid*

prominent in the Volunteer Movement at all levels. The tenth Baron Arundell, as a Catholic was prevented from holding many ranks of office, but joined the Yeoman Cavalry as Captain of the Sarum Troop and served from 1824 to 1833.⁸²⁷

Despite prohibitions, Protestants, dissenters and Catholic recusants enjoyed privileges which far exceeded their legal rights. Dissenters and Catholics were able to administer canals, turnpikes, paving and lighting schemes, hospital dispensaries and other kinds of philanthropic activity.

Throughout the period being considered there was no abatement of the traditional interest of the squires and their families in the sick and the poor, or in the welfare of old retainers. In England's stately home no family jubilation such as the birth of a child, the coming of age of an heir or a wedding was complete without the villagers of the countryside being entertained and associated with the happy event. The community, however, also had a responsibility to their Lord and it was reported in the Salisbury and Wiltshire Journal⁸²⁸ that the remains of the Honourable Mrs Arundell, wife of James Everard Arundell 10th Lord Arundell, were interred at Wardour Chapel. When the funeral procession reached the Glove Inn the principal tenants of Lord Arundell "testified their respect the virtuous and amiable qualities of the deceased, and their attachment to their noble landlord and his family." About forty men on horseback and others on foot then accompanied the funeral cortege to Wardour Chapel.

⁸²⁷ Jackson 1984 page 31

⁸²⁸ Salisbury and Wiltshire Journal March 27th 1827

During the 18th century some traditional celebratory dinners were given on special occasions but they had moved downstairs and were on a smaller scale than previously. These might include regular dinners once or twice a year such as at Christmas when the rent was paid or dinners to celebrate a birth, wedding, election or coming of age. These might consist of combine or separate sit- down dinners for the household, tenants and local tradesmen or the distribution of food and drink for the labourers and cottagers. By the mid 18th century there were complaints about landowners staying away in London for Christmas.⁸²⁹

Entertaining the lower orders was, however, one way in which concern for the poor and a desire to improve the relations between the classes could be shown.⁸³⁰ Many owners held annual feasts for the tenants, for example, on the squire's birthday or the son's coming of age.⁸³¹ Throughout the 18th century dinners, dances and other entertainments for tenants, labourers, school children, local townspeople or the yeomanry became more lavish.⁸³²

James Woodford, a country parson in Norfolk recorded in a diary written between 1758 and 1802, how his tenants were given a good dinner of loin of veal, roasted and a good plum pudding when they paid their rent promptly. At harvest time he gave his

⁸²⁹ Girouard 1978 page 189

⁸³⁰ *ibid*

⁸³¹ Mingay 1976 page 185

⁸³² Girouard 1978 page 240

harvest men some beef and some plum pudding and as much liquor as they could drink⁸³³

In 1834 Lord Egremont⁸³⁴ at Petworth held a feast which was an annual event provided for the entertainment of the poor. About 4,000 were entitled to attend but he allowed everyone in, and about 6,000 people were fed. Gentlemen from the neighbourhood carved the meat to be served to the villagers who were seated at tables on the lawn.

Desertion of the country by rich people during the greater part of the year increased the number of poor people. When the gentry had lives in the country for most of the year their leftovers fed many poor families, and relieved the poor in sickness and misfortune.⁸³⁵

All landowners inherited a certain amount of patronage in the form of jobs on their own estate, presentation to livings and government jobs.⁸³⁶ The purchase of rights of presentation to rich livings, and the combining of several livings held in plurality were common devices and often resulted in a neglect of clerical services.⁸³⁷ Most members of the gentry and aristocracy belonged to the Church of England, a rich man's church increasingly seen as an integral part of civil society. In 1623 Thomas

⁸³³ Beresford 1949

⁸³⁴ Wyndham, George O'Brien, third earl of Egremont (1751–1837)

⁸³⁵ Davies 1797

⁸³⁶ Girouard 1978 page 2

⁸³⁷ Stone 1977 page 378

Bennett of Norton Bavant was Captain in the Parliamentary service and bought the tithes of the vicarage.⁸³⁸ The priesthood was largely in the patronage of the ruling classes and provided openings for younger sons and dependants such as ex-tutors and secretaries.⁸³⁹ With the rise in tithes and glebe farms, mainly due to the improvements in agriculture, gentlemen who held livings began to see them as suitable for younger sons, brothers, ex-tutors and other relatives especially if the livings were plural.⁸⁴⁰ John Benett son of Thomas Benett and Etheldred Wake took Holy Orders and was rector of Donhead St Andrew in Wiltshire from 1781-1808 and Ower Magna in Dorset.⁸⁴¹

Some of the upper classes argued against education for the lower classes based on the assumption that if the poor were educated they would not want to do below standard jobs, and if the children were taught to read and write the farmer would be deprived of cheap labour and the child's parents of his earnings.⁸⁴² Despite this, however, many of the gentry supported local charities including schools hospitals and almshouses as well as paying their portion of the Poor Rates.⁸⁴³

Squires frequently helped in establishing a school. Until 1861 this occurred primarily in rural counties such as Wiltshire which had the highest proportion of registered

⁸³⁸ Benett-Stanford 1947 pages 386-404

⁸³⁹ Harvey 1978 page 66

⁸⁴⁰ Burton 1967 page 43

⁸⁴¹ Burke 1859

⁸⁴² Burton 1967 page 54

⁸⁴³ Stone 1984 page 413

school children.⁸⁴⁴ John Benett had a school and school house built in Newtown in 1846 where the teaching was to be based on the principles of the Church of England, although trustees were appointed who had control of the curriculum and were to exercise control free from all Church of England interference.⁸⁴⁵

Throughout this period some landowners worked tirelessly in many posts of local administration including JP, commissioner for the highways or land tax and captain or colonel in the local militia.⁸⁴⁶ As the political structure changed and public education became the norm the direct contributions as visible protectors and benefactors of the community declined. Despite this withdrawal from former responsibilities they did continue to make some provisions to their areas including; contributions towards church repairs, augmentation of the lives of the poor, subscription to fuel charities, clothing charities, friendly societies, provision of free bread to the needy and allotment gardens for the labourers. Sometimes they provided pensions and estate properties to elderly retainers.⁸⁴⁷

As Catholics the Arundells were limited in the amount of involvement they were allowed by law. Nevertheless, they still cared for the poor around the estate and made provision for their servants. As mentioned in the chapter on religious affiliation they also took especial responsibility for the Catholics who lived close to the Wardour estate, providing employment, provisions and a school for their children.

⁸⁴⁴ Mingay 1976 page 185

⁸⁴⁵ Eyre 2002 page 37

⁸⁴⁶ Stone 1984 page 274

⁸⁴⁷ Thompson 1963 page 209

They were however involved with the local militia as members of the Sarum troop and as mentioned in the chapter on the Estate- the Land, as a member of the Hindon troop when rioters destroyed John Benett's threshing machine. It is difficult to know how many younger sons would have been involved in commercial affairs, since there were very few generations where there was more than one son, and even when there was they often succeeded as Lord Arundell on the death of their brother.

There is little information available for the Turnours, but they are in a different position since they appear to have spent most of their time in London rather than at Shillinglee. Although they did give to the poor around Shillinglee their main source of charitable giving appear to have been in London as shown in the chapters on finance and the house. They were, however, the family which had most younger sons entering into professions, but this is possibly because of their professional roots and the fact that they more surviving younger sons than either the Benetts or the Arundells.

The Benetts were the family who were most involved in their local area. As well as serving as Members of Parliament, they were also involved as JPs, sheriffs and members of the local militia. Again, like the Arundells, there were very few generations which had younger sons to provide with working opportunities, and most seem to have remained occupied with land related jobs, although one younger brother did enter the church.

On the whole the three families did appear to be involved in the villages around their main seat in the ways expected of them, although John Benett, despite his charitable giving seemed to be given somewhat reluctantly. He was the one who took more responsibility at a higher level, both as an MP and in his involvement in Agricultural Societies, and in both cases used his influence to improve the situation in the farming community. Over the period, they appear to have held all the positions locally which would be expected of them as the highest ranking gentry, although it is possible that some of their positions of authority would have been held by the Arundell family if they had not been prevented by their Catholic faith. The Turnours were also MPs on occasions, but their preference for life in London perhaps prevented them from being more involved at a local level.

Chapter 7 - Religious Affiliation

Religious beliefs and church attendance were still a very important part of life for most people between the 17th and 19th centuries. After the upheavals of the Civil War and the Restoration the situation in England was a stressful one, with renewed tensions between the Church of England and dissenters including Non-conformists and Catholics. In 1689 the accession of William III, who was a champion of the Protestant cause in Europe, with his wife Mary, a daughter of James II, was a relief to many who had feared the return to the Catholic Church under James II.⁸⁴⁸ The Arundells, as a leading Catholic family, were obviously affected by the restrictions placed upon them as a result of their beliefs, and this chapter will consider the ways in which their lives differed from the protestant Turnours and Benetts. It will also look at the ways in which those families reacted to Catholics, and the ways in which their attitudes made a difference to how they dealt with the problem of religious intolerance, especially the Arundell family.

During the reign of Charles I (1600-1649) many Catholic priests, especially the Jesuits, found comfortable homes with well to do families such as the Arundells of Wardour, the Vaux's of Harrowden⁸⁴⁹ and the Savage family. Wealthy families had often had a resident clergyman in their homes all year round, but they would not

⁸⁴⁸ Delderfield 1975

⁸⁴⁹ Vaux, Edward, fourth Baron Vaux of Harrowden (1588–1661)

always allow them the freedom to attend to the poor of the area for fear that the attention of the government might be aroused and fines imposed.⁸⁵⁰ It was not just Catholics who had a resident priest, and this might have made it easier for them to disguise the fact that they had a priest living in their home.

According to Havran,⁸⁵¹ most Catholics escaped the stigma of recusancy and also the possible penalties because James showed more leniency toward the Catholic laity than they might have expected, and persecution diminished during the last years of his reign. Nevertheless, Catholics nominally laboured under more severe disabilities than those experienced by members of the Church of England and dissenters, although in practice they experienced a large measure of toleration.

In the 17th and early 18thcenturies Catholics constituted little more than 1% of the entire population, but among the aristocracy and landed gentry the proportion was much higher.⁸⁵² The number did increase during the 18th century but still accounted for only about 4% of the population. This only changed after 1845 with the onset of the potato famine when over 1.5 million Irish people, mostly Catholics, moved to Britain.⁸⁵³

⁸⁵⁰ Havran 1962 page 78

⁸⁵¹ Ibid page 17

⁸⁵² Holmes 1993

⁸⁵³ Murphy et al 2003 page 14

It was the commonly accepted view that Charles I's marriage to Henrietta Maria, a Catholic, in 1625 would make life easier for the English Catholics.⁸⁵⁴ An Act in 1606 restricted the right of a recusant to travel or to practice a profession, and, except those in business or trade, they were not allowed to reside in London or to live within ten miles of the City under the penalty of a £100 fine. As shown in the chapter 6, the Arundells were renting property in Chelsea during this period. An example of this can be seen in the letters patent received from King James II in 1686 by Henry, Lord Arundell allowing him and other Catholics to attend Court without taking the Oath of Supremacy. It gave him permission to travel, as required, from his place of abode to the City of London or any place within the Kingdom of England without further warrant, licence or authority. It also allowed him to absent himself from church, chapel and other such places of worship, to abstain from receiving the sacraments of the Lord's Supper according to the usage of the Church of England, from taking the Oath of Supremacy and from making or ascribing to any declarations, test or recognition mentioned or contained in the said Act of Parliament.⁸⁵⁵ Another concession which aided the family's religious practice occurred in 1698 when a licence was granted to Elizabeth Arundell from William III for her to remain in the Kingdom of England. She had, apparently, left England for France without a licence in December 1688 but had then returned to England. The licence gave her permission to live in England or any other dominions.⁸⁵⁶ This is despite the regulations stipulated in the First Test Act which required Catholics to sign a declaration repudiating the Roman Act of Transubstantiation and to receive the Sacrament according to the rites of the Church of England. The second Test Act in 1678 meant

⁸⁵⁴ Havran 1962 page 91

⁸⁵⁵ WRO 2667/3/53

⁸⁵⁶ WRO 2667/3/56

that Peers of the Realm had to take the Act of Supremacy and Allegiance and make an anti-Catholic declaration repudiating transubstantiation and condemning named superstitious and idolatrous Roman practices.⁸⁵⁷ Unless they were prepared to take communion in the Anglican Church they were also excluded from all local offices.⁸⁵⁸

The Act for the Further Preventing the Growth of Popery, passed in 1700 under William III, meant that children were not allowed to go abroad to Catholic countries for their education. Adults who refused to take the Oath of Allegiance were liable to lose their inheritance to protestant relatives; they were forbidden from purchasing landed property and were obliged to pay double land tax.⁸⁵⁹ Some families suffered considerably because they were double rated, although this law was not always enforced.⁸⁶⁰

After the failed attempt by James II's son, James Francis Stuart, to lead an uprising in 1715 as a way of regaining the throne, many Catholic gentlemen drifted into what Haydon⁸⁶¹ describes as "sentimental Jacobism", which might include drinking anti-Hanoverian toasts in secret or in naming their sons Charles Edward or Henry Benedict, but the actual zeal for fighting for the restoration of the Stuarts was diminishing rapidly. The Arundells did give one of their sons the name Henry Benedict Arundell who became 11th Baron Arundell of Wardour, and although he

⁸⁵⁷ Holmes 1993

⁸⁵⁸ Pugh 1999 page 12

⁸⁵⁹ Haydon 1993 page 68

⁸⁶⁰ Beckett 1986 page 199

⁸⁶¹ Haydon 1993 page 115

was not born until 12 November 1804, it does suggest that they may still have been harbouring Jacobite affiliations at some level.

The Act of 1715 compelled the registration of Catholic estates, and in 1723 a £100,000 tax was levied on them but it did not produce much revenue, with the result that by 1725 less than half the calculated amount had been collected. Almost half of the Wiltshire quota of the levy fell on the Hundred of Dunworth which is where a great deal of the Arundell property was situated.⁸⁶²

Roman Catholics were, however, in a disadvantaged position in the early 18th century, especially the gentry. They were forbidden from worshipping openly, holding any office, sitting in Parliament, maintaining law suits and from being executors, guardians, doctors or lawyers. During the time of George I the necessity to pay double land tax resulted in many heavily mortgaged Catholics being forced to sell out.⁸⁶³ Later in the 18th century, however, religious enthusiasm, according to Mingay⁸⁶⁴ went out of fashion. Roman Catholic gentry found life much easier, and although severe laws against Catholics, Dissenters and Jews remained on the statute books they were not so strictly enforced. In normal times they could rely on the aid of experienced lawyers and Protestant friends to get round the restrictions on purchasing land and entering into mortgages.

⁸⁶² Williams 1968 page 187

⁸⁶³ Mingay 1963 page 42

⁸⁶⁴ Mingay 1976 page 136

Some Catholics, mainly those in the upper class, were able to escape the recusancy laws altogether, because they had sufficient local influence to enlist the sympathy of, or to intimidate, constables and churchwardens who were assigned to carry out the recusancy laws.⁸⁶⁵ Few churchwardens fulfilled the letter of the law concerning Catholics, and often ignored repeated instructions to report recusants. Richer Catholic squires often escaped punishment because it was difficult for them to report recusants who were socially their superior.⁸⁶⁶ Unofficial toleration greatly modified the effect of laws against Roman Catholics, Dissenters and Jews, and Justices of the Peace deliberately refrained from interference as much as possible. Catholics often maintained friendly relations with the protestant clergy and dined with protestant justices, who in their official capacity fined them for breaches of the laws. They were regularly allowed to worship in their own homes without undue interference, and often maintained friendly relations with the protestant clergy.⁸⁶⁷

Despite their religious adherence the ownership of the advowsons of St. John's and many other churches in North Dorset were held by the Arundell family which may have equipped them with a solid core of Anglican clergy who were dependent upon them, and therefore, ready to swear to their Anglican Orthodoxy if anyone was minded to question their sectarian soundness.⁸⁶⁸

⁸⁶⁵ Havran 1962 page 91

⁸⁶⁶ *ibid*

⁸⁶⁷ Mingay 1976 page 73

⁸⁶⁸ www.tisburyhistory.co.uk

Haydon⁸⁶⁹ suggests that relations between Catholics and Protestants were not as poor as they could have been: for example, the provincial magistrates, who had a tendency to migrate, did not exploit the rigour of the penal code. If they had feared and hated the Catholics the laws would have allowed them to harass them relentlessly.

Lord Arundell appears to have been very involved, along with other Catholic nobility, in lobbying parliament in order to procure greater freedom for the Catholics in England. In the Arundell archives “The Catholic Papers” include a report produced in 1719 for the purpose of inducing the English Catholics in general to become, “by degrees, truly and heartily well affected to his majesty’s government.”⁸⁷⁰ The group accepted that in order to persuade the government to give more freedom to Catholics, some compromises would have to be made. They proposed that in order to put the Roman Catholics in a way of deserving some share in the mercy and protection of the government the most considerable of them should send a deputation and letter to the pope in order to inform him that, although they might be ruined socially they might be able to obtain some religious liberty and security for other Catholics. This however, would be dependent upon the pope agreeing to four conditions, which would be sympathetic to Roman Catholic principles but, at the same time agreeable to the Anglican Church. The four conditions proposed that firstly: it was important that the pope should order the former decree about the oath of allegiance which was, by then, dormant in the hands of booksellers, to be published and executed by proper delegates and in the most effectual manner for the information of the people. Secondly, that he take away the

⁸⁶⁹ Haydon 1993 page 12

⁸⁷⁰ WRO 2667/25/2

name and office of protection of England from the Cardinal Gualtierio, the pretenders public and declared agent, and confer the same upon some other, no way engaged in any factions or obnoxious to this government of England. The pope was also advised to revoke the indulgencies granted to the pretenders for the nomination of the Irish Bishoprics, and to solemnly promise the emperor to govern these missions without any communication direct or indirect with the pretenders or regard to his interests. Finally it stated that any person employed in these missions should be revoked or called away bona fide by his respective superiors upon intimation of any offence by him given to the government. It also noted that it would be necessary to send also to the emperor a letter to desire his mediation in this affair since he was already engaged to encourage the pope to accept the terms set out.⁸⁷¹

It was noted in the letter to Lord Arundell concerning the report, that it was considered to be sufficient for the letters to be signed by the Duke of Norfolk, Lord Stafford⁸⁷², Lord Montague, Lord Waldegrave⁸⁷³ for the Nobility, Mr Stonor and Mr Arundell Bealing for the Gentry and also by Sir John Webb and Mr Charles Howard. A letter to Lord Arundell from Lord Stanhope in 1719, suggests that the proposals were not going to be accepted unanimously. He had, apparently, shown the paper to the Duke of Norfolk, Lord Waldgrave and Charles Howard. The Lords were agreeable, but Howard was not. He had spoken to other Catholics, and Lord Stanhope felt that that he would not agree to the proposals. In July 1719 the Duke of

⁸⁷¹ WRO 2667/25/2

⁸⁷² Gower, John Leveson-, first Earl Gower (1694–1754), politician. Described as being sympathetic to Jacobitism as a young

⁸⁷³ Waldegrave, James, first Earl Waldegrave (1684–1741), diplomatist and politician. He was prominent among the Catholic peers and gentry who negotiated to create for patriotic Catholics a *modus vivendi* with the Hanoverian regime. These talks had failed by December 1719, and Waldegrave now chose Hanover and a public career over Catholicism

Norfolk replied that he could not respond to the proposals because only four of the people mentioned had seen the paper and many others should also be consulted, but felt sure that all would agree to the issues. This however did not occur, as is shown by another letter from Lord Stanhope in reply to a letter from Lord Arundell that the Dukes of Norfolk, Lord Montague and Lord Waldgrave had been overruled by Charles Howard, and although they had all agreed to sign, Norfolk and Howard pulled out.⁸⁷⁴ This suggests that even amongst themselves the wealthy and influential Catholic families were undecided when it necessitated them making a public stand concerning their faith. It may be that they were happy not to pursue the subject since they were not really being affected too much and they were concerned that matters might become more difficult for them if they protested too loudly.

For most of the 1730s there was a reasonable amount of leniency and Catholics were not really troubled by official action.⁸⁷⁵ In 1788 an attempt was made to assess the sums involved in the double Land Tax and the figure of £2,289 was produced. It was abandoned in 1794. In some counties there were Tory Jacobites who were more than happy to assist Catholic friends who shared their politics and fell foul of the law: for example, Sir James Dashwood, an Oxford Jacobite, purchased property on behalf of a nearby Catholic squire who, under statutes, was not allowed to buy new land himself.⁸⁷⁶ Through the help of lawyers and protestant friends who acted for them in business and legal arrangements Catholics were able to preserve their wealth, buy more land and enter into mortgages. One such family was the Giffords of

⁸⁷⁴ WRO 2667/25/2

⁸⁷⁵ Haydon 1993 page 118

⁸⁷⁶ Haydon 1993 page 126

Staffordshire who, having assisted Charles I, were exempted from the anti-Papist laws. As a result they prospered, inter-married with other Catholic families and their income rose from £4,000 in 1758 to £10,000 in 1790, partly as a result of a 100% rise in their rentals.⁸⁷⁷

In 1745 James Cosin, son of a former secretary to the Commissioners for Forfeited Estates published what he called “A list of the names on non-jurors and others who refused to take oaths to his late majesty King George”. Many of the people who were named in the list were entitled to annuities under the will of Thomas Arundell dated 1704-5. These included:

⁸⁷⁷ Mingay 1963 page 42

Annuities Paid to Lord Arundell's Servants

Name	Position	Annuity
Simon White of Wardour	a servant	twelve pounds
Robert Dalton of Bridzor	yeoman	five ponds
Margaret Dalton, his wife		five pounds
Thomas Chester of Whitsbury, gent	servant	forty pounds
Mary, his wife		twenty pounds
Richard Philips of Odstock, gent	servant	twelve pounds
Mary Jenkins of Wardour spinster	servant	eight pounds
Matthew Haylock of Bridzor, yeoman	butler	five pounds
Mary, his wife		four pounds
Mary King of Wardour, spinster		five pounds
John King of Hazeldon, yeoman		five pounds
Deborah, his wife		four pounds
Cornelius Lamport of Winchester	servant	sixteen pounds
Marjorie Lodder of Ansty, spinster	servant	five pounds

Table 7:1

By the end of the 18th century Charles Browne Mostyn, a Gloucestershire landowner and Catholic, was both Commissioner of Taxes and Deputy-Lieutenant and Lieutenant-Colonel of Volunteers. Catholics were prominent in the Volunteer Movement at all levels. Dissenters and Catholic recusants enjoyed privileges which

far exceeded their legal rights. They were, for example, able to administer canals, turnpikes, paving and lighting schemes, hospital dispensaries and other kinds of philanthropic activity. There was some persecution, however, as shown by an incident in 1745 when a letter was found which appeared to implicate Edward Weld, a Catholic of Lulworth Castle, whose lifestyle was very similar to that of the local Anglican families. The justices decided that the letter was a hoax but Weld was asked to give up his coach horses.⁸⁷⁸ This punishment was obviously inflicted onto Weld in order to show that the law was being upheld rather than because religious persecution was a regular occurrence.

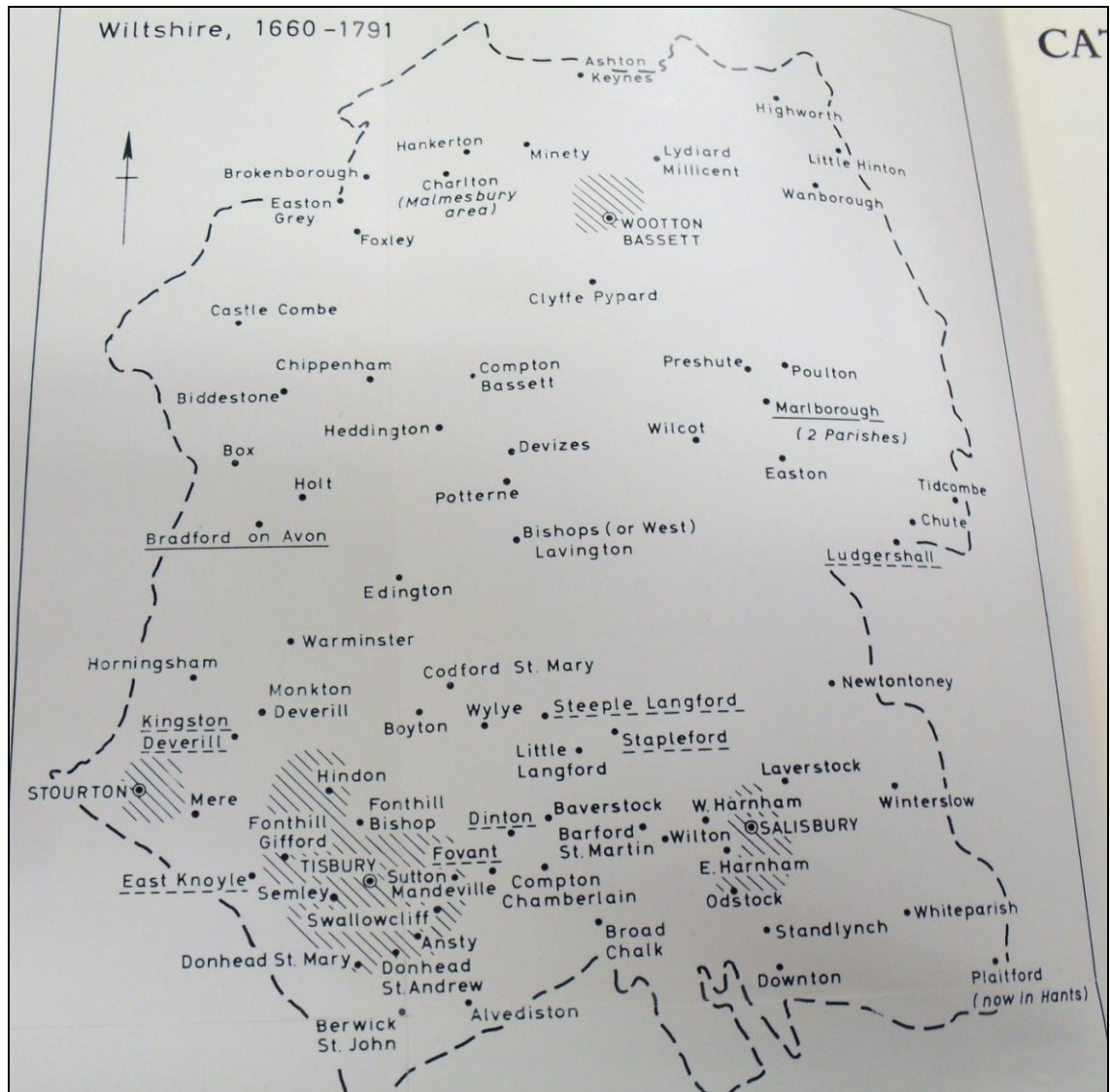
After the 1760s it was possible for practical concessions to be made far beyond what the law technically allowed, for example, Roman Catholics were accepted in parish offices including overseer of the poor. Some old feelings still lingered, however, as indicated by a clergyman in 1766 who prided himself on his liberal principles, who observed that “Catholics are not Englishmen, they are scarce to be called members of the same community with ourselves”, but despite this Harvey⁸⁷⁹ maintains that Catholics mixed freely with their countrymen of all sects. The vicar of Tisbury felt that Lord Arundell had an effect on the religious faith of the people around Wardour and it is recorded by Williams⁸⁸⁰ that this vicar complained that “Lord Arundell is Lord of the Manor and living near us (Tisbury) and consequently many of the lower class of people depending chiefly on him for their subsistence are following his Lordship for loaves and fishes.” A map showing the number of Catholics in

⁸⁷⁸ Haydon 1993 page 12

⁸⁷⁹ Harvey

⁸⁸⁰ Williams 1968 – Catholic Recusancy in Wiltshire page 82

Wiltshire between 1660 and 1791⁸⁸¹ shows a large number situated around both Wardour and also Salisbury where other members of the Arundell family had properties. This suggests that families were inclined to settle where the local Lord was a Catholic possibly in hope of employment and also it might have given them a greater sense of security in times of persecution.



Map 7:1 Map showing distribution of Catholics in Wiltshire 1660-1791, frontpiece

⁸⁸¹ Williams 1968 frontpiece

When New Wardour Castle was built it included a chapel which maintained its own choir. It is claimed that this was the first Roman Catholic chapel to be built after the Reformation.⁸⁸²



Illustration 7:1 Interior of Chapel at Wardour Castle

⁸⁸² Jackson 1984 page 31

The chapel at Wardour Castle was designed as a place of worship for all tenants, retainers and the substantial number of Catholics in the area. In 1780 the congregation numbered approximately five hundred and fifty.⁸⁸³ There were some problems for those who wished to worship there, however as is evidenced by the poster which Lord Arundell felt compelled to place around the vicinity of the chapel. The poster, reproduced on page 272 was headed “Caution” and referred to an act of parliament passed in the 31st year of George III, entitled “For the relief of Roman Catholics.” The poster then quoted from the Act:

“That if any person or persons do and shall willingly and of purpose, maliciously or contemptuously come into any Place or Congregation, or assembly of religious worship permitted by this act, and disquiet or disturb the same, or misuse any priest, minister, preacher or teacher therein, such person or persons upon proof thereof before any justice of the peace by two or more sufficient witnesses shall find two sureties of the peace to be bound recognizance in the penal sum of £50 and in default of such sureties shall be committed to prison thee to remain until the next general or quarter session shall suffer the pain and penalty of £20 to the use of the kings majesty, his heirs and successors”⁸⁸⁴ The poster is shown below.

⁸⁸³ Ibid page 32

⁸⁸⁴ WRO 2667/25/2/1

CAUTION.

BY an Act of Parliament passed in the Thirty-First Year of the Reign of His present Majesty, King George the Third,

For the Relief of ROMAN CATHOLICS,

IT IS ENACTED:

“ THAT if any Person or Persons do and shall, willingly and of purpose, maliciously
“ or contemptuously come into any Place or Congregation, or Assembly of Religious
“ Worship, permitted by this Act, and disquiet or disturb the same, or misuse any
“ Priest, Minister, Preacher, or Teacher therein, such Person or Persons, upon Proof
“ thereof before any Justice of the Peace, by Two or more sufficient Witnesses, shall
“ find Two Sureties of the Peace, to be bound by Recognizance, in the penal Sum of
“ Fifty Pounds, and, in Default of such Sureties, shall be committed to Prison, there
“ to remain till the next General or Quarter Session, and, upon Conviction of the said
“ Offence, at the said General or Quarter Session, shall suffer the Pain and Penalty of
“ TWENTY POUNDS, to the Use of the King's Majesty, his Heirs, and Successors.”

IN Consequence of some gross Improprieties frequently committed in Wardour Chapel, and the Passages and Avenues leading to the same, LORD ARUNDELL has thought it right to give the above Abstract, as a Caution; and to inform those frequenting the Chapel, that in future, all Persons offending against the Act, will be punished with the utmost Severity.

Printed by B. C. Collins, Cantib, Salisbury.

Illustration 7:2 showing poster cautioning anyone causing distress to Catholics WRO 2667/25/2/1

The reason for this statement also appears on the poster, and the complaint is said to be the “consequence of some gross improprieties frequently committed at Wardour Chapel and in the passages and avenues leading to the same, Lord Arundell has thought it right to give the above abstract as a caution and to inform those frequenting the chapel that in future all persons offending against the act will be punished with the utmost severity.”⁸⁸⁵ This suggests that both the priests and the congregation were being harassed by others who were deliberately waiting for them to arrive and depart from the chapel. It would however appear that Lord Arundell and his family were not affected since they did not have to leave their home in order to attend services.

The Relief Act of 1778 repealed the offensive legislation limiting a papist's rights to his property. The Catholic Relief Act of 1778 did not give Catholics the freedom of worship or free them from the restrictions placed on them by William III's Act against Popery. The Act stipulated that Catholics should take an oath of allegiance to the Crown. It had been drafted in such a way as to be acceptable to Catholics, since it did not ask them to take the oath of supremacy or make a declaration against transubstantiation. If they took the new oath they were guaranteed freedom from harassment. The Act allowed them to purchase land legally; Catholic priests and schoolmasters were freed from the threat of persecution; and the reward of £100, which had been paid to informers, was removed.⁸⁸⁶

⁸⁸⁵ WRO 2667/25/2/1

⁸⁸⁶ Haydon 1993 page 204

The Relief Act of 1791 gave some new freedoms. Catholics were permitted to worship publicly without stigma, and also the right to practise at the Bar. Catholics who took the oath were freed from prosecution and allowed to visit and live in London. Lord and Lady Arundell, their chaplain and several of their servants did take this oath. They were, however, still excluded from government office at both the local and national level, and the double Land tax also remained in place.

Under the Marriage Act of 1753 Catholics were required to marry in a Parish Church if they wanted their marriage to be recognised as legal.⁸⁸⁷ The Marriage Act of 1836 finally allowed Non-Conformists and Roman Catholics to marry in their own churches provided they were properly licensed and a civil registrar were present.⁸⁸⁸ Other restrictions still existed, however, and recusancy remained an offence. “Papists” could still be prosecuted for not attending Anglican services and they were still not allowed to vote.⁸⁸⁹ Catholics, remained unable to enter Oxford or take degrees in Cambridge Universities, which at that time, were only open to Anglican males. The Test Act and Corporation Act stated that neither Roman Catholics nor Non Conformists could go up to Oxford or Cambridge.⁸⁹⁰ This meant that they were not allowed to matriculate at Oxford or be admitted to degrees at Cambridge.⁸⁹¹ It was not until University College London was opened in 1826 specifically to offer degrees to those who were excluded from the Oxbridge colleges, for example Jews, Catholics, Dissenters and women, that the Arundell family were able to take up a university place, and Everard Aloysius Gonzaga Arundell is recorded as having

⁸⁸⁷ Haydon 1993 page 246

⁸⁸⁸ Murphy et al 2003 page 133

⁸⁸⁹ Haydon 1993 page 204

⁸⁹⁰ Burton 1967 page 45

⁸⁹¹ Haydon 1993 page 204

graduated from London University with the degree of Bachelor of Arts. Once all restrictions were lifted, however, they went to Oxford or Cambridge.

It was not really possible for Catholics to play a public role commensurate with their ranks, since they were prevented from entering politics, holding local offices or holding commissions in the army or navy.⁸⁹² They were also unable to practice law for most of the 18th century, pharmacy or medicine. These restrictions also applied to men who married Catholic women, who were then also denied access to public office of any kind, although this rule was relaxed in a number of cases.⁸⁹³

Most of the Catholic peers and gentry were, however, able to ignore the laws affecting baptism, marriage and burial. Settled families living on isolated rural estates, where they attracted little attention, often employed resident priests who administered the sacraments with only occasional interference from the government. Very few other Catholics had the same freedom, and although some were able to conceal their Catholic baptisms and marriages others had to pay heavily in the courts.⁸⁹⁴

Recusants could conceal the baptisms of their children more easily than the burial of the dead. Very few Catholics were laid to rest in consecrated ground and even fewer in Catholic cemeteries; in fact the only Catholic cemeteries were those which were in

⁸⁹² Haydon 1993 page 14

⁸⁹³ Havran 1962 page 15

⁸⁹⁴ *ibid*

private family plots which were either undiscovered or ignored. Most Catholics were buried in the graveyards of Protestant parish churches.⁸⁹⁵ In Tisbury, Catholics and Anglicans were buried in the churchyard of St John's Church until the Catholic graveyard was opened at Wardour in 1836. The Catholic Emancipation Act in 1829 allowed the Catholic Church to own land and license a graveyard; promiscuous disposal of human remains was and still is an offence.

All the Arundell family and other Catholics in the parish were buried in Tisbury Parish Church until the Catholic cemetery was opened in 1836.⁸⁹⁶ Williams⁸⁹⁷ notes that in the areas around Tisbury and Wardour there was resistance to complying with the statutory requirements for baptism and burial which is shown by number of burials which took place at night in order to avoid the necessary rites of the Church of England. He suggests that the Catholic rites were carried out before the coffin was taken to the grave. Some members of the Arundell family are buried in the church at Tisbury but this was rendered unnecessary in 1836 when the Arundells provided a burial ground at Wardour. At the time under consideration few baptisms were recorded in the parish records and Williams⁸⁹⁸ suggests that they may have been baptised at Wardour Chapel, especially since six hundred baptisms were recorded in the Wardour registers between 1744 and 1791 compared to nine in the Tisbury parish registers. The congregation at Wardour is recorded at five hundred in 1780.

⁸⁹⁵ Havran 1962 page 117

⁸⁹⁶ Jackson 1984 page 31

⁸⁹⁷ Williams 1968 page 88

⁸⁹⁸ *ibid*

Caraman⁸⁹⁹ describes the area around Wardour as being recognised as the most numerous Catholic population outside London.

In 1789 Lord Arundell listed two of the difficulties still facing Catholics. One was the problem of placing priests in churches, since any Catholic dissenting priest born in the dominions of the Crown of England arriving in England from abroad or staying in England for three days without conforming to the rites of the Anglican Church was deemed to be found guilty of high treason. The second difficulty was that of schooling since English Catholic dissenters were totally disabled from giving their children any education in their own religion. If they were educated at home, and if the master was not approved by the bishop, they would be fined £10 a month and the school master forty shillings a day. If, instead, they sent their children to a Catholic school abroad they were liable to forfeit £100 and the children were disabled from inheriting, purchasing and enjoying any land profits, goods, debt duties, legacies or sums of money. Saying mass was punishable by a forfeiture of 200 marks, and hearing it of 100 marks.⁹⁰⁰ The problem of attending Catholic services was finally ended when, in 1791 the Second Relief Act allowed Catholics to hold services legally.

Between the beginning of February and the middle of March 1801 George III had a recurrence of his illness which resulted in periods of mental instability. Because of the king's problems, Pitt promised never to revive the question of Catholic

⁸⁹⁹ Caraman 1984 page 9

⁹⁰⁰ WRO 2667/25/2/1

emancipation again during the king's lifetime. The Whigs tried to open up the highest commands in the Army and Navy to Catholics and dissenters, but there was unyielding opposition in the cabinet and the King insisted on positive assurance that the issue would not be raised again. It was hoped that the accession of the Prince Regent to the throne as George IV in 1820 would see an improvement, but there was no substantial change in the royal attitude despite his illegal marriage to Mrs Fitzherbert, a Catholic.⁹⁰¹

Emancipation Bills were passed in the commons in 1821 and 1825 but were rejected by the Lords. Roman Catholic emancipation was finally allowed in 1829. The suspicions of Rome which were largely due to a fear that the Stuarts might return, was alleviated by an oath which was sworn at the coronation of subsequent monarchs to uphold the protestant religion.⁹⁰²

As some restrictions were lifted on Catholics there was obviously a desire, by them, to provide facilities such as churches and schools which had previously been forbidden. The obvious way to achieve these projects was by public subscription and the Catholic nobility were on the list when subscriptions were required. In 1787 Lord Arundell received a letter from John Lawson of Brough Hall asking for Lord Arundell's support to start a Catholic School in England. The scheme was, apparently, well supported in the North of the country, but Lord Arundell declined to make a donation since he felt that it would not be of benefit to those living in the

⁹⁰¹ Briggs 2000 page 172

⁹⁰² Burton 1967 page 53 (footnote)

south of the country who might want a school in the London area or closer to their home in Wiltshire.⁹⁰³ A letter from James Talbot, a leading Catholic, was sent to the Honourable James Everard Arundell at Irnham Hall in 1788 asking for a subscription to aid the rebuilding of the Bavarian Chapel in London. A gift would guarantee a seat in the chapel which would be allocated according to the amount of money donated.⁹⁰⁴

Although the Arundells as Catholics were the most severely affected because of their religious affiliation the Benetts and Turnours did have issues which they needed to resolve. That the Benetts were staunch Protestants is suggested by the names of Patience and Repentance which John Benett gave his daughters who were born during the 17th century. Despite his religious convictions, however, he managed the Arundell estates in Wiltshire, Somerset, Devon and Dorset, and named one of his sons, whose Godfather was Lord Arundell, Arundell Benett. Despite the giving of extreme protestant names, the Benetts supported the King during the Civil War.

John Benett, MP, was considered, by some, to be an atheist. He did, however, react to religious issues of the time, and voted against the maintenance of tithes, assertion of clergy power, ritualism, and competition between Christian sects, opposition to Catholic emancipation and any form of sectarianism. As an MP he believed in full civil rights for Roman Catholics and dissenters.⁹⁰⁵ According to Eyre,⁹⁰⁶ except for

⁹⁰³ WRO 2667/25/2/1

⁹⁰⁴ WRO 2667/25/2/1

⁹⁰⁵ Eyre 2002 page 29

⁹⁰⁶ *ibid*

two children who died shortly after childbirth, none of his children were baptised until the oldest reached the age of eighteen, when they were all baptised together at Norton Bavant Church in 1820.⁹⁰⁷ In 1836 his son, John, married Emily Blanche, daughter of Sir Henry Tichbourne, one of the leading Catholics in the area.⁹⁰⁸ In 1826 Henry Benedict Arundell married, as his second wife, Frances Catherine Tichbourne, also a daughter of Sir Henry Tichbourne.⁹⁰⁹ On his marriage he became a Catholic, and when he died in 1844 was interred in the burial ground at Wardour Castle.

Sir Edward Turnour MP, when writing a report in 1696 concerning the breaking of the settlement of the estate, gives a good indication of his feelings for Catholics. His son who had married a Catholic proposed that he and his wife should live with his father in Parendon, but Sir Edward's account shows that he is completely against the idea. He writes: "I was forced to say it was impossible for me to live in the house and daily to see the face of one who had been so instrumental both to mine and his ruin and I knew very well what company she would bring hither as her brothers and sister and others who had drawn him into that unlucky match and had reflected so personally on me as they had done, for he could not be ignorant how his wife and others and Mrs Gasgoine had reported that I would never have been angry with him for marrying her had I not been in love with her myself, and she having refused to accept of me I would never see her in my house- and she would bring in to the house Mr & Mrs Gasgoine, nor his brothers for they being all papists and one of the

⁹⁰⁷ *ibid*

⁹⁰⁸ Burke 1959

⁹⁰⁹ Cokayne et al 2000

brothers a priest it proved to be a great reflection upon him if he suffered it for the county who were all protestants.”⁹¹⁰

In order to come to an agreement Sir Edward had several meetings in the Inns of Court at Symon’s Inns, but was not happy when a Mr Budet appeared to represent his son. Again the problem appears to be the fact that he was a Catholic in his comment that “Mr Budet of Grays Inn was there who is a papist and relation of my son’s wife”⁹¹¹, although it could have been the family connection to his daughter-in-law. These are the only blatantly anti-Catholic remarks that can be identified in the Shillinglee Papers, and from then the family seemed to marry members of the Church of England. In all three families, at least one member took Holy Orders. In the Benett family it is recorded that in 1781 John Benett, Doctor of Laws, was admitted to the rectory of Donhead, and was presented by William Benett of Pythouse.⁹¹² Also, in 1713, as already mentioned in the chapter on Marriage and Settlement, Thomas Benett married Etheldred Wake, daughter of a future Archbishop of Canterbury.⁹¹³ The Turnours also had family members entering the church, including the Reverend Adolphus Augustus, third son of 2nd Earl Winterton and also Edward John Turnour, son of the 1st Earl Winterton. The Arundells also had a son in Holy Orders. The Reverend Everard Aloysius Gonzaga Arundell, the second son of Henry Benedict, 11th Baron Arundell of Wardour, was ordained as a Roman Catholic priest in 1862, but succeeded to the title as 13th Baron of the death of his brother John Francis who died childless in 1906 aged 74.

⁹¹⁰ WSRO 454/23/25/1

⁹¹¹ WSRO 454/23/25/1

⁹¹² WRO 413/470

⁹¹³ WRO 413/329

This chapter indicates that the Arundells, as Catholics, were the only family of the three whose religious affiliations had a great impact on their whole way of life, affecting where they could live, the responsibilities they were able to take up and the education they were allowed compared to other families from similar backgrounds who did not share their beliefs. Compared to Catholics from less wealthy families, however, they did not appear to have suffered too many restrictions, but they did not have the freedoms experienced by the Turnours and Benetts over the same period of time.

Conclusion

The purpose of this study was to consider the effects of marriage, finance and the land on three landed estates in southern England from 1642 to 1850. It compares the lives of three families who owned landed estates continuously from 1700 but were from different socio-economic backgrounds. Although marriage, finance and the land are the most important factors affecting the families other influences are also investigated including; house building, responsibilities and religious affiliation.

The three families chosen were: the Arundells, an old aristocratic family based at Wardour Castle in south Wiltshire, the Benetts, originally yeomen farmers but by 1642 gentry farmers from Pythouse also in southern Wiltshire and the Turnours from Shillinglee Park in north Sussex whose origins were as both wealthy merchants and lawyers in the City of London. The aim was to analyse the changes occurring over two hundred years in each group, to see if their origins affected the decisions they made concerning the influences mentioned above. The three families were also compared in order show how their backgrounds differed, and whether these were the reasons for their attitudes and approaches to various situations.

Originally the intention was to begin the study in 1700 a point in history when all three families were established in their designated estates, but it quickly became apparent that this date would not give an accurate record of the factors which were

responsible for many of their actions. By setting an earlier date of 1642, the beginning of Civil War, it was possible to take into consideration the effects not only of the Civil War, but also the period of the Commonwealth and the Restoration. This was important because both the Arundells and Benetts who had supported the Crown were fined by Parliament and lost part of their estates. The Turnours, on the other hand, who had supported Parliament during the Civil War and changed their allegiance to the Crown at the Restoration, were not financially restricted, and since they bought new estates after this date probably made monetary gains.

An earlier starting date also provided invaluable information about the main estates which would not have been apparent in 1700. The marriage before 1700 of Patience Bennet, heir to the Pythouse estate, to William Bennett of Norton Bavant, joined the two estates and William Bennett provided funds that were used to repurchase the house linked to the Pythouse estate. Important information was also discovered about the Turnours from 17th century records. The most important being that Shillinglee was originally intended for Arthur, the younger son of Sir Edward Turnour and would, therefore have been a secondary seat. The senior branch of the family, and Arthur's descendants, however, failed to produce a male heir, and the estate passed through the female line, and Shillinglee became the primary seat. In 1700 the family background of the Turnours would not have been so obvious, even though Shillinglee House was not built until the middle of the 18th century.

It has been suggested that the socio-economic starting point of a family influenced the ways in which a landowner farmed their land. Many authors including Thompson⁹¹⁴ and Beckett⁹¹⁵ divide society into groups based on the amount of land they owned, but they do not include professional or merchant classes into their classification. Johnson, however, includes them with the gentry and Mingay states that that by the 18th century merchants were no longer investing in property. This is possibly an overstatement of the case since, although Shillingee was bought at the end of the 16th century it is probable that others from similar backgrounds were continuing to buy land at that time. If the starting date of the study had been 1700 the Turnours would probably have been included as peers of the realm because of the knighthood conferred on Edward Turnour by Charles II, but this would have been a false assumption.

Finance was the first major influence investigated and was obviously of prime importance in nearly all the following chapters. In terms of income, the Arundells were the wealthiest, followed by the Turnours and then the Benetts. Mingay⁹¹⁶ ranked groups both socially and according to income, but since the number of social ranks differ from the number of income ranks, it is not possible to link the two groups reliably. Stone⁹¹⁷ uses income as a means of ranking the groups but does not give any specific amounts.

⁹¹⁴ Thompson 1963 chapter 1

⁹¹⁵ Beckett 1986 chapter 1

⁹¹⁶ Mingay 1963 page 6

⁹¹⁷ Stone 1984 page 6

A study of finances must include debts which were abundant in all three families. Beckett⁹¹⁸ suggests that from 1660 many families began to incur debts which by the mid 18th century were already several generations old. The Arundells certainly confirm this since they were heavily indebted throughout the whole period with many outstanding mortgages. Many of these were arranged with other local landowners including £1,000 from John Benett who was employed as Lord Arundell's steward. The debts continued to increase and the family were forced to retrench on at least two occasions in order to avoid the burden of the crippling debts. The Turnours also used mortgages as a means of settling other debts and to provide liquid funds. These included loans taken out by Sir Edward Turnour on his Essex estates during the 17th century, which were eventually settled by selling off most of the estate. The Benetts, however, although they did have debts were also acting as local bankers, thus deriving funds from the financial difficulties of others. The three families are shown therefore, as acting differently in their ways of dealing with financial difficulties. The Arundells as longstanding wealthy landowners, continued to spend in excess of their income, without looking for ways in which to change their lifestyle or manage their estates in a more economically viable way. The Turnours also lived with increasing debts, whereas the Benetts tried to clear debts wherever possible.

Marriage was one way in which wealth could be increased or debts reduced.

Settlements were therefore, vitally important, since they laid down the financial provision for the next generation and prevented entailed land from being sold off.

⁹¹⁸ Beckett 1986 chapter 2

The Arundells made many advantageous marriages, and marriage settlements record not only significant jointures settled on the bride, but also vast estates. The Turnours also made useful marriages, but unlike the Arundells they were inclined to marry daughters of wealthy bankers and other City professionals, who although they did not increase the size of the estate, did add investment income. The Benetts on the other hand, married locally to daughters of other wealthy landowners and, if they inherited land, increased the size of their local holding rather than acquiring outlying secondary estates. Slater's comment that marriage represented more than an alliance between two individuals was certainly correct; in fact records indicate that this was possibly the least important factor with financial gain and the possibility of increased acreage taking precedence.⁹¹⁹ At this level Stone's opinion of couples being bound together by strong affective ties is possibly a little simplistic, although it may have been easier from this date on for couples to have some choice within a close network of families.

The acquisition of land was an important factor for most affluent families on several counts. It is possible that an improvement in income might enable a family to rise to a higher level socially. Bovill's⁹²⁰ suggestion that the price of land during the 17th and 18th century was too high to enable many to become great landowners in a short period of time can be compared to Nash's⁹²¹ view that it might have been possible for some from a successful professional background to do so. The Turnours certainly acquired the majority of the land associated with Shillinglee in two or three

⁹¹⁹ Slater 1976

⁹²⁰ Bovill 1962

⁹²¹ Gash page 19

generations, and the Benetts, although they were already landholders, added substantial acreage to their estate during that period. Clemenson's⁹²² suggestion that properties were consolidated by piecemeal purchase and exchange of adjacent lands and sales of outlying portions was certainly true for the Benetts who throughout the whole period bought and sold land, gradually selling off the land they owned in other nearby counties and buying land adjoined the Pythouse estate including part of the Wardour estate. On occasions they did sell land local to their primary estate when it was necessary to pay off outstanding mortgages.

Langford's⁹²³ claim that the ownership of land was a complicated business is certainly true, however, since land could also be used as a form of financial security. In difficult times it could be mortgaged or sold to raise funds. Obviously the former was preferable, but as a last resort subsidiary estates or lands in outlying districts could be sold. The Arundells, who were the most financially distressed, sold many of their lands and estates which were not entailed, and on occasions broke the settlement in order to sell off land around the Wardour estate, a solution mentioned by Beckett.⁹²⁴

Another drain on the family finances was the building of a new house, and this was undertaken by all three families. When Gerard Gore bought Shillinglee it did not have a dwelling on the estate, and if they were to live there a house was essential.

The Arundells were in a similar position since Wardour Castle had been rendered

⁹²² Clemenson 1982

⁹²³ Langford 1991 page 62

⁹²⁴ Beckett

uninhabitable during the Civil War. Only the Benett family had existing accommodation on their estate which had been built during the Elizabethan age so it is possible that it was in need of replacement. The Benetts were in fact the first to begin rebuilding in 1725, followed by the Turnours in 1735. The houses were of a similar size, and neither seem to have used a nationally recognised builder or architect for their new house; in fact Edward Turnour used a carpenter from the local county town of Chichester. Both, however, extended the buildings after the 1770s, the Turnours again using local workers and John Benett designing the Pythouse extension himself. The Arundells, on the other hand, when they began building the new Wardour Castle, used the services of James Paine to design what was described as the largest Georgian House in Wiltshire. Both the time of the additional building and the commencement of Wardour Castle fit in with Clemenson's point that building stopped during the 1730s and 1740s during the agricultural depression.⁹²⁵

Marriage, the acquisition of a new house, and the purchase of land all added up to a large drain which was not covered by income brought in by renting out the land to tenants. As Beckett⁹²⁶ succinctly put it: "house building, and land buying, expenditure on agriculture, improvements and borrowing to finance urban improvement or mining all helped to push up the level of indebtedness."

The role of great landowner or wealthy gentry not only brought with it a position in society, but also responsibilities. All three families were involved at the local level in

⁹²⁵ Clemenson 1982

⁹²⁶ Beckett 1986 chapter 9

providing for the poor around their estates and as officers in the local militia which had important peace keeping responsibilities. The Turnours were unusual in that they expected their younger sons to find some form of paid employment. Most went into the army, but a few entered the Church or held posts overseas. This obviously affected the work that they could do at a local level, both around Shillinglee and in London. The Arundells were also restricted in the positions they were able to fill since, as Catholics, they were forbidden to take up senior posts of responsibility at either the local or national level. They did, however, appear to take greater care of the poor in and around Wardour and were particularly supportive of the Catholics in the area. Although the Benetts and Turnours did give to the poor, it seemed they undertook this more as a duty than a service.

It was also necessary to consider whether the Arundell's Roman Catholic faith had any effect on their lives which made them different from the Benetts and Turnours. As already mentioned they were not able to hold any important posts of responsibility, but they were also affected in other ways. In theory they were not allowed to own land or live within ten miles of London but they seemed to find ways around those prohibitions. Mingay's⁹²⁷ comment that they could normally rely on the aid of experienced lawyers and protestant friends to get round restrictions on purchasing land and entering into mortgages was almost certainly true in the case of the Arundells. Despite restrictions they did immerse themselves in Catholic society, mixing with the other senior recusant families throughout the country, and acting as

⁹²⁷ Mingay 1963 chapter 2

members of lobby groups wherever possible to improve Catholic rights, and to protect the local Catholic families from harm.

By 1850, the year cited as the end of this study, all three families were, to some extent, reaching the end of their influences within their locality as the line appeared to be reaching its end, although each family managed to retain their houses until the 1940s. Shillingly's demise was escalated during World War 11. In 1885 the estates were estimated 3,321, acres in Sussex, 2,066 in Norfolk and 572 in Surrey which were valued at £4,883 per annum excluding income from rents from the Chapman estates in London. The blitz decimated the Chapman estate and this was subsequently sold off for re-development. Shillingley House was requisitioned for the use of the Canadian Army and in 1943, as a result of a drunken party, was burnt down. Since the 6th Earl had no children they moved into a building nearby. On his death in 1974 the English title ceased and the Irish titles were inherited by a Canadian relation. The estate passed to his wife's nephew who, after the death of his aunt in 1974, sold the main buildings and the land at the centre of the estate to Period and Country Homes Ltd on the condition that the main house would be restored.⁹²⁸

By 1850 the Benett family, through the failure to produce a male heir had lost their position in the local society since John Benett's estate passed through the female line to his grandson Vere Fane who took the name of Benett, and then on the occasion of his marriage to Ellen Stanford also added the surname. Their son who succeeded to

⁹²⁸ Shillinglee and the Earls of Winterton: The Chiddingfold Archive un-numbered

the estate died in 1947 and after the death of his wife in 1957 the estate was sold to Country Houses Association who converted Pythouse into apartments.⁹²⁹ Most of the Norton Bavant property situated north of the railway was sold to the War Office in 1930 and the remainder was sold in 1948 and was bought by Sir Kenneth Nicholson. Pythouse was purchased in 1953 by the Country Houses Association and sold on again plus six acres to the Mutual Houses Association. In 2004 it was sold again for £7 million and has regained its status as a private home.

The Arundells appear to have struggled to produce male heirs throughout the period under consideration. When John Francis 12th Lord Arundell died in 1906 he was succeeded by his brother Everard. As a Roman Catholic priest he had no descendants and the title passed in 1907 to Edgar Arundell, a second cousin once removed, and again with no male heirs was replaced by his brother Gerald in 1921. On his death in 1939 the title passed to his son John Francis who as a result of capture and imprisonment in Colditz during World War 11 died in 1944 at which time the title of Baron of Wardour became extinct. The buildings were then rented by Cranbourne Chase School until its closure in 1990. The house was then sold in 1992 and was converted into flats, with the central part being retained as one unit referred to as Apartment 1 which was bought in 2010 by Jasper Conran.⁹³⁰

⁹²⁹ Moody 2005 page 307

⁹³⁰ Salisbury Journal 24th August 2010

This study has shown that each family was affected both by their original place in society in 1642 and by subsequent social and economic changes. At a social level the Turnours would have been placed in the professional class before 1700, but by 1850 they were members of the titled, landed classes, although their income had not changed dramatically. It is possible, that Mingay would have included the Turnours in the rank of peers and added them to that socio-economic group. This may also be the case for other families from similar backgrounds who were granted some form of title. If this is so it would have had the effect of skewing the proportion of professional classes negatively in favour of the rank of peers to which they had moved. The Benetts, on the other hand, whose financial standing increased substantially between 1640 and 1850, did not really change their social status, although this might have been different had they accepted the knighthood offered to them during the reign of Charles II.

It has been shown that the social origins of each family affected the way in which they organised their finances, managed their estates, fulfilled their duties, arranged their marriages and built their houses. Despite the granting of a title to the Turnours, and the massive increase in the size of the Benetts' estates, in many ways they remained true to their roots. The Arundells however, notwithstanding their serious financial difficulties, did not lose their social position. It can be said that the higher the rank socially, the easier it is to retain one's rank and conversely growing wealth does not bring with it automatic social status.

The aim of this study was to analyse effects of marriage, finance and land on three landed estates in southern England. Although the findings do not disagree significantly with the views of the authors cited it does add to the picture. By taking an holistic approach to the subject over a long period of time it has shown how inter-relationship between the different topics. It was very difficult to discuss the land without involving finance, or marriage settlements without a discussion of either estates or money. Because the Arundells were Catholics the period of time under consideration meant that this subject was also of importance since it impacted on the decisions in a different way to the other two families.

Approaching the subject from a wide perspective has drawn together a range of different strands which have been studied as individual units, and by doing so has provided an overall view showing how the strands, when woven together, provide a completed picture.

Abbreviations

WRO	Wiltshire Record Office
WSRO	West Sussex Record Office
UBC	University of British Columbia
MP	Member of Parliament
JP	Justice of the Peace

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Appendix A

Dates of Birth, Accession to title and Deaths

	Birth	Accession	Death
Henry 5 th Lord Arundell	1661		1726
Henry 6 th Lord	1694	1726	1746
Henry 7 th Lord	1717	1746	1756
Henry 8 th Lord	1749	1756	1808
James Everard 9 th Lord	1763	1808	1817
James Everard 10 th Lord	1785	1817	1834
Henry Benedict 11 th Lord	1804	1834	1862
John Francis 12 th Lord	1831	1862	1906
Edward Turnour	1646	1675	1721
Edward Turnour	1675	1721	1736
Edward Garth Turnour 1 st Earl	1730	1736	1788
Edward 2 nd Earl	1758	1788	1831
Edward 3 rd Earl	1784	1831	1833
Edward 4 th Earl	1810	1833	1879
Edward 5 th Earl	1837	1879	1907
William Benett	1649		1707
Thomas Benett	1694	1707	1754
William Benett	1714		1749
William Benett			1781
Thomas	1728	1781	
Thomas Benett	1746		1789
John Benett	1773	1789	1852
William	1779		1815

Appendix B

Marriages of the Lords Arundell

Name	Birth	Accession	Marriage	death	Wife	Birth	death	children
Thomas 3 rd Baron	1607/8	1643		1694	Cicely Compton	1610	1676	2 sons 1 daughter
Thomas 4 th Baron	1633	1694		1712	Margaret Spencer		1704	1 son
Henry 5 th Baron	1676	1712	1691	1726	Elizabeth Panton		1700	2 sons 1 daughter
Henry 6 th Baron	1694	1726	1716 1728	1746	Elizabeth Everard Ann Herbert	1696	1728 1757	3 sons 0
Henry 7 th Baron	1717	1746	1738	1756	Mary Belling	1716	1769	1 son
Henry 8 th Baron	1740	1756	1763	1808	Mary Conquest	1743	1813	2 daughters
<i>James Everard 9th Baron</i>	1763	1808	1785	1817	Mary Christina Arundell Mary Jones	1764 1781	1805 1853	2 sons 4 daughter 2 sons 1 daughter
James Everard 10 th Baron	1785	1817	1811	1834	Mary Anne Grenville	1787	1845	0
<i>Henry Benedict</i>	1804	1834	1826	1862	Lucy Smythe Frances Tichborne Theresa Stourton	1812	1827 1836 1878	0 2 sons 2 sons 3 daughters
John Francis 12 th Baron	1831	1862		1906	Anne Errington	1842	1934	0

Appendix C

Birth, Marriage and Death Details in the Turnour Family

Name	DOB	DOM	Age	DOD	age	Wife	DOB	Age at M	Length in years	DOD	Age	Children
Sir Edward Turnour	1617			1675	58	Sarah Gore	1625					2 sons
Sir Edward Turnour	1646			1721	75	Isabella Keith	1650					1 son 1 daughter
Arthur Turnour (inherited Shillinglee)	1647					Elizabeth Urling	1651			1724	73	
Edward Turnour	1675			1763	61	Jane Warner						
<i>Francis Gee</i>						Sarah Turnour						1 daughter
<i>Joseph Garth</i>	1696					Sarah Gee	1674					
Edward Garth Turnour 1 st Earl Winterton	1730	1756 1778	26	1788	48	Anne Archer Elizabeth Armstrong	1735 1757	21 21	19 11	1775	40	2 sons 2 daughters
Edward 2 nd Earl Winterton	1758	1781	23	1831	73	Jane Chapman	1760	21	11	1792	32	4 sons 3 daughters
Edward 3 rd Earl Winterton	1784	1809	25	1833	49	Lucy Louisa Heys	1788	21	24	1846	58	2 sons 2 daughters
Edward 4 th Earl Winterton	1810	1832	22	1876	66	Maria Pole	1811	21				3 sons 1 daughter
Edward 5 th Earl Winterton	1837	1882	45	1907	70	Georgiana Hamilton	1841	41	1913	72		1 son

Appendix D

Family History of the Benett Family

Name	Date of birth	Date of marriage	Age at marriage	Date of death	age	wife	Date of birth	Age at marriage	Date of death	age	Length of marriage	children
William	1649	1686	37	1707	58	Patience Bishop	1665	21	1716	51	21	
Thomas	1694	1713	19	1754	60	Etheldred Wake	1689	24	1766	77	42	10
William	1714			1749	35	Mary Mountain						1 son
Thomas	1728	1766	38									
Thomas	1746	1771	25	1789	43	Frances Reynolds Catherine Darell	1745	26	1780	30	18	0 3 sons 1 d
John	1773	1801	28	1852	79	Lucy Lambert			1827	26		
John	1808	1837	29	1844	36	Emily Tichbourne						

Appendix E

Land Held by the Three Estates

Name	Family	Easting	Northing	Type
Ansty	Arundell	395579	126631	manor
Wardour	Arundell	404064	155368	estate
Hampreston	Arundell	405404	98744	farm
Shapricks	Arundell	341730	137657	manor
South Baddesley	Arundell	435106	96570	manor
Pennington Newell	Arundell	450182	129072	manor
Fontmell	Arundell	376169	96619	manor
Mellbury Abbas	Arundell	388276	119893	manor
Ringwood hants	Arundell	414671	105221	hundred & manor
Lodswell, Devon	Arundell	271986	48538	rectory/parsonage
Slapton, Devon	Arundell	282092	44862	rectory/parsonage
Tisbury	Arundell	394468	129727	fields
Bridzor	Arundell	404064	155368	fields
Poundstock	Arundell	220243	99503	tythes
Irnham Lincs	Arundell	502452	326699	estate
Beelsby Lincs	Arundell	521337	359358	estate
Hook	Arundell	359358	154086	farm
Semley	Arundell	389176	126939	manor
Hasledon	Arundell	404064	155368	manor
Donhead St Mary	Arundell	390633	124400	manor
Donhead St Andrew	Arundell	391580	124713	
Compton Abbas	Arundell	386903	118541	manor
Tollard Farnham, Somerset	Arundell	310208	132337	manor
Stubhampton	Arundell	391609	113971	chief rents
Tollard Royal	Arundell	394424	117806	advowson
Kingsdon Somerset	Arundell	351745	126331	manor
Chiddeock	Arundell	342376	92803	manor
Harkenridge	Arundell	376169	96619	manor
Berwick St John	Arundell	394724	122264	land
Somerton	Arundell	348588	128571	manor
Bletchlington	Arundell	450274	217627	farms
Blackwater Southampton	Arundell	450716	86562	inn
Yatley	Arundell	481792	161012	manor
Gillingham Dorset	Arundell	380562	126565	estate
Hawkchurch	Arundell	334174	100519	manor
Corby lincs	Arundell	488197	288353	manor
Shillingly Park	Turnour	496854	132526	estate

Parendon	Turnour	543325	208127	manor
Great Hallingbury	Turnour	551221	219682	manor
Upwell Norfolk	Turnour	549847	302332	forest
Outwell	Turnour	551050	303296	forest
Little Wrattling	Turnour	568799	247238	manor
South Mimms	Turnour	522204	201279	farms
Ridge Herts	Turnour	521494	200400	farms
Hatfield Herts	Turnour	521984	208405	forest
Orford	Turnour	643923	248535	lighthouse
Winterton	Turnour	649328	319275	lighthouse
Easthampnett	Turnour	492015	106724	farm
Crockerhill	Turnour	492235	107081	house and land
Lurgashall	Turnour	493696	127064	land
Brook street, Hanover Square, London	Turnour	127064	181115	leasehold house
Old Street London	Turnour	532810	182465	house
Panton Street London	Turnour	529778	180627	panton estate
Kirdford	Turnour	501588	126893	pasture
Petworth	Turnour	497813	121667	pasture
Earnley	Turnour	481466	97113	pasture
Almodington	Turnour	482781	98130	pasture
Selham	Turnour	493479	120741	pasture
Chidingfold	Turnour	496152	135837	land
Plaistow Sussex	Turnour	500754	500754	farm land
Gravel Lane London	Turnour	533581	181371	messuage
Letcomb Regis	Turnour	438179	438179	estate
Hodderdon	Turnour	537191	209551	land
Lodsworth	Turnour	492860	122680	land
Norton Bavant	Benett	391101	143520	manor
Chilcombe Dorset	Benett	352620	91464	land
Codford St Mary	Benett	397180	139595	farm
Codford St Peter	Benett	396378	139527	messuage
Gillingham Dorset	Benett	380562	126565	farm
Shaston Dorset	Benett	376169	96619	house
Longbridge Deverell	Benett	386919	140819	coppice
Drury lane London	Benett	530476	181142	shops, stables, dwellings
Motcombe	Benett	384906	125612	estate
Westbury Wilts	Benett	387177	150939	land
Shaston Dorset	Benett	376169	96619	estate
East knoyle	Benett	388328	130956	farm
Pythouse	Benett	390775	128526	estate
Hatch	Benett	393087	127855	farm
Semley	Benett	389176	126939	land
Fontmell	Benett	393092	131562	land
Chicklade	Benett	391324	134230	house

