

LANDOWNERSHIP IN SCOTLAND

IN THE

EIGHTEENTH CENTURY

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To

- A . C . T . -

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ABSTRACT

In the 18th century the landowning class formed the foundation of Scottish society, being economically, politically and socially supreme. The century saw vast changes in all facets of Scottish life and as the ruling elite the landowners played a significant part in bringing about these changes. The aim of this research was to study this class and to establish the number of landowners, the social distribution of agrarian wealth and the pattern of landholding in the 18th century. This was done by studying one year, 1770, in depth. Valuation rolls, supplemented by other contemporary records, were used to draw up a Directory of Landownership in Scotland c.1770, which indicates parish by parish the valued rent of each landowner. Known trends in the land market along with other data were then applied to this fixed base to build up a picture for the whole of the century.

The number of landowners at the beginning of the 18th century was found to be approximately 9,500 but this quickly fell to about 8,500 in c.1740. The number then remained fairly stable until the 1760s when it started to fall again; although at a slower rate, until by the end of the century there were approximately 8,000 landowners in Scotland.

In 1770 approximately half of the agrarian wealth of Scotland was in the hands of the great landlords who numbered only 311 and included the majority of Scottish peers. 41.6% was controlled by the lairds, who numbered about 3,700, and 5% by the bonnet lairds whose number cannot accurately be gauged but was in the region of 4,500. In addition 60 institutions controlled 1.8% of the total agrarian wealth and 61 corporate bodies the remaining 1.3%. These figures changed little over the 18th century, the great landlords gaining slightly at the expense of the others.

Four distinct regions can be discerned in Scotland when the pattern of landholdings is considered. In the counties of the West and Central region the great landlords controlled less than 35% of the agrarian wealth, whereas in the Eastern region their share was generally between 40% and 50%, and thus roughly equal to that of the lairds. In the Borders, however, the great landlords held an even larger share of the agrarian wealth of each county, this being over 65% in each case. In the Highlands region there was a certain amount of diversity, with some counties having characteristics similar to those of the East while others were more akin to those of the Borders. In all the Highland counties, however, bonnet lairds were poorly represented, unlike the West and Central region where they were found in large numbers, and the Borders and Eastern regions where their distribution was haphazard. This pattern of landholding is representative of the 18th century as a whole, the process of change being slow.

CHAPTER 1

INTRODUCTION

In the 18th century the Scottish landowner was at the height of his power, for although this century saw vast changes in all sectors of Scottish life and economy the landowning class retained its supremacy.

Events at the beginning of the century served to strengthen the position of the landowner, although the pendulum was soon to start the long, slow swing in the opposite direction. Politically the landowners gained from the Revolution of 1688-90, the terms of the Union of Parliaments were accepted mainly because the nobles wanted them, and the Patronage Act of 1712 restored to the leading landowners the right to nominate the ministers of the Church of Scotland. From this time onwards, however, there was a very gradual erosion of their powers. In 1746 the military tenure known as ward-holding was abolished, followed in 1747 by the loss of most heritable jurisdictions. Regality courts, heritable stewartries and sheriffdoms were abolished. Baronial courts were allowed to keep their rights in small matters and in the recovery of rents but, as landowners discovered that they could be sure of collecting rents by invoking the state's legal authority, even these fell into disuse. Sheriffs were appointed by the crown to administer justice, thus putting the standards of public justice in Scotland on a par with those in England.

Towards the middle of the century there arose a new threat to the supremacy of the landowners. Increasing urbanisation and the multiplication

of fortunes based on industry and commerce created an increasingly important sector of the economy which did not agree with the landed interest in many matters. To some extent the more ambitious merchants and industrialists were absorbed into the landowning class through marriage or purchase of estates. There was little disharmony in the 18th century, 'but as the urban middle class grew in numbers and importance it developed upon its old established foundations a class-consciousness and way of life distinct from and alien to that of the landowner'.¹

The French Revolution and the spread of radicalism after 1789 seemed a still greater threat to the old order, but the constitution of church and state remained unchanged at the end of the century. The landowners exploited the middle-class dread of anarchy to detach the urban rich from the working class and thus maintained the status quo. There were changes in attitudes as the working class lost its total dependence on agriculture and the landowners, but in concrete terms nothing changed and the 'landed leadership went riding high right up to the Great Reform Bill of 1832'.² The force of tradition and the strength of the old-established political leadership was to maintain the landed interests' social position well into the 19th century when their economic and political power had crumbled away.

In terms of income the landowning classes, especially the landlords, were the wealthiest sector of Scottish society. Agriculture with its associated secondary and service industries provided the majority with their means of livelihood, and although its relative importance began to diminish towards the end of the century, in terms of people employed and

1. Mingay 1963, p.13.

2. Smout 1969, p.281.

revenue yielded it still remained the most important sector of the economy. The landowners thus controlled the greatest industry in the country, the very basis of the economy and the largest single source of wealth. Landowners could also supplement their income from land by investment, by holding government office or by working in a profession.

The income of the landowners increased dramatically during the 18th century, especially after 1760 as prices and rents increased. Industrialisation, a fast growing population which was becoming increasingly urbanised and a wartime economy all forced up the prices of foodstuffs and raw materials. Agriculture would not have been able to respond to these growing needs but for the fact that vast changes were simultaneously occurring in agrarian methods and organisation which gave increased output and productivity. The processes of change had worked slowly until the 1760s or '70s, for only a few pioneers had undertaken the large capital expense of enclosing and improving their estates. By the 1780s and '90s, however, when their profitability had been proved, the majority of landowners began to implement the new methods.

Although the Scottish landlord had the reputation of being the most absolute in Britain and had more recent ties with the old feudal system than his English counterpart, he was not a slave to tradition. In the latter part of the 18th century the landowner in general favoured change and efficiency, and without the changes he implemented the growth of the Scottish economy would have been severely restricted. An active land market encouraged change, as new landowners were often less inhibited by legal or financial restraints. Nevertheless many old established families, especially those with larger financial resources, were in the

vanguard of change, for before the '70s and '80s improvement was still the province of the enthusiastic landlord.

From the ownership of land the landowning class derived the basic right to govern. The Scottish political system was blatantly undemocratic in the 18th century and remained so until 1832. Government after the Union of Parliaments was in the hands of a king whose officers changed according to parliamentary majority. Thus Scottish seats became important in the politics of Westminster and there came into being an unofficial 'manager' whose business it was to see that the Scottish representation accorded with the policy of the party in power.¹ His task was made easier by the electoral system in Scotland at the time. In the counties an elector had to hold land of the crown valued at 40s old extent before he could help elect a member for the House of Commons, and those holding of a subject superior or owning land below the stated value had no vote. The number of voters never exceeded 2700 in the 18th century and even this number is inflated owing to the practice of creating fictitious votes. Large landowners often controlled whole counties but the 'manager' was sure to have some means of exerting influence, for there were very few independent members of parliament.² He could offer places on the civil list of Scotland; he could offer pensions or posts in the customs, excise and post office; he could help to procure commissions in the army; and occasionally he could gain offices in the British government. This system of obtaining posts further served to cement the supremacy of the landowning elite.

1. Mackie 1966, p.279.

2. For full explanation of the 18th century electoral system see Chapter 2, pp. 38-50.

In the royal burghs the parliamentary franchise was restricted to the members of the burgh councils, but local magnates often found ways of influencing the council. Elections of the members of parliament was complicated, however, by the fact that the burghs voted in groups of four or five and each member burgh might be under obligation to a different landowner.

After 1707 election to the House of Lords was solely the preserve of the peers (about 150 in all) who elected 16 of their own number to sit in Westminster. The crown also controlled this 'election' and the 'King's List' nominating certain peers was invariably accepted.

In local as well as national politics the landowner had total control. Before 1747 the peers had their heritable stewardries, sheriffdoms and regalities and after the Militia Act of 1797 they became lords lieutenant. The greater landowners in each county could become commissioners of supply, originally appointed to apportion and supervise the collection of the land tax. From 1686 they had, along with the justices of the peace (who were usually landowners), the additional duties of supervising roads, bridges and ferries within their respective counties, and later they were also given the task of ensuring that the other heritors provided a school in each parish. As for the justices, they had judicial powers which were increased as heritable jurisdictions decreased, and they were also responsible for commandeering country labour for the upkeep of roads.

The social supremacy of the wealthier landowners in the 18th century depended greatly on their superior education and culture. At the beginning of the century social divisions were not so clearly defined as

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in the latter part. Incomes for all but the most wealthy landowners were small. Sons were often educated at local schools and in general the way of life of the laird was more akin to that of his tenants than of his English counterpart. The 18th century, however, saw vast changes in the manners and mode of life of all sections of landed society. Increasing contact with English society, as well as the influence of newcomers to the landowning class, served to jack up the expectations of landowners. These expectations would have come to little if incomes had not risen, allowing more to be spent on such things as education, housing, furnishings and clothes. True, many overspent and were forced to sell their land, but this only served to increase efficiency as there was always a status-hungry merchant, lawyer or industrialist eager to buy. Other forms of investment might have been more profitable but none conferred the social status attached to the ownership of land. These men did, however, have a greater motive, with less financial and historical ties, to improve their new estates.

Changes in education in Scotland were not pronounced on the surface, though its quality and aims changed considerably.¹ Although the children of the landed classes were among the most highly educated, as their parents had the means to allow them to spend a long time at school and college, they made little contribution directly to the unprecedented cultural achievements of the Scots in the 18th century. They were, however, necessary as patrons of the arts; architects, painters and Scottish intellectuals in general 'were so emotionally dependent on the approval and support of the landed classes that it is scarcely conceivable that

1. Smout 1969, p.290.

the cultural golden age could have taken place if the gentry and nobility had been unwilling to become its patrons'.¹

Economically, politically and socially therefore the landed classes were the apex of Scottish society in the 18th century and as such are worthy of a more detailed study than has hitherto been undertaken.

1 FORMER STUDIES

When the importance of the landowning class to 18th century Scotland is considered it is surprising how little has been written specifically on this group of people. Various aspects of the day to day life and economic activities of the landowners have been discussed individually but as a whole this class has been ignored. The number of landowners has only been guessed at and the social distribution of land subject to only the vaguest of generalisations.

Admittedly there are difficulties, especially as the range of income within this class was enormous, making lesser landowners often more akin to tenants than to their wealthier neighbours. The same difficulties also exist for the student of English landownership but much more has been written about the landowners of England than their counterparts north of the border.

Why should this be? Firstly there are more contemporary estimates for England of numbers of landowners with fairly comprehensive breakdowns into social groups. Gregory King, Joseph Massie and Patrick Colquhoun produced statistics for 1688, 1760 and 1803 respectively

1. Smout 1969, p. 506.

which, although subject to problems of interpretation, give 'historical enlightenment without quantitative accuracy'.¹ In Scotland the only work which is even remotely comparable is that of Sir John Sinclair in 1814.² Sinclair lists the number of estates within each county, dividing his data into four classes by valued rent: large properties, middling properties, small properties and estates belonging to corporate bodies. Lands belonging to small feuars or portioners as well as town or burgage properties are omitted. The source of Sinclair's statistics is not clear, but they must be based on the assessments made for the collection of land tax c.1814 and bear no relationship to the information concerning heritors in the O.S.A. returns. No attempt was made to equate these valued rental groups to real rental. These statistics are, like those for England, subject to problems of interpretation and are useful only in the broadest of terms.³

Secondly, the social distribution of land in England has been subjected to two distinct probes of historical scholarship.⁴ At the end of the 19th century concern for the wider diffusion of landownership and the creation of a large class of peasant proprietors led to the study of the earlier disappearance of such a body. Studies by such well known authors as Tanney,^w Johnson, Gonner and Husbach all centred on the question of the distribution of land between small landowners and the rest. More recently, studies led by Tanney and Habakkuk have stimulated work by Stone, Finch, Simpson, Joan Thirsk and Mingay among others. Although these are all in some measure concerned with the

1. Mathias 1957, p.32

2. Sinclair 1814, I, pp.89, 122.

3. Leeming 1963.

4. Thompson 1966.

causes and consequences of the distribution of land in various periods their aim is usually to illuminate some other historical event or situation, thus allowing a certain bias to creep in. If this is kept in mind, however, a continuous and consistent picture of the social distribution of land in England throughout the 18th century can be obtained from these studies.

No such picture exists for Scotland. This is partly due to the fact that source materials of the type used in England do not exist for Scotland and partly because of historical differences in the landholding patterns of Scotland and England. A great deal of the modern work on the social distribution of English landed property is based on comparative study of the land tax records. These are lists of the amounts paid every three or six months by each landowner and as such there are often long chronological series on a parish basis. Detail is often given of the status of persons paying the tax. In Scotland no such records exist nor does any other which will as readily supply information.

Historians have not pursued the study of the Scottish landowning classes because there is no burning question which such a study would answer. The history of landholding in Scotland does not hold any questions like those aroused by the disappearance of a large section of the English owner-occupier class, and as a result only vague estimates have been made regarding the size and social structure of the landowning classes in the 18th century. Even this interest is of relatively recent origin. T.C. Smout was the first author to consider seriously the Scottish landowner in his own right but, although interested in many facets of the landowner's attitudes, position and importance, comments little

on the size or social structure of this class. He estimates that c.1690 'outside the south-west where very small estates were common, there were probably less than five thousand men who possessed the right to inherit or to sell the ground they held'¹ and then quotes the statistics of Sinclair for 1814 with little comment as to their validity, except the negative statement that we cannot be 'quite sure whether there was a greater number of landowners altogether than there had been a century before'.² S.G.E. Lythe and J. Butt also discuss the importance of the landowner to Scotland, but with no attempt to enumerate the class except for West Lothian.³ Neither work seriously attempts to discuss the social distribution of landed property in Scotland. Regional differences in the type of landowner are sometimes noted but have not been dealt with in a systematic manner in these or any other works.

2 AIMS

Basically the aim of this work is to take the study of 18th century Scottish landownership out of the realms of generalisation and put it on a firm base. Specifically this work aims to answer the questions:

1. How many landowners were there in the 18th century and did this number fluctuate?
2. What was the social distribution of agrarian wealth and did this alter?
3. Did the distribution of estates owned by landowners of varying social and economic standing have a distinct pattern, and did this change within the 18th century?

1. Smout 1969, p.135.

3. Lythe & Butt 1975, p.120.

2. Smout 1969, p.285. Sinclair gives a total of 7654 landed proprietors.

3 METHODOLOGY

As there exists no comparable study the methodology has been evolved as various sources were examined. Due to constraints of time no more than a preliminary survey of available sources could be undertaken initially and as a result the relative importance of various sources altered in the course of research. Estate plans at first seemed to offer the solution to the problem of who owned the land and where but, although useful as a secondary source, they proved inadequate. Valuation rolls, on the other hand, seemed at first of limited value but proved in the final analysis to be of vital importance. The methodology therefore had to be flexible and so this study was undertaken with only three basic guidelines in mind. The final form grew from an amalgamation of these and the available source material. These three objectives were:

1. That a study in depth should be made of landownership c.1770.
2. That this study should be given a geographical framework.
3. That, from the basic detailed study of c.1770, estimates of changes in the size and social structure of the landowning class as well as the pattern of landholding should be made for the rest of the century.

3.1 The Choice of Study Year

There exists for Scotland no source comparable to the land tax returns used in English studies which would allow a chronological series of cross-sections of the landowning class to be made. Therefore a detailed picture of the landowning classes of Scotland must be an amalgamation of many sources carefully and painstakingly pieced together. To achieve

this for the whole of Scotland at ten or twenty year intervals would be impossible, as sources and time would not allow it. The only solution therefore is to choose one year as the optimum for study, although even then ambition might sometimes outstrip the means.¹

The choice of one particular year must at first seem rather narrow and arbitrary but a study of the 18th century economy will vindicate the decision to centre the study on 1770.

At the beginning of the 18th century Scotland was a very poor and economically depressed nation. The gradual, if somewhat sporadic, economic progress of the previous century seemed to grind to a halt. The outbreak of war with France dealt a further blow to an already ailing export trade. Commercial difficulties were overshadowed, however, by the bad harvests of 1695, 1696, 1698 and 1699 which brought famine and even death to many. The failure in 1698 of the Darien scheme, on which much in terms of cash and hopes had been laid, added to the atmosphere of despondency which characterised the period just before the Union of Parliaments.

The Union was at first regarded by many as a panacea to all Scotland's ills, but when economic recovery was slow in coming opinions were reversed and the Union seen as the cause of the depression. The positive harm done by the terms of union has been exaggerated in the past, and native industries were 'not much disturbed let alone ruined'.² Large amounts of tax were not sent to England, and the biggest loss probably arose through the tendency after 1707 for more Scottish landlords to travel and live in England, spending their rents there rather than at home.

1. Mingay 1966, p.15.

2. Smout 1969, p.243.

Indeed it was the interaction of people and ideas with England, along with the great impost-free market created by the Union, which largely helped the Scottish economy out of the depression. The delayed effect of the Union coupled with the rise in population and the development of Scotland's intellectual life¹ led to a steady economic growth in the 1740s, '50s and '60s. As increased productivity led to increased profitability, changes in methods and organisation began gradually to be accepted in all sectors of the economy. In the terms of Rostow this was the 'prelude to the take-off'² of the Scottish economy.

The 1770s saw a levelling off of the rate of economic growth, when events similar to those which caused regression in the 1690s - war, bad harvests and the collapse of a great company - once more hit Scotland. Scotland had, however, changed in the intervening eighty years and these factors only served to give a temporary check to economic growth, which by the 1780s was accelerating on an unprecedented scale. This rate of growth was maintained until the end of the Napoleonic Wars.

The changes which occurred in the Scottish economy to allow this fast rate of growth have been distorted by the coining of the terms Agrarian and Industrial Revolutions.³ These give the impression of an overnight transition from a traditional rural world to a new industrial technological one, whereas in reality economic and social change were more gradual processes which varied in emphasis and speed from one area to another.

It would obviously be of great interest to obtain a picture of the

1. Mitchison 1970, chap.20.
2. Rostow 1966, chaps.2 and 3.

3. Ferguson 1975, p.166.

landowning classes at a time when traditional methods were still largely employed but where, with hindsight, it is clear that the processes of change were firmly established. This would therefore be a picture of those men who were to play such a large part in Scotland's take-off into self-sustained growth. A picture of landownership at this watershed of economic and social affairs would also make it easier to trace trends in the changes in the numbers, structure and pattern of landownership, on which the economic climate undoubtedly had an effect.

Many historians have considered the problem of the reasons for and the timing of the agricultural and industrial changes within 18th century Scotland. As the processes of change were complex and gradual, the conclusions reached by historians depend somewhat on the particular field of interest of each. In general, however, the years between 1760 and 1780 are seen as key years. Before 1760 the rates of increase in population, food and raw material prices, rents and land prices were all comparatively slow but after 1780 these rates accelerated until the end of the Napoleonic Wars, by which time the economy had been transformed.

Historians interested primarily in the agrarian sector seem to agree that the turning point was about 1770. J.E. Handley states that 'in 1770 the first stirrings of those changes that were to revolutionise industrial and agricultural methods at the end of the century were only just discernible'¹ and he shows throughout his book that he considers 1770 important. Very briefly, he states that by 1770:

- a. Commerce had expanded, especially the trade with the plantations which had built up sufficient capital to weather the embargo which

1. Handley 1963, p.1

the American War of Independence was to place on it.

- b. There was the basis of an adequate banking system which, although conservative, proved stable.
- c. The Turnpike Act of 1751 had not immediately meant a lot more roads, but by 1770 most counties had taken advantage of its provisions.
- d. Agricultural changes were occurring in pockets all over the country; the late 17th century acts relating to enclosure and runrig were being implemented and the 1770 Montgomery Act helped lessen the financial implications of strict entail acts; the theorists and the pioneers were busy and a spirit of improvement was stirring, though as yet only touching landowners and a few enterprising tenants.
- e. In 1769 Watt patented his steam engine, giving impetus to the industrial changes without which the tools and transport needed for the vast agrarian changes at the end of the century would not have been produced.

To Handley, 1770 saw the time when all the prerequisites for future economic growth came together and from that time on the agrarian sector of the economy, linked indivisible from the whole, saw a more or less inevitable and self-sustaining progression towards a modern economy, although it was many years before the traditional features of society were eclipsed.

The work done by I.H. Adams on various aspects of the agrarian sector reinforces this conclusion. Consideration of the graphs compiled by Adams concerning the work of surveyors, the foundation of planned villages, and the rate at which commonities were enclosed,¹ makes it immediately clear that the decade ending in 1770 saw more activity in these fields than any other period. The gradual increase in activity over

1. All reproduced in Adams 1975.

the earlier part of the century and the tailing off thereafter suggests that the take-off occurred around 1770.

T.C. Smout is of the opinion, however, that 1780 saw the take-off in the agrarian sector, as he considers the index of prices and rents to be of fundamental importance,¹ though he does qualify this by saying that 1760 might be a better date for areas which were early to improve. He emphasises that change was slow and patchy. M.B.W. Third, on the other hand, stresses the importance of capital and the diffusion of ideas when she states that 'it was not until the '60s or '70s that sufficient momentum and capital had been acquired to enable general improvement to be undertaken'.²

Alexander Wight was in no doubt that the years around 1770 were of vital importance to Scottish agriculture when he wrote (concerning surveys started about 1770), 'Fifty years ago a survey of this kind would have been of no avail, because our practice, cramped by custom, was the same everywhere and there was nothing to be learned. Fifty years hence the knowledge and practice of husbandry will probably be spread everywhere and nothing will remain to be learned'.³

Taking into account all available evidence, therefore, it would appear that 1770 could reasonably be taken as the key year in the agrarian sector. If the industrial sector of the economy is considered, 1780 would probably be a more accurate date, for the take-off in Scotland and England was part of the same phenomenon, associated mainly with the advent of the cotton textile industry and the dramatic acceleration

1. Smout 1969, p.292.

2. Third 1953, II, chap.6, p.7.

3. Wight 1778-84, preface.

taking place in agricultural change. Prior to this there had been significant changes in the Scottish economy which helped to make the breakthrough possible, but it was about 1780 that increasing urbanisation and expanding industries gave a new rhythm to economic life.¹

In that the landowners were more intimately connected with the agrarian sector and that it is with the ownership of land that this study is concerned, 1770 would appear the best choice of date for study. The landowners' interest lay in rural society and few were to expand their horizons beyond using limited parts of the new technology to enhance the local economy. Increasing urbanisation and industrial wealth were inevitably to lead to the diminution of the landowners' power just as increasing demand for food and raw materials was to raise their income, but a study of c.1770 would:

- a. Show a pattern of ownership which, although never static, still reflected the traditional society while being increasingly affected by the pressures of vast economic change.
- b. Show the people who played such an important part in the transformation of Scotland.

The availability of a wide range of contemporary documents and books relating directly to the land from about 1770 onwards reflects the activity and interest evoked by the changes throughout society and the economy. Wight, Ramsay of Ochtertyre, Thomas Somerville, Sinclair and many others reflected the excitement and wonder felt by many at the changes which became increasingly apparent to all after 1770.

1. Much has been written about the timing of the Industrial Revolution in Scotland, among which: Hamilton 1932; Smout 1969, chap.10, pt.2; Mitchison 1970, p.357; Lythe & Butt 1975, chap.10

3.2 The Geographical Framework

The second basic objective of this study was to give the information gained a geographical framework. This was done:

- a. To give form to a mass of detail.
- b. To allow comparisons with other works based on the parish.
- c. To allow the study of regional variations.

A Directory of Landownership in Scotland c.1770 (Scottish Record Society 1976, presented as Appendix 1 to this thesis) forms the core of research, and all statistics quoted for c.1770 come from this source. The material in the Directory is divided firstly by county, and then by parish wherever possible. Modern parish boundaries (i.e. pre-1975) have been used, and so care has to be taken when comparisons are made with material dating before the rationalisation of many parish boundaries in 1891.

3.3 The Changes within the 18th Century

Using similar sources as were used to form the Directory, coupled with the expertise gained from that detailed study, trends in the changing numbers, social structure and pattern of ownership can be assessed without studying particular years in depth. The methodology used is discussed in Chapter 5.

The above outlines the fundamental methodology behind this study. More detailed information regarding the handling of source material is given in the introduction to the Directory, and in the first section of Chapter 3.

4 SOURCES

As discussed earlier, there exist no sources in Scotland which will quickly and easily solve the problem of who owned the land in the 18th century. The information laid out in the Directory is based on contemporary valuation rolls supplemented by data from various other documents and books. The same sources are used to assess the trends in landownership numbers, social structure and pattern within the 18th century in general.

4.1 Valuation Rolls

Valuation rolls were compiled for each county of Scotland in order that each proprietor might pay a just share of any land tax demanded by parliament and the crown. The history of the land tax in Scotland, coupled with its administration in the 18th century, is dealt with in detail in Appendix 2, and so it suffices here to summarise the three main points affecting the analysis of the data in the Directory.

Firstly, the valuation rolls of the 18th century were based on assessments of the real rent of 1656. Although by 1770 the figures meant little in themselves, the relative position of one landowner to another was maintained. Depending on the valued rental of his estate a landowner would pay a proportion of any land tax demanded of the county. The system might superficially be compared with that of local rates today, where the valued rent of a property would be equivalent to the modern 'rateable value' and the two, four, six or eight months' cess would

determine the 'rate per pound'.

Secondly, in 1656 not only the profits from land were assessed but also 'every species of real property in the kingdom; - of the ecclesiastical lands and rents and tithes holden in mortmain by the clergy, whether regular or secular; - of lands holden of the Crown, by lords, barons, and other free vassals in ward or in blench farm; - and of the proper demesnes of the Crown occupied by its thanes, stewarts, chamberlains or other collectors of the Crown rents according to these extents'.¹ This therefore included teinds, feu duties, and the income from mills and fishings as well as land.

Thirdly, royal burghs were assessed separately, paying one-sixth of the tax demanded directly to the crown.

The valuation rolls which exist for the latter part of the 18th century vary greatly in quality and to some degree in date. These rolls were compiled at infrequent intervals and it was not until 1802 that a form of presentation was laid down. Much depended on the clerk writing the roll and the historical precedent within a particular county.² Some rolls break the data down into parishes, others do not. Some give each landowner's name at the time of revision of the roll, others give none. Some give every farm or land name associated with a valuation, others give none. The majority are combinations of all these features and care has to be taken to evaluate each separately.³

The valuation rolls used in the Directory have a time span covering 1751 to 1799, but 70 per cent fall within the decade 1765-75. Very few

1. Mackie 1946, p.100.
2. See Chapter 3, pp.101-3.

3. See Introduction to Directory, and Chapter 3, pp.89-106.

of the existing 18th century valuation rolls owe their survival directly to the system of administration which brought them into being. There are still a few in the hands of local authorities, such as the 1771 roll of Perthshire¹ or the 1788 roll of Inverness,² but these are few and of scattered dates. Some have survived in family archives, possibly because a family had an overwhelming interest in the surrounding country, as in the case of the Earl of Cawdor,³ or were once associated with the administration of the land tax, as in the case of Innes of Stow.⁴ Valuations on a local parish scale can often be found in the heritors records in the Scottish Record Office⁵ as they were used to apportion an owner's share of such things as the minister's stipend, an assessment made for the poor or the expense of building a new kirkyard dyke. The majority of rolls, however, survive in the records of the office of the Presenter of Signatures.⁶

In the 16th century various principal financial officers were responsible for the 'presenting, i.e. the laying before the sovereign of charters and other grants affecting the revenues under their management for the sovereign's royal sign manual. After 1603 those documents no longer needing such a seal were passed by the lords of the privy council and later by the lords commissioners of the exchequer. At some time before 1620 the duty of presenting these signatures was committed to a

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1. SRO, Inventory of Local Authority Records, Perthshire, section 1, item 8/22.
 2. SRO, Inventory of Local Authority Records, Inverness-shire, section 1, item 5/1.
 3. See Cawdor Castle muniments room, press 1, shelf 22 for valuation roll of Nairnshire dated 1771.
 4. SRO GD.113.
 5. SRO HR series.
 6. See the E.106 series in the Scottish Record Office. Note that a few of the rolls in this series came via the office of the sheriff clerk of chancery.

new official called the presenter of signatures, or presenter of signatures in exchequer as he later became known. This office was the only pre-union exchequer position to be incorporated permanently in the post-union administration.¹

The presenter of signatures needed a copy of the valued rental of an estate as the basis for striking compositions on a charter. Sometimes a certificate from the commissioners of supply giving the relevant abstract from the current valuation roll was enough to clear up a difficulty,² but twice in the 18th century the presenter urged the barons of exchequer to order all commissioners of supply to send copies of the current valuation roll to Edinburgh. Such an order was sent out on 19 June 1771 from the exchequer chambers in Edinburgh and read as follows:

"Upon reading a Memorial from the Presenter of Signatures praying the Barons to order the several Collectors of the Land Tax in the Counties of Scotland respectively to transmit to the Presenter of Signatures an Authentick Copy of the book by which they collect the Land Tax, ordered the Deputy to write to the said respective Collectors, to transmit to the Presenter a Copy of the said book on or before the 14th day of November next. By order of the Barons.
[Signed by] D. Stewart Moncrieff, Deputy K.R."³

The cluster of valuation rolls of approximately this date shows the response to the order and indeed some refer directly to it, as in the case of Berwickshire⁴ where a valuation roll is concluded with this statement:

1. See SRO E.106, Introduction.

2. See SRO E.254.1 and 2.

3. See SRO E.306.3, Exchequer Orders 23 Feb.1754-1 Oct.1771, p.348.

4. SRO E.106, 6.4

"John Home Collector of Cess in the shire of Berwick maketh Oath that the foregoing Book of Valuation consisting of the 17 preceeding pages all and each of which are signed by him and to be delivered in to his Majesties Exchequer in Scotland pursuant to an order of Court date 19th June 1771 is a just and true copy of the principal Records of Valuation kept by him as Collector of Supply for the shire of Berwick.

[Signed] Jo. Home, Greenlaw. Sworn before me this 6th day of March 1773 [signed] Geo. Gordon, J.P."

The response of the commissioners of supply was not always favourable, however, as the gaps in the records of the presenter of signatures indicate. This is upheld by the evidence concerning a similar order issued by the exchequer on 3 February 1802 for copies of the valued rental of each county, to be transmitted by 30 September of that year. Robert Stuart, deputy presenter of signatures, in a letter to the exchequer asking for the order to be sent out, states that 'the last return of these books into exchequer [were] many of them so far back as 1724, others of them betwixt that period and 1750, and none of them later than 1772'.¹ A year later 15 - Ayr, Dumfries, Midlothian, Caithness, Cromarty, Fife, Angus, Inverness, Kirkcudbright, Lanark, West Lothian, Orkney, Roxburgh, Ross and Renfrew - had not replied. By 1809 nine were still outstanding, five being deficient and four not having replied, viz. Fife, Inverness, Orkney and Wigtown.²

In addition to the valuation rolls thus transmitted to the presenter of signatures, there exists in the same records a book in which rough copies have been made of the valuations of certain counties. The handwriting suggests that this book may have been compiled around 1804³

1. See SRO E.254.10. 2. SRO E.306/5, p.334. 3. See SRO E.106/36.

but the information listed is of an earlier date. Perhaps this was an attempt to bring together all available valuation rolls at the turn of the century to assess the state of the records at the time.

Those valuation rolls used in studying the remainder of the 18th century have the same *raison d'être* as those of c.1770.

4.2 Cess Books and Rentals

Although valuation rolls exist for the majority of counties, two other types of records are used in the cases of Orkney and Zetland.

Cess books are basically lists made up in relation to one year's tax, giving the amount of money to be paid by each proprietor. These occasionally take the same form as the better valuation rolls, as in the case of Orkney¹ where the information is divided into parishes and some farm names are given as well as every landowner's name. If valued rent is also given, as in the cases of Peebles² and Perth,³ the problems of standardisation encountered in Orkney obviously do not arise.

There is one county for which no evidence relating to land tax could be found, namely Zetland, but fortunately there does exist a 'Rental of the Lordship of Shetland' made by order of Sir Lawrence Dundas in 1772.⁴ In 1766 Sir Lawrence had acquired from the Earl of Morton the lordship of Zetland, along with the lordship of Orkney and the bishopric of Orkney, and he automatically became the tacksman

1. See SRO E.106/24/3.

2. See Edinburgh University Library, LA.III, item 333.

3. See above, p.21, note 1.

4. See SRO RH.4/65.

of crown revenues associated with the purchase. As there was no record of the extent of his property or the duties payable to him, his factor was ordered to produce a rental. The task took five years and when completed gave a picture of the ownership of the whole county, except the udal lands which were owned by a multiplicity of small owner-occupiers.

Each landowner was subject to certain payments to the lordship of Zetland and so it became the practice to collect the land tax with these in a lump sum. No individual valuation roll was lodged with the office of the presenter of signatures, and payment of the tax, usually in association with the tax due from Orkney, was made directly to the receiver-general in Edinburgh.

Although the use of this rental means that the statistics for Zetland are not directly comparable with those for the rest of Scotland, a picture of ownership is obtained; and the fact that the number of merks¹ owned by each proprietor is given means that the relative economic position of one owner to another can be established.

4.3 Supplementary Sources

Other sources were used to fill gaps in the information given by the valuation rolls, and these vary in importance from county to county.

Estate plans can be a valuable adjunct to the valuation roll, not only by adding a pictorial dimension but by giving proprietors' names, often both for the estate portrayed and adjacent estates.

1. A merk as used in Zetland was the quantity of land needed to produce a given value of crops, and hence might be between 1 and 5 acres.

Scotland was well served by surveyors such as Pont and Adair, but it was not until the 1720s that estate and farm plans began to appear in any great numbers.¹ Studies by Adams, Third, Storrie, Fairhurst and Megaw have shown why plans were made at this time and the contribution they can make to the study of social and economic change. The extent of national coverage, the wide range of dates, and the bias in the surviving plans obviate a national study using estate plans, but they are often valuable in filling gaps.

Estate plans have helped to underline a problem inherent in valuation rolls which might otherwise have been overlooked, namely the practice in some cases of valuing an estate in the parish where its bulk is situated, ignoring small areas in adjacent parishes. This problem is linked with that of a generally bad breakdown into parishes in certain counties. The county data will nevertheless be accurate, as each was treated individually.

In theory there are endless other documentary sources, in addition to those already mentioned, which contain information regarding the ownership of land. Many refer to landowners by the use of a territorial designation, a practice found only in Scotland. The following are examples of records found useful in the study of 1770:

- a. Lists of freeholders, e.g. the list for Nairnshire dated 1774 to be found in the muniments room of Cawdor Castle.
- b. Valuation rolls of individual estates, e.g. valuation of the estate of Galloway dated 1768.²

1. See Adams 1975, p.14.

2. SRO HR.282.6.6.

- c. Miscellaneous lists of persons paying cess or land tax, e.g. a list of those in Selkirkshire paying on £100 Scots or above and those paying on a house of £30 rent.¹
- d. Lists of heritors at a meeting.²
- e. The minutes of the meetings of the commissioners of supply.³

Coupled with these rather miscellaneous contemporary documents, the finding of which is sometimes as haphazard as is their evidence, various contemporary and modern printed sources are of value.

The Old Statistical Account of the 1790s gives some information regarding the heritors of individual parishes but, as with all the information returned by the parish ministers, the quality of the answers varies, from total neglect to a careful list of each heritor with his associated valued rent. Often the information is merely a number which, although useful as a check, does not add constructively.

County histories⁴ give varying amounts of information as to the proprietors of certain estates in the past. Parish and family histories have for the most part been ignored, as they yield little additional information for a study on a national scale.

The only modern work to yield any information for the whole of Scotland at the parish level is I.H. Adams, A Directory of Former Scottish Commonities. In giving the names of landowners involved in the legal proceedings leading up to the division of a commonity, it makes available much valuable information.

1. SRO GD.1.334.4.

2. See HR records in SRO.

3. See CO records in SRO.

4. See county introductions in the Directory for examples, especially Ayr, Fife and Wigtown.

These then are the many and varied sources from which a picture of landownership can be built. Individually each seems inadequate, but by using the valuation rolls as a base the others can be related to a total picture.

Most of the preceding examples come from a detailed study of c.1770 but, given the existence of the required valuation roll, the same methodology can be used throughout the 18th century, although thereafter redemption becomes of increasing importance.

5 APPROACH

This work studies the landed interest in its greatest days of economic, political and social supremacy, the 18th century. The period covered stretches from about 1690 to 1815 rather than the formal century of 1701 to 1800. 1690 marks the end of the upheavals which culminated in the Glorious Revolution and, although the 18th century was to hold internal disturbances like the two Jacobite rebellions, there was in general a greater degree of political and social stability than hitherto experienced. The end of the Napoleonic Wars has been chosen as the end of the 18th century in this context to allow comparisons between the traditional society of the earlier years of the century with a society becoming increasingly urbanised and industrialised. That is not to imply that these processes were complete by 1815, for many more people still lived in a rural environment than in towns, and even in urban areas more people still lived by traditional craft methods than by the technology of steam and factory.

Little has been written on the landowning class as a whole, but much in various places about individual aspects. Chapter 2 brings this information together to give a balanced picture of the life, attitudes and achievements of the Scottish landowners in the 18th century. Thereafter the next three chapters are concerned with the analysis of the data in the Directory of Landownership in Scotland c.1770, and the extension of this field of study to include all of the 18th century.

Chapter 3 lays down the basic framework of the research. The problems of handling the source material, especially valuation rolls, are discussed, as nothing previously has been written in the Scottish context. This leads on to a discussion of the data in the Directory, ending with an appraisal of the number of landowners in Scotland c.1770. Chapter 4 discusses the social structure of the landowning classes, and Chapter 5 the distribution of these social classes within Scotland, both for 1770 in particular and the 18th century in general.

The concluding chapter discusses firstly the number of landowners existing in Scotland throughout the 18th century and then goes on to summarise the position of the three main landowning classes in relation to each other and their varying fortunes within the century. Finally, although available data is not always strictly comparable, some comparisons between the English and Scottish situations are made.

CHAPTER 2

THE AGE OF ENLIGHTENMENT

Power and landownership have been synonymous from time immemorial, yet often precariously based through wars, feuding, internal unrest and poverty. The landowning class, or more precisely the wealthier landowners, continued to dominate Scotland as she emerged from abject poverty until, by the end of the century, she could compare in economic, social and cultural terms with England or Holland. The traditional and established order made good economic and political sense and, although by the end of the century it was under attack from intellectuals, was not subject to actual revolt as in France. Agriculture was still the largest single occupation of the people. The wealthiest landowners were considered the wealthiest people, although by the end of the century some individuals with fortunes based on trade or banking could rival them in income. Above all, the structure of politics was weighted heavily in favour of the wealthier landlords. Such was the special position of the landowning class that even in the middle of the 19th century, when all these factors ceased to be true, the social order remained unchanged.

If the landed interest had taken an entrenched position in defence of power, privilege and prestige there would most probably have been a revolution. There was, however, social mobility within the landed classes. Although it was impossible in the 18th century for a wealthy merchant or lawyer to join the top rank of owners, as 'thanks partly to the policy of the House of Lords and partly to the grip of the Scottish laws of perpetual

entail from 1684, the newcomers were unable to collect the necessary quantity of land and influence that would have raised them to the peerage',¹ the lower classes of landownership were readily accessible to those with the money to buy an estate.

The wealthier landowners were dominant in politics and society, but not in all of the varied aspects of economic, religious, literary and artistic activity which make up the life of a nation. This chapter will discuss the nature of their domination of a society still largely agricultural and the role which the landed classes played in bringing about the economic changes of the 18th century. This is a prerequisite to the following detailed study of the landed classes and is also of intrinsic interest in that no other work has attempted to pull together the various threads which together weave a picture of the landowning classes at this time, before the forces of industrialisation, urbanisation and democracy changed the whole structure of society.

1 THE LANDOWNER AND SOCIETY

The social advantages of owning land were often very important considerations when a merchant, banker or lawyer bought an estate.² The interest gained on the capital expended was often not the best which could be obtained, but polite society was hard to enter in the 18th century unless an aspirant owned land. Even then, unless extremely rich, it was usually some time before a new member was totally accepted.

1. Smout 1969, p.284.

2. Smout 1964, p.218.

The social supremacy of the landlords¹ was largely based on their superior education and culture. Thus Mingay states of England that 'the landed classes governed the country and led society not only because of their wealth and political power but because they were educated from childhood to fulfil their role in society',² and this can equally be said of the Scottish landowning classes.

At the beginning of the 18th century, though sons of the nobility were usually educated at home by tutors, most of the lairds sent their sons to local schools to be educated alongside their tenants' sons.³ By the end of the century more landowners' sons were being taught at home, though in some areas it was still the tradition that the laird's son should start his education at the local school. The practice of sending boys to boarding schools became more common towards the end of the century as increased income allowed more to be spent on education. A course at a university in Scotland or abroad, followed by a cultural tour of Europe or England, finished the education of a landowner's son, the extent of which was related to the owner's wealth. Throughout the century it was common to equip the heir for estate management by some study of law coupled with practical experience gained by working with his father. Younger sons, however, were educated to find openings in the army, in trade or in the legal profession. Since the sons of the landowners were invariably among the most highly educated in the country they felt the full

1. In the following discussion the items included will relate to the landlords of Scotland unless otherwise stated. The bonnet lairds or owner-occupiers had a way of life more akin to tenants than to landlords and so are not included in much of the following, although the rise in living standards was ubiquitous.

2. Mingay 1963, p.131.

3. Graham 1964, pp.21-2.

impact of the changing nature and purposes of Scottish education in the late 18th century, which had the over all effect of breaking down the old narrow formality in learning and broadening the intellectual horizon of the pupil.¹

In contrast the education of girls of this class was shallow and haphazard, aimed more at the acquisition of social graces than intellectual enlightenment. At the beginning of the century they were taught to read and write only poorly, as well as to sew, knot, spin and perhaps play a little on the viol or virginal.² Improvement was slow, and by the second half of the century girls still left school ignorant of geography, history and grammar, though they could perhaps spell better and spoke a little less broadly. More girls were sent to boarding schools, but for the majority of Scottish lairds the cost was prohibitive, the education of sons being given top priority. Alongside the breakdown of formality and the widening of the educational system came a parallel relaxation in the internal formality of families and in the strictness with which children were brought up.³ Together these factors helped to create a climate where the wealthiest class in Scottish society became receptive to the cultural changes which occurred in the latter half of the century.

In the years between the accession of George III in 1760 and the death of Sir Walter Scott in 1832, Scotland forged ahead not only in the realms of scholarship and learning but also of literature and art. 'Her universities were everywhere admired, her poets, novelists and artists were lauded, her philosophers and historians gained the respectful

1. For a good summary of these changes see Smout 1969, chapters 18, 19.

2. Graham 1964, pp.22, 73-5.

3. Smout 1969, p.289 and Plant 1952, pp.1-18.

attention of civilised peoples and the books and magazines that issued from her presses influenced opinion and judgement throughout the world'.¹ This movement centred on Edinburgh which, although no longer the political capital, was hailed in the enthusiastic language of the 'Age of Enlightenment' as 'the Athens of the North'.

Despite their privileged position in education, few members of the landed classes made any original intellectual contribution to the cultural golden age. Exceptions such as David Hume, Tobias Smollet, John Loudon Macadam and Sir John Sinclair can be found among the lairds, but the only peers to make personal contributions were the Earl of Lauderdale in political economy, the Earl of Dundonald in industrial chemistry, and the Earl of Morton as founder of the Royal Society of Edinburgh. It was, however, one of the necessary preconditions for the cultural golden age that the landed classes should be patrons if not participants, for 'it is scarcely conceivable that the cultural golden age could have taken place if the gentry and nobility had been unwilling to become its patrons'.² In addition, the increasingly cosmopolitan life led by the nobles and lairds helped prevent Scottish culture from becoming folksy and insular.

The increased income of the wealthier landlords, especially after 1760, coupled with the changing emphasis in education and a desire to imitate contemporaries in England, led the landed classes to support architects, artists, poets and even philosophers. This identification of Scottish intellectuals with the landed classes, springing from an emotional dependence upon their approval and support, was accompanied by an absence

1. Pryde 1962, p.162.

2. Smout 1969, p.506.

of social and political iconoclasm. Few philosophers attacked the landowners' right to property and privilege and so there were no Scottish equivalents of England's Tom Paine or France's Voltaire or Rousseau.

Concern with education, intellectual achievement and pleasure in high standards of taste were bound to have an effect on the manners and social habits of the landowning classes. The transformation which occurred was of such a magnitude that T.C. Smout has classed it as 'A Revolution of Manners'.¹ At the beginning of the century 'high and low were miserably poor'.² Rents were extremely low and often paid partly in kind, so that the gentry, while they ate and drank heartily, perhaps even to excess, had few possessions. As incomes rose, the habit of acquisition spread downwards from the nobility and great lairds, so that by the end of the century all classes of landowners had a more comfortable way of life. Not only were houses less draughty, dark and gloomy, but furnishings became more plentiful and well-designed. Clothes also became more plentiful as well as changing with the dictates of fashion. By 1815 meals were smaller but the diet was better balanced, with more fruit, vegetables, wheat bread and fresh meat being used.³

Changes were not all material, however, for the accepted norms of behaviour also changed. Drunkenness in particular seems to have declined, and was no longer socially acceptable at funerals and weddings. Table manners became more refined and it was polite to admire pictures, read secular books and perform or listen to music. Good manners and

1. Smout 1969, p.285.

2. Graham 1964, p.2.

3. This trend has been documented for the nobility in the earlier part of the century in her doctoral research by B.L.H. Horn (1977). See also Plant 1952, pp.96-131.

proper speech became the obsessions of polite society.¹

The material aspects of this revolution could not have been sustained without the rise in incomes which occurred within the 18th century, but the main impetus and direction came at first from a desire to emulate English society. Newcomers from merchant and colonial backgrounds, with their wider experience of the polite world and with money for ostentatious display, also had the effect of raising the expectations of the Scottish landowners. Expenditure on new housing, increased standards of living and lavish entertainment naturally varied, but grew tremendously throughout the landed classes, often ahead of income. To meet these needs an owner could raise rents or borrow, and in either case the result was more efficient farming. Increased rents usually heralded the adoption of the new methods of farming, while borrowing, unless followed by efforts to increase the productivity of an estate, led inevitably to its sale to someone eager to recoup at least part of his expenses through improvement.

In the spheres of morality and religion the 18th century as it proceeded became an age of reasonableness as the stultifying influence of the church was moderated.² In general the landowners as a class were Godfearing and practised kindness and charity towards their fellows and dependants, tempered by their own class interests. The church, although debased by worldliness and patronage, contained many worthy men and could rely on the goodwill and devotion of most landowners. While the local landowner did not always attend church, he generally

1. See Smout 1969, pp.285-91; Graham 1964, pp.73-80.

2. See Mackie 1966, pp.294-301; Ferguson 1975, Chapter 4; Smout 1969, Chapter 9.

supported the minister, although the problem of augmentation of stipends caused some ill feeling at the end of the century. Ministers themselves were often younger sons of landed families and so could identify with the landowning class. On the other hand, the fact that they usually came from lesser families than the local magnates, coupled with the operation of the patronage system, ensured a measure of servility in the ministers and further enhanced the landowners' position of superiority. Toleration of other beliefs was common in the upper landowning classes, but their inborn feeling of superiority could not allow the acceptance of the idea of equality before God as preached by the methodists. Private and public morals were lax, as corruption in government and bribery at elections indicates.

The social supremacy of the Scottish landed classes therefore rested on wealth tempered by education and culture. Within the century all three saw dramatic changes. The wealth gained from the agrarian sector grew tremendously; education became less formal and was put on a wider base; and culture saw a flowering of the arts unprecedented in the history of Scotland. All these changes took place within the existing political structure over which the landowners ruled supreme.

2 THE LANDOWNER AND POLITICS

Although in many respects the Union of Parliaments is regarded as a great watershed in Scottish history, its importance to contemporaries was less in political terms than it now seems in retrospect. Scotland never had the bold tradition of parliamentary initiative which, in England, had been developed from the reign of Elizabeth. James VI and Charles I kept the Scottish parliament caged behind the Lords of the Articles, so it never dared formulate anything unwelcome to the Crown; in 1638 it was freed for a time until Cromwell's victory put an end to the venture; and after 1660, although more open in its criticism, parliament never defied the Crown on any important matter.

The constitutional settlement following the accession of William III abolished the Lords of the Articles and restricted the power of the privy council, while the new assembly showed itself anxious for independence by exerting control over its own disputed elections and standing up for its right to initiate legislation even if disliked by the Crown.¹ The conflicts which might result are illustrated by the case of the Darien scheme. In 1695 the Scottish parliament conferred a charter on a new national trading corporation, the Company of Scotland, which promptly invaded territory claimed by the neutral king of Spain at a time when William III and his ministers were trying to avert a Spanish/French alliance. Thereafter London tried by all means at her disposal to exert control over the Scottish parliament, with mixed success, ultimately

1. Pryde 1962, pp.49-50.

gaining parliamentary union in 1707. Thus what seems to us an irrevocable loss was to contemporaries not nearly so important. Government had been directed from the south since 1603. Thus the only change after 1707 was that control was no longer in the hands of a commissioner representing an absolute king, but of officials who changed according to parliamentary majority.

2.1 Parliamentary Representation

At the time of parliamentary union Scotland had approximately one-fifth the population of England.¹ However, the numbers of Scots members sitting in the House of Lords and House of Commons were not fixed in relation to this, but by hard bargaining inspired on the English side by a lively sense of the disparity in wealth between the two countries. Revenue yields were at that time an accepted way of statistically measuring political units and, as English customs and excise brought 36 times that of Scotland and land tax 41 times, the English were unwilling to be as generous over parliamentary representation as they had been concerning the provisions for land tax, customs and excise, and the national debt. Perhaps the figures arrived at were fair for 1707 in these terms, but on the other hand no allowances were made for possible growth in national wealth, as had been done in fiscal arrangements. Eventually it was agreed that Scotland should have 45 members in the House of Commons, added to the existing membership of 513, thus giving Scotland one-twelfth of the total representation.

The problem of the representation of peers was also difficult, as

1. Smout 1969, p.216.

there were 154 Scottish peers in 1707.¹ In a way the large numbers eased the situation, for the holders of the greater or more ancient titles already resented the rapid increase in numbers which had taken place in the 17th century. The commissioners negotiating the union decided that the peers should be represented in the same proportion as already agreed for the Commons, thus adding 16 Scottish peers to the 179 already sitting in the House of Lords, a decision which was accepted without argument. However, there was much discussion concerning the rights and privileges of these 16 peers. It was finally agreed that no patent of honour granted to any peer of Great Britain who was a peer of Scotland at the time of the union could entitle that peer to sit and vote in parliament or act in a trial by peers unless he was voted one of the 16 (this was rescinded at the end of the 18th century).²

2.2 Electoral Arrangements of 1707

Elections for the House of Lords took place whenever there was a general election, and every Scottish peer could vote either in person or by proxy. From the beginning, however, the government manipulated elections and it became the practice for the 'king's list' to be accepted without question.³ If opposition was organised, as in 1734, it was never able to make much impression, as 'management' was efficient, although peers were occasionally recalcitrant in by-elections. There were certain peers who by weight and influence had to be included in those elected, and the few vacancies were filled by those of the right political hue, chosen by the fall of a dice!⁴

1. Turberville 1927, p.137.

2. Turberville 1927, Chapter 5.

3. Ferguson 1975, p.137.

4. Turberville 1927, p.159.

The new system operating in the House of Commons involved some telescoping of constituencies, for which a rather dubious precedent existed during Cromwellian times. Thus the largest 27 counties, measured by valued rental, each got one member of parliament, and the other six counties were 'paired' for alternate representation and disfranchisement in successive parliaments. Edinburgh was allocated one member of parliament and the other royal burghs voted in groups of four or five for the remaining 14 seats.¹

2.3 Franchise

No change was made in the franchise in 1707 and in fact the requirements for voters laid down in 1681 remained unchanged until 1832. The basic county vote had been that of the 40 shilling freeholder, as in England, but the 1681 Act used the words 'of old extent', referring to a valuation made in the time of Alexander III, with the proviso that if this was not known the payment of land tax on an estate valued at £400 Scots was an alternative entitlement. In Sutherland the right to vote was extended from those who held solely of the crown to those who held of the Earl of Sutherland, as his estates were so extensive.²

The right of voting was also allowed to appraisers or adjudgers, although in practice this was rare; this proviso extended the vote to any creditor to whom the lands of a debtor had been adjudged as security for a debt, for a period called the legal reversion. Proper wadsetters who were in a similar position could also vote, as could heirs apparent who had not formally completed their title to the lands in question. In the

1. Ferguson 1975, p.134.

2. Namier and Brooke 1964, p.38.

case of a liferent, the vote could be either in the hands of the liferenter or fiar (the person to whom lands revert on liferenter's death) but not both.¹

Not all those qualified to vote by ownership of land were entitled to do so. In 1707 an Act was passed removing the vote from Roman Catholics, or people attending episcopal meetings at which the pastor had not taken the oaths to the government or did not pray for the king. The eldest sons of Scottish peers were not allowed to vote in or stand for elections within Scotland. Irish peers were regarded as commoners and so their sons were under no disability. By an Act of George III, many government officials connected with the collection of the revenue were disabled from voting at parliamentary elections.

The right to vote in county elections thus lay in the hands of a small number of substantial landowners. In 1788² no county electorate exceeded 200, and the majority were below 100. Even these totals are inflationary as, of the 2,655 votes registered in 1788, 1,318 were fictitious.

2.4 Fictitious Votes

With the loosening of legal control over elections consequent on the Union of 1707, great landowners were able to convey lands in trust, or redeemable for nominal sums, to their relatives or political friends, thereby conferring the right to vote on men who had often no real interest in the land.³ It was not until 1743 that parliament tried to stop this by enabling any freeholder to ask another to take the oath of possession if he suspected

1. Adam 1887, pp.xvi-xvii.

2. Adam 1887.

3. Ferguson 1975, p.135.

that the person in question was merely holding an estate in trust, a false oath being punishable for perjury. Twenty years later a more searching oath was introduced and together these helped to check this type of fictitious or nominal vote. Under the Act of 1681, however, the right to vote was allowed to a holder of the superiority of lands as well as to a holder of both land and superiority (that is, an owner holding of the crown). On the disuse of conveyances in trust it became common to create votes on mere superiorities, usually in the form of liferents or wadsets. At first it was doubted whether liferenters and wadsetters of mere superiorities could safely take the oath of possession, but it soon became common practice.¹ In 1768 an attempt was made by the Court of Session to stop this practice, but the House of Lords reversed most of their decisions and the number of fictitious voters increased until the elections of 1784, when several freeholders of Morayshire were tried for perjury. Although no convictions were obtained this was the start of a more successful movement which ended in 1790 with the employment of interrogatories being sanctioned as well as the trust oath in cases of this kind. Nominal votes then in existence were thus ended, although this did not prevent their revival in modified forms.²

All the voters had to be entered on a roll of freeholders which was made up annually at the Michaelmas head court of the county and also immediately before an election. These meetings were often trials of strength between rival factions, each trying to create enough fictitious votes to sway the election.³ The chairman's decision to admit or reject

1. Adam 1887, pp.xxii-xxiii.
 2. Ferguson 1975, pp.135-6.
 3. Namier and Brooke 1964, p.39.

votes could be challenged in the Court of Session, with right of appeal to the House of Lords. Elections were therefore often decided in court, and when it is remembered that many Scottish judges came from families with important electoral interests, the total power of a few wealthy families is underlined.

For the royal burghs there was a system of indirect parliamentary election which was unique to the 18th century. Each burgh council elected a delegate, and then the delegates of each group met together and elected their member of parliament. Edinburgh was the only single burgh constituency, and when one considers that London, while not using the widest possible franchise, had 7,000 electors in the late 18th century, the 33 voters of Edinburgh are seen in a true light.

2.5 The System in Practice

County elections in Scotland were not the same as in England, for public opinion went unheeded and even property was denied its full weight. Smaller landowners were not allowed to vote, nor were men of substantial property who did not hold directly of the crown. Furthermore, the difference between the nominal and real value of the land went on increasing, until in 1793 the rent of land rated for election purposes at 40s was computed at £70-£130 sterling (£840-£1,560 Scots). Thus, while the county franchise in England automatically fell with the decrease in the purchasing power of money, in Scotland it rose. The alternative qualification of £400 Scots valued rent, used if an owner could not prove a retour on the old extent, was worth in real terms four times the previous qualification! Influence, when not based on fictitious votes, was largely

the result of prestige derived from tradition or character. The great influence of the Duke of Argyll at the beginning of the century, and Henry Dundas at the end, was due not to the extent of their property but to their connection with government.¹

The small size of the electorate allowed control of elections and a magnate might control a whole county, as in the case of Argyll by the Duke of Argyll, Banff by the Earl of Fife, Bute by the Earl of Bute, Dumfries by the Duke of Queensberry (who also inherited the control of Peebles from the Earl of March in 1778) and Sutherland by the Earl of Sutherland. These were constituencies where one man was so powerful as to be virtually unassailable. There were others, such as Kinross, Orkney and Zetland, Kincardine, Selkirk and Midlothian, where one family predominated.² In the remaining counties, two or three families formed alliances and counter-alliances which were broken and reformed with regularity in order to win elections. Family connections and traditional rivalries determined these combinations, which overrode differences on national politics.

As with county elections, so with burgh elections. Influence was exerted to make sure that the 'correct' delegates were elected by the burgh councils, and thereafter things were more or less a formality. In about half of these constituencies money counted for more than anything else, being used to bribe councils rather than individuals. A burgh could be temporarily disfranchised if found guilty of flagrant corruption, but the system persisted. Six of the 'burgh constituencies' were under patronage to a certain extent, but the situation was complicated because different burghs

1. Namier and Brooke 1964, p.40.

2. Namier and Brooke 1964, 40-41.

within a constituency could be under obligation to different persons. The term 'rotten borough' should be used with care as patronage here meant that the patron would be given first preference provided he continued to look after the burgh's interests.¹

Since there were only 15 burgh and 30 county constituencies, the opportunity for compromise between them did not exist to the same degree as in England. There were examples of such agreements, however, as in 1770 when the Mailes of Panmure and Thomas Lyon, brother of the Earl of Strathmore, agreed that the former should have supremacy in Angus and the latter in the Aberdeen burghs. In most cases the Scots worked out their own system for avoiding expensive contested elections where the interests of the candidates were balanced, although this was entirely illegal. Compacts were made, as in the case of Berwickshire in 1780, whereby one candidate would be unopposed but would stand down in favour of the other halfway through the life of that parliament.²

With the abolition of the privy council in 1708 the Marquis of Queensberry was appointed a third secretary of state with special responsibility for Scotland. As the Scottish secretary was excluded from foreign affairs there was hardly enough administrative work to justify the post, which was meant only to direct elections in the government interest, to control the Scottish members in parliament and to keep Scotland quiet. Indeed, in a long vacancy between 1725 and 1742 the Duke of Argyll and his brother Islay managed Scottish affairs through other offices, but mainly as a result of their great family influence and personal ability. When the post was finally abolished in 1746 other means had to be devised to manage

1. Mackie 1966, p.281.

2. Namier and Brooke 1964, p.41.

Scottish affairs. Formal parliamentary responsibility lay with the Secretary of State for the Northern Department until 1782 and the Home Secretary thereafter, but they relied on the Lord Advocate for local knowledge and advice. Political and legal commitments left these men little time to deal with the day to day running of Scottish affairs and so from 1746 to 1827 the real though unofficial control rested with the 'manager'. A skilled politician, the manager knew how to use family connections and government patronage to win elections and to marshal the Scottish votes in both houses.¹ A third of the House of Commons consisted of place men - holders of civil crown offices, army and navy officers and the like who were liable to dismissal on political grounds.² The manager could also grant posts nominally in the hands of corporate bodies and individuals by virtue of their official or patrimonial privileges. Undoubtedly Scotland saw the most successful manager at the end of the century with the 'reign' of Henry Dundas, who at one point could control the results of 36 out of the 45 seats!

Thus the wealthy landowners in league with the government at Westminster controlled most of the Scottish elections. Not all county electors moved automatically according to the bribes of government or the whims of the great landowners, although the lesser lairds who had the vote generally did identify with one particular magnate.³ Sparks of

1. Mackie 1966, p.281.
2. This figure comes from Romney Sedgwick, The History of Parliament: the House of Commons 1715-1754 (1970), p.139, but there is no reason to believe that this proportion altered radically in the second half of the century.
3. For example in counties of the north east the Earl of Fife and the Duke of Gordon were in different political camps and the lesser lairds tended to range themselves alongside one or other of these two feuding nobles (Tayler 1925, p.101).

independence often showed and family allegiances could prove stronger than the weight of property. If a great magnate made himself unpopular or combined with others to dominate a county, the freeholders were apt to rebel, as in Moray or Ayr where the independent freeholders set up and elected their own candidate in 1774 because they objected to the dominating approach of the Earls of Cassillis, Loudon and Eglintoun, who had united to support Cassillis' brother.¹

There were also some independent members of parliament, but these had to be men of wealth who could maintain themselves without government office, such as the Earl of Fife, Sir James Johnstone of Westerhall, Alexander Garden of Troup or George Dempster. Their number was restricted not only by the need for a high income but also by the clan system whereby candidates were supported by their families and often thought of themselves as representing the family rather than the constituency.

The legal requirements demanded of a member of parliament were the same as those necessary to become a freeholder. Even so it was always the same few men who appeared at successive elections, although they often changed their seats from county to burgh. The limited number of constituencies, and the expense of travelling to and living in London, as well as the political system itself, all restricted the number of men willing to stand for parliament. No person could be elected who was not on the roll of freeholders for the county concerned. Although, like so many other regulations, this could easily be complied with, there was no influx of people from outside Scotland, and only five Englishmen and one Irishman sat for Scottish seats in the 18th century (all for burgh constituencies).

1. Namier and Brooke 1964, pp.42-43.

The expense of defending votes in Scottish courts helped to keep this number low.¹ In contrast, more than 60 Scotsmen sat for English or Welsh constituencies during this period. This was the result not only of the under-representation in Scotland but also the facts that until 1802 the eldest son of a peer could not stand for parliament in Scotland, and that some Scotsmen could sit for English constituencies through right of property held by their families.

Scots members, once elected, had a reputation for nearly always voting with the government which is hardly surprising given the electoral system. After 1782, however, this faded with the growth of the party system, when party replaced national allegiance as the bond between members. The Scottish upper class tended to look upon a parliamentary career chiefly as a means of earning the spoils of office for themselves and their relations, and therefore did little to rock the boat. The persistence of certain families in Scottish political life, compared with a continuous rise and fall in England, is a marked characteristic of Scottish politics, as is the tradition of hereditary feuds between rival clans and families which still had some influence in the 18th century.² The Earl of Fife had a lifelong rivalry with the Duke of Gordon in politics and all county matters, although this did not prevent a certain amount of social contact.³

A high property requirement to vote in county elections was inherent in the political and social habits of the age and can be seen, although not to the same marked degree, in England. The system was not without

1. Ferguson 1975, p.136.

2. Foster 1882, pp.vii-viii.

3. Tayler 1925, pp.69, 101.

its critics and, especially towards the end of the century, the movement not only to extend the franchise but also to redistribute seats at a national level became more insistent, although matters dragged on until 1832.

2.6 Local Politics

The control of parliamentary seats was an expensive process, as was the actual job of being a member of parliament, especially at the beginning of the century when travelling and lodgings were expensive compared to the low incomes of the majority of Scottish lairds. As a result the less wealthy landowners turned to local politics.

The instrument of union in 1707 said little about the internal administration of Scotland, merely stating that heritable jurisdictions were to remain and that the rights and privileges of the royal burghs were guaranteed. Although in origin Scotland's local institutions were mostly imports from England, their evolution had followed a different route.¹

As in England, sheriffs were the returning officers for shire elections, but they were also the chief local 'judges ordinary' in Scotland besides having executive functions. Justices of the peace were first appointed in 1609 and were given a wide variety of statutory duties. They never had the prestige and power of their English counterparts, however, and indeed were actively disliked as the local instruments of royal autocracy and religious persecution.

In the country the feudal units of barony and regality with their heritable courts still had some powers regarding rents, prices and petty offenders. The parish, under the care of kirk session and heritors, was

1. Pryde 1960.

also an administrative unit, dispensing outdoor poor relief and, under the terms of the Education Act of 1696, maintaining the parish school and schoolmaster.¹

However, two agencies were virtually native products. The first was the burghs of barony, of which there were about 150. These had limited trading rights, a few crafts, a weekly market and perhaps an annual fair. Constitutionally they varied from utter dependence on the 'baron' to almost complete autonomy. The second was the group of local landowners known as the commissioners of supply, who were responsible basically for the apportioning of the land tax within each county. They had, however, begun to attract to themselves other powers. After 1686, in conjunction with the justices of the peace, they supervised roads, bridges and ferries, and after 1696 they were authorised to provide a school and impose a tax for its upkeep in any parish where the heritors failed to do so.

The only other organisation for local government was based on the royal burghs, each ruled by a self-elected council. The royal burghs, individually and through their convention, were devoted entirely to their own commercial interests and jealously guarded their trading privileges.

There was never any reasoned policy to local government, and G.S. Pryde puts it in a nutshell as, 'a system of unplanned survivals and wayward digressions'.² Under this system the wealthier landowners had total power. The peers had their heritable stewardries, sheriffdoms and regalities, while the other landowners became commissioners of supply and justices of the peace. As heritors all landowners had an active

1. Lindsay 1975.

2. Pryde 1960, p.8.



say in the administration of parish poor relief and education, as well as being virtually all-powerful on their own estates.

The Union of Parliaments brought changes at the top levels with the abolition of the Scottish privy council in 1708¹ and the establishment of a third Secretaryship between 1708 and 1746, followed by indirect rule from Westminster channelled through the lord advocate who was usually the unofficial 'manager'.² These changes had little effect at the local level, however, as direction from above was limited.

There were some changes in the local system of government itself in the 18th century, but none was radical. In 1708 the justices of the peace were given more powers, and certain legal reforms were enacted, resuming justiciary circuits and setting up a new court of exchequer on English lines. More important, however, was the abolition of heritable jurisdictions in 1747. Regalities and other higher jurisdictions were abrogated, while barony courts were severely curtailed. The sheriff courts, themselves put on a sound base, were thus rid of a formidable rival and thereafter advanced in authority, quality and esteem.

Although some of the feudal powers of the greater landowners were taken away, as a class the landowners still had overwhelming power in the day to day running of the country. The only body outside their immediate control was the convention of royal burghs, which gradually became less powerful as the century wore on.

Government in Scotland, both at national and local levels, was therefore the preserve of a very few individuals, all of whom were landowners.

1. Pryde 1962, p.55.

2. Mackie 1966, pp.282-3.

Only part of the landowning class could vote, Sinclair estimating that by 1815 only one in three lairds had the right to vote.¹ Although peers could not vote in county elections they controlled many county and burgh elections and were able to vote for the members of the House of Lords. As a result of the web of patronage associated with national politics, aided by the fact that the Scottish electorate, as well as being small, was well educated and desirous of lucrative government office, it was this minority of landowners or their relatives who also obtained local government positions.²

On the whole the landlords ruled sensibly and fairly within a system in which the possibilities of oppression were enormous. They were prepared to pass Acts for the common good and to tax themselves if the need arose. The main advantage of having a seat in parliament was the opportunity to promote family and local interests, although self-interest concerning the exploitation and protection of property was not neglected.

3 THE LANDOWNER AND THE ECONOMY

The contribution made by the landowning classes to the various sectors of the Scottish economy in an era of vast changes varied from class to class, but on the whole was directly proportionate to the relationship of the activity in question to the landowner's estate. Agriculture was obviously his main interest but allied to this was an interest in industries which might use the raw materials, power or labour within the estate or exploit its minerals. Investment in long term projects such as roads,

1. Quoted in Smout 1969, p.281. 2. Namier and Brooke 1964, p.42.

harbours and canals usually had the same underlying motivation: the exploitation of the estate to its fullest and best advantage. Only the wealthiest landlords had sufficient capital to invest elsewhere and this usually went to government funds, although some found its way to banks or factors who could in turn lend to industrialists, merchants and other landowners. In the second half of the 18th century the landowners strove with the industrialists to build a dynamic economy, as they thought, to mutual advantage, although in the 19th century they lost control as the bourgeoisie took, first economic, and then political power away from them.

3.1 Agriculture

It was in agriculture that the landowners had the greatest power for good or ill. The changes in the agrarian sector of the economy within the 18th century, which turned a subsistence economy into a commercial enterprise geared to a market economy, were of such a magnitude that the term 'agrarian revolution' has been coined to describe them. Although these changes were in some ways revolutionary, they were not sudden and total but rather gradual and piecemeal. From the evidence of estate plans it can be seen that the development of enclosure, which was a prerequisite for improvement on a large scale, followed three phases.¹ Firstly, 1720-1760, a prelude of some enclosure by relatively few enlightened landowners, mainly for stock farming and plantations; secondly, 1760-1800, the main movement towards enclosure, with the peak of activity coinciding with the 15 years after 1770; and thirdly, 1800-1820, when marginal land was enclosed on a large scale, principally for sheep

1. B.M.W. Third quoted in Lythe and Butt 1975, p.117.

farming but also to gain from high grain prices. Although the timing varied from area to area, this is the over all picture upheld by the graphs produced by I.H. Adams for the enclosure of commonities, activity of land surveyors and the establishment of planned villages, all of which are indicators of the spread of the new system of agriculture.¹

The physical changes in the landscape of Scotland brought about by enclosure, such as the rearrangement of farms into compact units or the planting of trees, have been well documented for individual counties such as Ayr,² for districts such as the Lothians,³ and for Scotland as a whole.⁴ Details of new crops, rotations, methods, organisation, management and machinery have also been well documented by, among others, Symon,⁵ Hamilton,⁶ Handley,⁷ and Fenton,⁸ and need no reiteration here. The question of interest to the historian of the landowning classes is the relationship of the landowner to these changes. 'He was the leader of rural society. His land was being farmed, his demands for rent were being met. Where did he stand?'⁹

The answer to this question must depend to some extent on what part of the 18th century is under discussion. As established in the introductory chapter, 1770 provides a point of division at which to differentiate between improvers. Before that date the improvers were all landowners, as no other class on the land had either the capital, power or vision to attempt the process of transformation. The numbers were not

1. Adams 1975, pp.13-18.
 2. Lebon 1946, 1952.
 3. Geddes 1938.
 4. Caird 1964.
 5. Symon 1959.

6. Hamilton 1963.
 7. Handley 1953, 1963.
 8. Fenton 1976.
 9. Smout 1969, p.292.

large, being spread thinly in ones or twos all over Scotland, as indicated by Wight's surveys.¹ The early improvers came from all but the lowest ranks of the landowning classes. There were aristocrats such as the Dukes of Perth, Gordon and Argyll and the Earls of Hopetoun, Marchmont and Stair, and the law lords such as Lord Kames and Lord Hailes were also well represented, as were lawyers, judges, scientific men, and even ministers experimenting on their glebes.² These few early improvers started with improvements on the home farm, working the land directly under their own management with trusted officials. Some tried to farm the whole estate themselves, but this was not common as seen by the fact that George Robertson in 1829 thought that no more than 2 per cent of the land was worked by landowners (presumably including bonnet lairds).³ After 1770 the processes of change began to accelerate and instead of being actively participant in the enclosures and improvements the landowners generally took on a more passive role. They raced to become improvers only in the sense that they made the policy decision to adopt the new methods, entrusting the tenants with the job of making things work on a practical level. There were exceptions to this rule, like Sir John Sinclair, but these became more rare as the century drew to a close.

(a) Awareness of new methods

Why did individual landowners decide to improve their estates? No matter the size of the problem or when it was tackled, the enclosure and improvement of all or part of an estate depended on the conscious decision by the owner to undertake the new methods, either actively under his own

1. Wight 1778-84.

2. Graham 1964, pp.203-5.

3. Quoted Smout 1969, p.294.

direction, or passively by encouraging his tenants. Such a decision could only follow an awareness of the new methods. Contact with the new system was made in various ways.

Emulation One of the first means of contact was the increased movement of people from Scotland to England after 1707. England had adopted the new methods much earlier than Scotland and members of both Houses of Parliament could not help but see what a transformation was thus brought about. Members of both Houses were educated men who were landowners and thus men like Cockburn of Ormiston or Grant of Monymusk were first motivated.

As time went on there was increasing emulation of active improvers within Scotland, although the example set by early improvers did not always impress the hard headed tenant or bonnet laird. Few made farming pay, not only because they were pioneers or were operating at a time of low demand and prices, but because most were not impelled by economic necessity. In the long run, however, their activities were a prerequisite for change on a wider scale, as they provided models for the majority on which transformation could be based. They did not perfect techniques for use in Scotland but, when prices and rents began to move forward, enhanced profits showed just which mode of farming was to be preferred. It is as well to remember that the tenants were an exceptionally cautious and conservative group, and in general they would not accept change until someone of their own class had shown them the advantages of such innovations as the growing of turnips or the draining of land. Improving landlords granted favourable leases to those who would undertake the new husbandry and evicted the unwilling, so that by the end of the century the

tenantry were taking the initiative.

The social structure of the landed classes also helped the spread of new ideas. Thanks to generations of intermarriage all classes of owners were linked by a fine web of relationships. This, coupled with a society where neighbours as well as kin frequently visited each other, led to a situation favourable for the exchange of ideas.¹ It was the practice, especially earlier in the century, to arrive for a visit unannounced but early enough for catering arrangements to be made. In the time before lunch or dinner the host would show his guest around the policies or perhaps some newly enclosed fields. Besides discussing new methods and crops, owners might recommend skilled labour to each other, with suggestions ranging from the importation of ploughmen or tenants from England to the employment of particular individuals as surveyors or factors.

Land surveyors started work in Scotland about 1740 and increased in numbers until there was a recession in the original stimulus for surveying as agricultural improvement slackened in the late 1770s and the 1780s. It was not until the 19th century, with work on canals, turnpikes and railways, that the profession recovered.² The 18th century land surveyors were not only surveyors and cartographers but also experts in the new methods of enclosure, and they helped the processes of improvement by advising and sometimes administering the changes, especially on large estates. Peter May was such a man. He worked at various times for James Grant of Grant, the Earl of Findlater, the Marquis of Bute and the Forfeited Estates Commission as well as doing some freelance work. He not only surveyed the estates but also produced detailed notebooks containing

1. Graham 1964, p.12.

2. Adams 1975, p.15.

his observations regarding soils, vegetation and potential for improvement. John Farquharson and John McArthur, while working for the Earl of Breadalbane, produced a similar comprehensive survey,¹ as did other surveyors such as Thomas Milne, George Brown, George Taylor and his brother Alexander, who were all apprentices of Peter May. Surveyors sometimes became estate factors (the most famous being James Stobie, who worked for the Duke of Atholl), their job being to divide and value farms as they came out of lease.

The diffusion of ideas is clearly seen when some examples of planned villages are taken. Sir John Hall of Dunglass, after seeing Cockburn's village of Ormiston, wrote to the Earl of Marchmont that he had 'sent for a duple of his tacks and feus',² and this was repeated when the Forfeited Estates Commission and the Duke of Gordon both asked for copies of the feu charters of New Keith, built by the Earl of Findlater.

In such a situation, where interwoven social and kinship ties served to spread ideas, one or two men could achieve a great deal. Take for instance the second Earl of Hopetoun, who was a dedicated improver. He owned estates in c.1770 in the counties of Dumfries, East Lothian, Fife, Lanark, Midlothian and West Lothian, and was trustee and heir to the estates of the Marquis of Annandale who owned land in Dumfries and Lanark. At the same time the Earl was a member of the Commission for Forfeited Estates and so helped to formulate its policy towards improvements on the annexed estates, which covered counties mainly in the Highlands.³ Thus the improving zeal of one man could affect many parts of Scotland.

1. McArthur 1936.

2. Quoted Smout 1969, p.294.

3. Aberdeen, Argyll, Banff, Perth, Ross and Cromarty, Stirling and Inverness.

Societies and writings During the 18th century three major societies were formed to promote the new methods of husbandry. 'The Honourable Society of Improvers in the Knowledge of Agriculture in Scotland', formed in 1723, gave valuable advice to its 300 members on improving land and stock at a time when improvements were just starting in Scotland. The society failed in 1746, due to the death of their president, Mr Hope of Rankeilor, lack of public financial help, and because many members had supported the Stewart cause. In 1755 the 'Select Society' of 15 members formed a group known as 'The Edinburgh Society for Encouraging Arts, Sciences, Manufactures and Agriculture', which gave prizes to encourage improvement, but it died after only 10 years from lack of funds and interest. The last, 'The Highland Society of Edinburgh', was founded in 1784 with a view to helping improvement, especially in the Highlands. The society's activities in farming, forestry and general rural development soon spread to the whole of Scotland, however, and such was its success that it was given £3,000 in 1789 by Parliament.¹

In addition to these major societies, many local agricultural groups were founded to promote the new husbandry. In 1735 the Buchan Society was founded, followed not long after by the Agriculture Society of Ormiston, but thereafter interest seemed to slump. Although some clubs founded during the next 50 years, such as the one at Gordons Mill (1758-65)² and the Dumfries and Galloway Society (started 1772)³ achieved some measure of success, most were short lived. Towards the end of the century the establishment of a National Board of Trade in 1783 heralded renewed

1. Symon 1959, p.151.

2. Symon 1959, p.304.

3. Sinclair 1814, vol.3, p.416.

interest on a wide scale, and the last two decades of the century up to 1815 saw a rash of small clubs aimed at instructing tenants as well as owners.

The contribution of these societies, national and local, was not only in making their members aware of the new crops and rotations, the dangers of overcropping, or the advantages of stall feeding animals, but also in arousing their enthusiasm for the changes which led knowledge to be transformed into action.

Although England had produced many earlier books and treatises on agriculture, it was not until the 1730s that books and pamphlets written specifically for Scotland began to appear in any numbers. These included such works as Brigadier W.M. Mackintosh of Borlum, An Essay on Ways and Means of Inclosing, Fallowing, Planting etc. in Scotland; and that in Sixteen Years at Farthest (1729); the Rev. Adam Dickson of Duns, A Treatise of Agriculture (2 volumes, 1762 and 1769); and Lord Kames, The Gentleman Farmer (1776). The interest in agriculture is clearly shown by the commissioning of Alexander Wight to undertake a survey of the state of agriculture in the 1770s, by the Commissioners for the Annexed Estates. Wight's surveys, which cover every mainland county except Argyll, give a vivid account of the state of agriculture between 1773 and 1782. The last part of the 18th century was most prolific in literature, the most famous publication being the first Statistical Account of Scotland, produced between 1791 and 1799. Sir John Sinclair was the moving force behind this survey, and it was he who wrote The General Report on the Agricultural State and Political Circumstances of Scotland, based on the parish returns of 1791-9 and published in 1814.

Sinclair wrote voluminously on many subjects, and inspired others, particularly the authors of the county reports published between 1793 and 1816 which gave the state of agriculture in each county and recommendations for improvements.¹

The publications of the agricultural societies also played a part in spreading new ideas, especially the prize-winning essays published after 1799 by the Highland Society, which in fact saw the beginnings of the agricultural journalism which was to flourish in the next century.

(b) The Landowner's Motivation for Improvement

Having established the ways in which a landowner could have been made aware of the new methods of husbandry, the discussion now turns to the consideration of motivation. What made a landowner decide to undertake enclosure and improvement with all their widespread implications? The weight attributable to any one factor varies with each owner's personality and the year in which he initiated improvements, but the main considerations can be listed as: the prospect of rising income; the availability of capital; confidence in political and social stability; moral obligation; dictates of fashion.

The prospect of rising income Undoubtedly the rise in rents and prices of agricultural products after the 1760s gave the single most effective impetus to enclosure and improvement at a time when the majority of landowners were making their decision to improve.

Prices were fairly stable early in the century after the famines of the 1690s and began to rise only after about 1740. The rate of increase

1. See Symon 1959, Appendix 1 for a comprehensive chronological list of books relating to Scottish agriculture published down to 1850.

was faster towards the end of the century, although slackening again before 1815.¹ The rise in prices of agricultural produce, most marked after 1760, had many contributory factors. Not only was the population rising, but increasing urbanisation associated with industrialisation further accentuated the trend in rising foodstuff prices. There was also a change in consumer habits as standards of living rose, and more wheat bread, meat, vegetables and dairy produce were demanded. As a result of these pressures, and despite agricultural improvements, grain exports were replaced by slight imports, although coastal trade to England in other agricultural commodities continued at a high level. The situation was not helped by some bad harvests, as in 1770 and 1782-3, which enabled corn merchants to make large profits by exploiting regional variations in prices. Government-inspired inflation in the 1790s through higher direct and indirect taxes, as well as the suspension of gold payments in 1797 and wartime expenditure, affected agricultural prices in particular.² The same factors also brought about large price rises in the raw materials produced by the agrarian sector, such as hides and animal foodstuffs.

Thus not all the agricultural prosperity of the late 18th century can be attributed to agricultural improvements. 'The unearned increment',³ as Thompson describes it, was enjoyed by all owners and farmers whether they had improved or not. The general growth of the economy, with the added impetus of wartime demand, was responsible for a growth in the income of all associated with the land as producers. There was indeed a transfer of wealth from the labouring classes and consumers of all kinds

1. Hamilton 1963, pp.375-7.

2. Lythe and Butt 1975, p.117.

3. Thompson 1963, p.215.

to farmers and owners.

This stated, however, it is clear that prices did have a direct effect on the timing of agricultural changes, which tended to come in surges. This is hardly surprising for, although income from an unimproved estate would increase slightly in such a situation as prevailed in the late 18th century, income from an improved estate would see a far larger rise.

The upward movement of rents is closely associated with price rises, although variations in local conditions made the process spasmodic. In general, enclosed land commanded a much higher rent than land still in runrig, and enclosed common showed an even more spectacular increase in rent than enclosed arable. The movement of rents throughout the century is discussed in Chapter 4.

It is worth noting at this point that rents did not represent clear profit for the landlords. Sinclair¹ lists the burdens on an estate at the end of the century briefly as follows:

1. The expense of collecting rents.
2. The risk of loss through insolvency of tenants and the additional cost of supporting small farmers and their families in bad seasons.
3. The expense of management, improvements, farm buildings etc.
4. Parochial charges:
 - a. the stipend, which varied at between 8d and 1s in the £ gross rental in 1815;
 - b. the schoolmaster's salary;
 - c. repairs to schoolhouse, church and manse;
 - d. voluntary contributions and assessment for the poor;
 - e. payment, made by only a few owners, to crown or lay titular and patron on account of unallocated teinds.

1. Sinclair 1814, vol.1, pp.111-114 and Old Statistical Account, vol.20, Appendix, pp.cvii-cviii.

5. Provincial charges:

- a. rogue-money for support of the county police;
- b. commutation tax for highways;
- c. allowance for wives and children of militiamen.

6. National charges:

- a. property tax at 2s in the £ of gross rental;
- b. old land tax at 2d in the £ of gross rental;
- c. house, window and other assessed taxes;
- d. tax on horses employed in husbandry.

Not all these expenses were incurred throughout the century, and indeed most of the national taxes and the last provincial one date from the closing decades of the century as a result of the expense of the Napoleonic wars.

This apart, however, the outgoings as a share of an estate's total income actually fell throughout the late 18th century as rents rose. Cess and teinds were fixed and other outgoings were not high in comparison with those of the 19th century when education, highway and poor rates were introduced. This is clearly shown by the following set of figures relating to the outgoings of a Highland estate (that is, including parochial, provincial and national charges but excluding estate expenses).

Table 2.1 Outgoings as a percentage of the gross rent of a Highland¹ estate 1645-1825

<u>Year</u>	<u>Percentage</u>
1645-1660	38
1660-1690	35
1690-1754	35-30 gradually
1754-1769	18.75
1769-1811	14
1811-1825	6

1. Macleod 1925, p.181.

Sinclair estimated for Aberdeenshire¹ at the end of the century the free rent was approximately two-thirds of the gross rental (but in this case the outgoings included deductions for estate expenses).

Availability of capital The amount of capital needed for improvement would have depended on the size of a landowner's estate, the extent to which he intended to carry out the work himself, and the amount of ancillary work, such as road building, envisaged. An owner might opt for a gradual consolidation of runrig, which could more easily be funded out of his own pocket, or for an over all plan for the whole estate, which obviously would require more outside capital even if, as later in the century, some of the cost was borne by the tenant. Over and above such long-term capital, small owners and tenants sometimes needed short-term capital to tide them over seasonal operations.

At the beginning of the century the amount of money circulating in Scotland was extremely small.² This was augmented early in the century by money from England in the form of the Equivalent and the compensation paid to a few large landowners on the abolition of heritable jurisdictions. Although this latter payment, coupled with the income from government posts and pensions, helped the wealthier landowners to accumulate capital, the system whereby rents were paid partly in kind made this difficult for the majority. As a result early improvers were very often members of the wealthier classes who could invest in experimentation and undertake long-term expenditure without thought of immediate gain. For reasons expounded earlier in this chapter, the less wealthy improvers nearly always trod a very narrow path between solvency and bankruptcy, and indeed many notable ones such as Cockburn of Ormiston did become

1. OSA, vol.20, appendix, p.cviii.

2. Cameron 1967, p.67.

bankrupt.¹ Outside capital at this time was limited, as was the improver's ability to repay any loan.

Early in the century, when the banking system was in its infancy, one of the main ways of raising capital was by wadset. However, as this meant the signing over of all or part of the profits of an estate until the debt was repaid, and the loss of the estate if not, wadsetting was used only in cases of dire necessity. Even this avenue was closed to owners of entailed estates until 1770.²

By 1770, however, Scotland had a strong banking system based on the three main chartered banks, the Bank of Scotland (1695), the Royal Bank of Scotland (1727) and the British Linen Company (1746, which was concerned solely with the financing of the linen trade at this time), and a number of unchartered joint stock banks and partnerships. This system of large joint stock banks with several branches gave some stability before the days of limited liability, while competition after 1750 between the banks of Edinburgh and Glasgow made for easy credit.

To counteract inflation brought about in the sixties by over-issuing of notes, all banks agreed in 1765 to abolish smaller notes and make all notes more readily convertible to cash. This threw the country into banking conservatism and a shortage of risk capital followed. A new bank, Douglas, Heron & Company of Ayr, started an easier policy to help meet the needs of expansion but found a liberal policy difficult to balance with economic security and the consequent crash of this bank in 1773 shook the confidence

1. Even some of the wealthier improvers found improvement financially risky at times; hence in describing the work of Lord Eglinton, John Ramsay states, 'If it helped to embarrass his affairs, he certain showed his countrymen what might be done by high cultivation (Allardyce 1888, p.228).

2. Cameron 1967, pp.69-70.

of the country. Lessons were learned from this unfortunate failure, however, especially the dangers of raising money by a chain of bills.¹

The chartered banks developed a system of cash credits offered on the security of two or more guarantors, but from available evidence it is clear that the majority of long-term loans, as for improvements, were provided through the medium of bonds.² These were legally enforceable deeds, secured either by pledges of real property (heritable bonds) or by the signature of the borrower and two or more co-obligants (personal bonds).³

The growth after 1760 of country banking, which consisted of branches of the chartered banks as well as private banks, especially helped the tenant who required small capital sums. Some landowners financed the division of runrig, the enclosing of walls or fences and the building of new buildings directly out of their own pockets, or indirectly by reducing the rents for five to ten years. Others, like Cockburn and many later improvers, provided no financial support but gave long leases with clauses requiring improvements to be undertaken. Although rents were often reasonable in these circumstances, the tenant had to find some capital if he were to undertake all the improvements.

Scottish landowners helped to form this banking system and credit structure. The old chartered banks began when agriculture was by far the most important sector of the economy and the nobility were the most numerous and influential group on the directorates of the banks. Many local landowners were involved in the affairs of the provincial banks, which had a varying success rate. The use by the nobility of Edinburgh-based

1. Hamilton 1955 and 1963, pp.323-5. 3. Cameron 1967, p.75.
2. Lythe and Butt 1975, p.154.

lawyers as factors also aided the evolution of a national capital market necessary for the long-term development of the Scottish economy.

Wealthy owners throughout the 18th century probably had sufficient capital to improve their estates if this was done very gradually. By ploughing back profits and using savings and the income from other sources, outside capital would often not be needed. On smaller estates the cost of enclosure alone might be several times a year's gross income from rents and at the time when many lesser owners were improving there were increasing demands on their capital from higher standards of living and, latterly, wartime taxation. The smaller landowners therefore were more affected by availability of capital and variations in rates of interest on loans than were the greater landlords.

Confidence in political and social stability The 18th century saw the confidence of the landowner at its peak. The Glorious Revolution had been a political victory for the British nobility and thereafter they had the leading say in how the country was run. Despite the rebellions of 1715 and 1745, the 18th century was politically much more stable than the 17th century. The extension of law and order cut down cattle stealing, especially in counties adjacent to the Highlands. There was thus a growing confidence among landowners that any improvements undertaken on their estates would endure.

So well protected was the legal position of the landowner that in 1814 Sir John Sinclair could state, 'In no other country in Europe are the rights of proprietors so well defined and so carefully protected'.¹ The law was geared to the settling of disputes over land with the minimum of

1. Sinclair 1814, vol.1, p.115.

fuss and expense, as well as to the easy transmission of property by a set of forms entitled 'investiture' which were simple and comprehensive.¹

The register of sasines, a system of registration of conveyances instituted in Scotland 300 years before anything of the kind in England, ensured that each landholder was legally secure in his holding. The widespread use of the 'law of entail' meant that an owner could ensure that his estate, and hence family wealth and influence, would not be dissipated by future generations. Once more Sinclair sums up the situation succinctly:

The genius of the feudal law is peculiarly adapted to the maintenance of an aristocratic body in the state; and accordingly, the nobles and great proprietors in Scotland have devised expedients, in correspondence with our legal institutions, by which they are enabled to preserve their lands perpetually in their respective families.²

Entailment could be a double-edged weapon, however. No owner of an entailed estate could sell even part of his land to pay off a debt or to raise money for improvement. He could not incur the smallest debt even for the ultimate good of the estate. This problem was appreciated in the 18th century and in 1770 the Montgomery Act was passed to relax the prohibition against contracting debt. This Act allowed an owner to charge three-quarters of the cost of enclosing, draining and generally improving the land on his heir, the claim to be met by him by the payment of not more than one-third of the free rent of the estate each year until the debt was cleared. Moreover the landowner was able to grant long leases provided they included a clause about improving the land, which had not strictly been allowed previously on entailed estates.

1. Sinclair 1814, vol.1, p.115.

2. Sinclair 1814, vol.1, p.101.

Apart from the restrictions put on entailed estates, the Scottish landowner was in no way inhibited by the law regarding the use of his land. The Scottish concept of ownership removed any consideration of tenants' rights and so an owner could enclose lands whenever he wished. Laws passed in the 1690s ensured the speedy division of lands held in common and facilitated the settling of boundary disputes. However, arbitration was often used in such disputes to save expense. An arbitration bond was entered into by all parties by which neutral persons mutually named were authorised to settle the matter. Once a decision had been reached there was no right of appeal.

In addition, the position of the Scottish landowner was further enhanced by the fact that, unlike his English counterpart, he did not have to pay a poor rate¹ and was exempt from paying tithes in kind. Tithes could also be valued, which had the effect of freezing the amount due by an owner despite any improvement. They could also be purchased at a set number of years' valuation if the owner so desired.²

Moral obligation The majority of 18th century landlords inherited a surprising moral earnestness about their duty to society. Despite their position of power they clearly felt a responsibility for the wellbeing of their tenants and dependants. Lord Fife shows this attitude clearly when in 1768 he instructs his factor to relieve the condition of starvation among some poor tenants and to further remit 20 per cent of rents.³ Ramsay of Ochertyre tried to maintain a policy like some of his 'wisest and worthiest

1. The heritors of a parish set the amount to be paid by themselves to the poor.

2. Erskine 1795, p.28, and Cormack 1930.

3. Tayler 1925, p.46.

neighbours, who, whilst they never lost sight of their own interest, retained some of the kindness towards tenants and dependants which had been one of the prominent and interesting features of the nobility and gentry of former times'.¹

This attitude undoubtedly originated in the days when the ties of clan and family engendered feelings of mutual loyalty. The extent of paternalism had always varied with an owner's character, but by the end of the century more and more contemporary observers began to note that as a class landowners were becoming increasingly obsessed by money, 'to the exclusion of other, older, gentler and more patriarchal values'.² It would have been surprising if there had not been a growth of commercialism in the landed classes. Many were new to the land and had no sentimental ties; and for the rest, increased income and changes in way of life raised many out of the spheres where they could feel sympathy for the old tenants. Such feelings lingered longest in the Highlands, where unhappily the landlords were often the first casualties of the late 18th century dilemma of increasing population and decreasing income. These Highland landlords tried to maintain the status quo but in many cases were bankrupted in the process.³

Among landowners as a class there was also a good deal of patriotic spirit, and the early improvers especially felt that in some way they were 'doing their bit' for Scotland. As stated earlier, these improvers were often stimulated by the changes they saw in England and by discussion with English improvers. From this came a desire, perhaps based on the

1. Allardyce 1888, p.351.

2. Smout 1969, p.300.

3. Turnock 1967, pp.89-103.

not so distant rivalry between the two countries, to match and even outshine the achievement of the English. Patriotic sentiment also helped to accelerate the rate of improvement during the Napoleonic wars.

Dictates of fashion There is no doubt that many landowners, especially before the 1770s, began improvements and enclosure because it was considered 'the done thing'. As John Ramsay remarked somewhat waspishly:

I presume your late host the judge is an impetuous improver. I would not like to be his grieve in a ticklish harvest, but it will amuse him and exercise his patience, besides keeping him from being too rich.¹

Cultural changes which put intellectual enlightenment, including agricultural improvements, to the forefront of men's minds helped mould attitudes. Agricultural societies, competitions and shows as well as endless conversation made improvement socially prestigious. Thus Ramsay, when discussing the work carried out by Mr Drummond of Blair (who started improvements about 1749-50), notes that many of Drummond's friends had taken keenly to agriculture, 'it being now regarded as connected with spirit and fashion',² and later said of the wealthy early improvers that 'amusement and the reputation of being good farmers were, in truth, their great motives'.³

Conclusion The relative importance of any one of these factors depended on the character of the owner, his social class, the method of enclosure envisaged, and the time at which the decision was taken. Local factors such as poor infrastructure, distance from markets, land held in

1. Horn 1966, p.17.

2. Allardyce 1888, p.230.

3. Allardyce 1888, p.236.

common and tenants' attitudes could all serve to delay improvements,¹ but once the stimulus of rising prices came all reservations were swept aside and all difficulties found to be surmountable.

The first improvers were motivated primarily by fashion, patriotism and the admiration of the English system, which was seen to be so much more profitable. Later improvers were motivated more by the promise of higher incomes coupled with the availability of capital.

Towards the beginning of the 19th century a new consideration became important: the availability of tenants willing to pay the new levels of rent.² Tenants were by this time the driving force behind the adoption of the new methods of husbandry. Landlords had very little to do with the actual working of the land, being content to lease to the highest bidder. Tenants therefore naturally hung back if farming prospects seemed poor, as was the case towards the end of the Napoleonic wars.

3.2 Agriculture's Place in the Economy

A positive balance of payments is a prerequisite for the development of a market economy and industrialisation.³ To achieve the former it was necessary for Scottish agriculture to increase its productivity and to raise the volume and value of its trade with England and other countries. To help the growing industrial and commercial sectors thrive, agriculture had to increase production and productivity, hence releasing the manpower needed for the other sectors of the economy. On the other hand agriculture needed the stimulus of increased demand and rising prices to maintain the rate of enclosure and improvement, which in turn led to

1. E.g. Glenbucket parish, Aberdeenshire, which was 30 miles from Aberdeen, the nearest post town and market (OSA, vol.19, p.608).

2. Thompson 1963, p.226.

3. Lythe and Butt 1975, p.127.

increased output and productivity. Thus a mutual relationship existed between these various sectors of the economy, progress in one allowing progress in the other. In addition, without an increasingly efficient agriculture, the rise in the cost of living after 1750 would have been much higher,¹ which would in turn have restricted demand and inhibited industry and urban growth.

An efficient system of agriculture was therefore necessary to allow industrial and commercial development, and it is here that the landowner made his most vital contribution. No matter what his motivation, without his willingness to adopt the new methods of husbandry the economic progress of 18th century Scotland would have been severely curtailed.

3.3 Mining, Industry and Transport

The participation of the landed classes in the industrial changes of the 18th century varied a great deal. In certain industries, especially those associated with the processing of raw materials grown on Scottish farms and in mining, the landowners took an active part in financing and running industrial enterprises. On the other hand the passive landowner could aid economic development by depositing money in a bank or with a factor, although it is difficult to chart this flow of capital from agriculture to trade and industry. As well as being institutional the process could be personal, as landowners or farmers supported the ventures of friends or relations. Indirect lending through institutions was limited earlier in the century to the wealthier landowners, although becoming more common with the growth of branch and county banking. Direct lending on a large scale

1. Lythe and Butt 1975, p.136.

was also of limited significance unless it took the form of remission of rent on premises owned by the landlord.

(a) Mining

In 18th century Scotland coal was the most commonly exploited commercial mineral. Given the widespread distribution of Scottish coalfields, it is obvious that a great number of landowners in the central belt, and even the occasional Highland landlord, were involved with coal.¹ Landowners at all levels saw in the exploitation of coal a chance to augment their incomes. Some merely provided for their domestic needs or for the burning of lime on their estates, but others made considerable amounts of money.

The majority of landowners took a direct part in the exploitation of the coal found under their estates, especially before industrialisation when the scale of production was small and only a modest input of capital was required. 'The Dukes of Hamilton, Sutherland, Buccleuch and Portland, the Earls of Dundonald, Eglinton, Leven, Wemyss and Rothes provided the vanguard for an army of lesser gentlemen and merchants, coalmasters' [and landowners]'all, such as the Clerks of Penicuik, the Halketts of Pitfirrane, the Cunninghams of Saltcoats and the Dunlops of Garnkirk.'²

In the final decades of the century deeper sinkings became necessary to find the quality and quantity of coal demanded by the market and so greater capital investment was required. The wealthier landowners continued to exploit their coal with their own capital but more and more of the less wealthy turned to co-partnerships or leasing as ways of spreading the financial burden. Co-partnerships, which had been rare in the early part of the century, became more common, usually in association

1. Duckham 1970, p.141.

2. Lythe and Butt 1975, p.131.

with ironmasters but also with a fair overspill of capital from the general growth of trade and commerce.¹ Leasing, too, increased as the more cautious landowner or absentee landlord sought a way of gaining income without risk.

With the exploitation of lead, as with other minerals, the attitude of the landowner was of vital importance, and here too the Scottish landowner was not backward in grasping opportunity. 'Optimistic action, and not indifference was the almost invariable response of an 18th century landlord' who found deposits of lead on his land.² Few landlords, however, exploited such deposits without the help of outside capital as there was a greater element of speculation than in coal mining and few families had wealth to compare with the Hopes, who owned and mined Leadhills. Leasing was the sensible and cautious alternative taken by many as it provided a fixed rent or royalties, often combined with an entry fine, with no risk to the landowner. Neglect or abuse of the mine could be guarded against by clauses in the lease. There were also many examples of co-partnerships, as this was the simplest way of spreading the risk while still maintaining control. Partners were fellow landowners, merchants engaged in the sale of lead, Englishmen involved in lead in the Pennines, or even wealthy men looking for an outlet for capital.³

Other minerals such as limestone or slate were dug in small quantities for local consumption, but ironstone is the only other commercially important mineral which was exploited in the 18th century. The Scottish iron industry, however, was slow to develop, and with it the mining of

1. Duckham 1970, p.190.

2. Smout 1967, p.113.

3. Smout 1967, p.112.

ironstone. The Carron ironworks founded in 1759 was the first large commercial concern to use Scottish ironstone, but a second works did not follow until 1779. The final decades of the century saw the erection of more ironworks, thus increasing the demand for ironstone,¹ but it was not until the 1830s with the invention of the hot-blast technique by Neilson, which could utilise blackband ironstone, that the industry took off in Scotland. Landowners rarely exploited this mineral themselves because the levels of finance needed were prohibitive to many and because, after the founding of the Carron ironworks, vertical integration with the ironmaster controlling all aspects of production became the accepted mode of operation. Leases for ironstone-mining were thus inevitable and were controlled by the landowners, without whose cooperation the growth of the Scottish iron industry would have been impossible.

Mining, involving a rare mixture of landowning entrepreneurs, small partnerships, capitalists, merchants and landowning lessors and partners, was a catalyst to a variety of commercial and industrial developments.³ There is also no doubt that involvement with the exploitation of coal and other minerals led many landowners to consider transport improvements which implied heavy investment by them in canals, waggonways, turnpikes and harbours.⁴ Thus mining was one of the major linking forces between the worlds of industry and agriculture as they developed in the late 18th century.

1. Hamilton 1963, p.193.

2. Lythe and Butt 1975, pp.131-2.

3. Ward 1971, p.63.

4. Duckham 1970, p.159.

(b) Industry

The direct participation of the landowner in industrial enterprises was generally limited to those industries which processed or used raw materials, power or labour to be found on the estate. Hence some of the first industries to be promoted by landowners came from the desire of some east coast owners to exploit surpluses of coal. In the 17th century salt boiling became common on the shores of the Forth, relying totally on the capital and enterprise of the landowners. This industry went into decline in the following century, however, as falling profits caused the renting and sale of many salt pans.¹ Other industries using coal, such as the production of coal tar, coarse glass and lime, also attracted landed enterprise.

Landowners also participated in such industries as paper making, tanning, flour milling and saw milling as well as producing raw materials for industries in which they were sometimes, but not always, active. Thus the timber grown on an estate could be sawn locally for use in the building trade or in mines, or alternatively could be used by ironmasters to make charcoal. Similarly animal products could be used to make shoes, saddles, soap, candles or glue, and crops in the brewing, distilling or textile industries.

Some of the closest personal connections between farming and industrial entrepreneurship existed in brewing and distilling. The grain grown by the landowner could be malted for the distillery, the draff from the stills fed to the livestock and the dung from the byres returned to the land. Although not all brewers or distillers had such an integrated scheme as

1. Smout 1964, p.225 and Adams 1965.

this practised by the Steins (the greatest Lowland distiller-capitalists) or Robert Bowman and Company (farmers, maltsters and brewers at Stonefield near Paisley), most kept cattle and pigs, the draff being particularly valuable in winter.¹

Prior to 1780 the single most important industry for the Scottish economy was the production of linen. It was not until 1707 that landowners became deeply involved in attempts to encourage and extend this industry, the first step being the creation of the Board of Trustees for Manufactures in 1727 to administer funds set aside at the Union. The Board, dominated by landowners, was initially interested in all industries but its activities soon narrowed down to the production and processing of linen.² To promote the industry prizes were given and foreign teachers brought in, but it was the subsidies for bleachfields and the growth of flax that particularly affected landowners.³ The peak of the landowners' enthusiasm for this industry came between 1745 and 1770, epitomised by the foundation of the British Linen Company in 1746 mainly by aristocrats.⁴ After 1770 more flax was imported and the merchants were thus able to obtain a firmer grip on the industry. It was also about this time that the woollen industry began to compete for the landowners' interest under the stimulus of Sinclair's British Wool Society. From 1780 onwards, however, it was cotton which was to dominate the Scottish textile industry. Some landowners such as McDowall of Castle Semple, Speirs of Elderslie or Sir John Stirling of Glorat played a part in the early development of this industry, but as the scale of production grew the hold of the great Clyde

1. Lythe and Butt 1975, pp.129-130.

2. Campbell 1964.

3. Smout 1964, p.226.

4. Lythe and Butt 1975, pp.130-1.

firms became absolute.¹

Landowners never actively contributed on a large scale to heavy industry in Scotland. The smelting of iron, although requiring minerals supplied by the landowner, was a large scale enterprise in Scotland virtually from the beginning, vertically integrated under the control of the ironmaster; the only exception was Cunninghame of Craigends.

(c) Transport

Transport improvements interested landowners for many reasons, most importantly to facilitate the marketing of their produce. In the provision of roads they had no rivals. Not only did they build private roads, but they bore the financial burden of desirable but unprofitable turnpike roads when the system of statute roads, which had been the only alternative, proved inadequate.² The landowners, in the form of justices of the peace, had administered this system, but their backing of commutation of statute labour, common by 1780, showed their lack of confidence in that inefficient system.

Landowners often appeared as providers of capital and directors of companies undertaking the construction of canals, although they were seldom in a position to dominate the other interests concerned. However, they could support the movement towards canal building, as when Thomas Dundas, the son of Sir Lawrence Dundas of Kerse, supported the bill for the Forth and Clyde Canal in parliament, which started on his father's land, because it would be 'of great advantage to the kingdom in general by reducing the price of land carriage'.³ In the sphere of port improvements,

1. Smout 1964, p.227.

2. Moir 1957, pp.101-110, 167-75.

3. Lindsay 1968, p.19.

some landowners made impressive contributions, such as the Earls of Eglinton and Dundas in Ardrossan and Grangemouth respectively, but in general such work was carried out by municipalities and trusts. Early waggonways were often associated with local industries such as coal mining, salt boiling or lime burning, and as a result were usually promoted and financed by landowners. More extended railways with steam locomotion required the setting up of public companies and in these, too, landowners were often active, although some individual opposition was strong.

The landowners' interest in economically important objectives was at its peak between 1720 and 1790.¹ After this the size of production units started to grow and the majority of landowners no longer saw in industry an opportunity to enhance their estates by using local raw materials, power sources and labour. The industries which had been developed by the landowner fascinated him by their ability to provide rent and full employment. Some industries such as linen, wool, grain-milling or brewing started as rural industries but became increasingly urban-based as the scale of production rose. The landowner had never contributed much to the iron industry, which tended to create its own towns immediately, or to industries like sugar, silk and jute manufacture which had been urban-based from the start.

The extent of direct involvement by landowners in mining and manufacturing varied according to personality, industry and time. Although many were eager to engage in such enterprises there were others of different attitudes, like the Duke of Buccleuch who held up the rise of

1. Smout 1964, p.228.

the woollen industry in Hawick.¹ However, in an age of small scale business, inadequate communications and a limited capital market, as existed for at least the first half of the 18th century, the willingness of landowners to encourage enterprises by leasing both mineral deposits and sites for factories (usually utilising water power), as well as providing even small amounts of capital directly or indirectly, was of the greatest significance.

The planned villages of the 18th century sum up in one creation the attitude of the typical landowner. As I.H. Adams shows,² from about 1745 to 1845 landowners laid the foundations of model villages to provide service centres for their estates, with rural industries to use local raw materials and surpluses of labour. Between 1745 and 1770 villages were usually 'tradesmen' and 'estate' villages associated with private estates, in both the Highlands and Lowlands. Between 1770 and 1790 village building reached its peak, with a more industrial base resulting from the rapid growth of the cotton, flax and woollen industries. These villages tended to be in the Lowlands, those in the Highlands dating mostly from after 1790. By 1800 building a model village such as Ormiston or a small burgh such as Newton-Stewart was an accepted form of capital investment. Unfortunately these settlements, built to give a prosperous economy at the local level, were soon bypassed with the coming of the industrial revolution. Villages either declined or grew into alien towns, so that by 1825 only a few model villages were being built in the Highland area in an attempt to solve the problem of surplus labour created by the Clearances.³

1. Lythe and Butt 1975, p.133.

2. Adams 1975, p.16.

3. Houston 1948; Smout 1971; Lockhart 1975.

As entrepreneurs, landowners were not a great success, although there were one or two exceptions especially in the mining sector. The failure rate in industries in which they were directly involved seems suspiciously large.¹ Neither were they exceptionally important as providers of capital for other entrepreneurs. Indeed the cost of agricultural improvement may have diverted capital away from investment in trade and industry from time to time. This became less important at the end of the 18th century, for industrialisation itself created pools of surplus capital. It is important, however, that wartime expenditure was largely met from land taxes and indirect taxation and not directly from commercial or industrial profits. A generally prosperous agriculture made such a policy possible and thus indirectly aided the rise of commerce and industry.

In the commercial sector landowners at first played a part in inter-regional trade, but then dropped out as it became more specialised. An increased output from agriculture did, however, stimulate trade, which in turn helped the evolution of a national market for food and encouraged greater regional specialisation in agriculture.

Perhaps the most important contribution made by 18th century landowners to industry and commerce was their attitude to economic development. 'In general they favoured change and efficiency and without their agreement substantial economic growth would have been impossible in the 18th century and early 19th century.'² As a class they could so easily have hindered economic growth, but by supporting the entrepreneurial classes in Parliament, by their willingness to serve on the Board of Trustees, by forming innumerable clubs and societies for the encouragement

1. Smout 1964, pp.228-34.

2. Lythe and Butt 1975, p.109.

of agriculture and manufactures, by giving prizes and entertaining farmers and merchants, by dabbling in industry and making real efforts in agriculture, mining and transport, and by lending the prestige of their social leadership to the cause of material improvement of their country, they made a great contribution to the economic development of the 18th century.

4 CONCLUSION

At the end of the 18th century the landowners, despite vast economic changes within the century, were still politically and socially dominant, although the forces which would ultimately curb their power were already active.

As landlords they were the most absolute in Britain, tenants having few rights. In general they did not abuse this power and had a genuinely paternalistic attitude towards their dependants, although this diminished towards the end of the century.

As heritors they controlled the patronage of the church after 1712 and assisted in the choice of schoolmaster. With the kirk session they administered the system of outdoor poor relief and so effectively ruled over the lives of the majority in the parish, whether tenant, labourer, servant, unemployed or unemployable.

As landowners only the more wealthy, who held directly of the crown, could vote or stand for membership of the House of Commons, whilst voting for the 16 Scottish representatives in the House of Lords was in the hands of a mere 150 peers. Thanks to the web of patronage associated with elections to the Commons, these same few owners could obtain for

themselves or their relatives government positions at all levels, further cementing their political grip on the country. Peers enjoyed the privileges associated with heritable stewardries, sheriffdoms and regalities before 1747 and became lords lieutenant after the Militia Act of 1797. Other landowners filled the posts of commissioners of supply, justices of the peace and, after the reforms of 1747, became sheriffs and judges.¹ This total political supremacy, although increasingly challenged towards the end of the century, continued until 1832.

As entrepreneurs in industry and commerce landowners were not very successful, their chief contributions being in mining and in the initial stages of some industries based on native raw materials or power sources. By improvements in agriculture and communications, the landowners made a far larger and more critical contribution to the economic growth of Scotland.

Despite their position of power, the Scottish landowners were in general an enlightened body of people, without the inward-looking and defensive attitude of many ruling elites. Intermarriage with families of merchants, lawyers, burgesses and industrialists meant that class distinctions were never strong in Scotland,² and although there was a desire to maintain the relative position of the landowning class in society they were not so narrow-minded as to be blind to the advantages of new blood and money. Increasing awareness of the power, prestige and wealth flowing from the ownership of land did result in a desire to preserve the status quo, as seen in the growth of entailment, the neo-feudalistic direction of the game laws and the unwillingness on the part of large landowners

1. Strawhorn 1975, p.145.

2. Fergusson 1949, p.14.

to sell even small blocks of land. Agriculture was considered the main-spring of the economy and the paramount creator of wealth, thus justifying their political and social hegemony.

As a class, the landowners showed some of the obvious defects of a ruling elite, such as pride, ostentation, acquisitiveness and some degree of contempt for the lower orders. On the other hand they were generally cultured, humane, conscientious in public office and respectful of the rule of law. Like any other group they had extremes of behaviour but the majority no doubt fell somewhere in between, like the majority of English landowners whom Mingay describes as 'mediocre in talent, moderate in opinion, imperfect in morality, but tolerably honest and reasonably fair'.¹

The series of factors which brought about the vast changes in all walks of life in Scotland within the 18th century is an extremely wide subject, involving studies in many fields. There is no doubt, however, that without the approval, if not always the active help, of the landed classes the process of change would have been severely curtailed. Landowners were caught up in the general air of optimism prevalent in the second half of the 18th century, when all classes could see Scotland moving forward towards bigger and better things: 'an elation of mind', as it was described by Ramsay of Ochtertyre.² It was not until the 19th century that the landowners discovered, too late, that they ~~they~~ had helped to sow the seeds of their own downfall.

1. Mingay 1963, p.15.

2. Allardyce 1888, p.356.

CHAPTER 3

THE DATA:COMPILATION AND INTERPRETATION

Although trends are towards a more systematic approach in the handling of historical data, there is a limit to the extent to which modern statistical methods can be applied in an historical context. Data which are rarely uniform or complete still depend greatly on the objective handling of the researcher to yield their full potential. In such a situation bald conclusions are not enough. The processes by which the researcher turns the source material into his conclusions must be studied in order to validate the findings.

In this chapter the methods used to make a rather miscellaneous set of sources yield a fairly accurate picture of landownership in Scotland for 1770 are discussed. The handling of the data can basically be divided into two sections:

1. The methods used, and the problems encountered, when compiling A Directory of Landownership in Scotland c.1770.
2. The methods used to assess any changes which might be necessary to bring the information given in the Directory, (a) to 100% and (b) to 1770 exactly.

The number of owners existing in 1770 is the logical conclusion to this discussion, but the methodology used and the conclusions reached also have a bearing on subsequent chapters. The expertise gained in the basic study of valuation rolls c.1770, as discussed in the first part of

this chapter, can be used on other rolls to make a quick assessment of changes over time. The conclusions reached in the second part not only give the number of landowners in 1770 but have a direct bearing on Chapters 4 and 5 which are concerned with the social structure and pattern of ownership.

1 FROM SOURCES TO DIRECTORY

The sources used in compiling the Directory are discussed in Chapter 1 and their locations given in the Introduction to the Directory. Although a wide range of documentary and secondary sources is used, clearly the valuation rolls were the foundation of the research. It has been assumed in the past that the random dating and diverse nature of the valuation rolls of Scotland make them 'of very limited use in determining ownership'.¹ Closer examination, however, reveals that with careful handling enough information can be obtained to give the nucleus of a study of landownership. As this source has been neglected in past Scottish historical studies one is forced to look to studies using English tax returns to find any earlier research. There are basic differences in the history of the collection of this tax and in the attitudes of officials within Scotland and England,² making the two sets of circumstances not strictly comparable. The English system evolved as the result of a series of financial crises whereas in Scotland there was an uneasy marriage of the old system of cess collection with the English system

1. Preface by Dr Stuart and G. Burnett to volume 1 of the Exchequer Rolls of Scotland 1878 (xxxiv) in SRO.

2. See Appendix 2.

after the Union of Parliaments. The attitudes of the officials involved differed in the two countries and in general the Scottish system was by far the more haphazard. The result of these differences is that more abundant and detailed records exist for England than for Scotland. The land tax records in England most commonly used for the study of land-ownership are the half yearly or quarterly assessments of the actual amounts of tax to be paid. These, often long, chronological series on a parish basis, although subject to problems of interpretation, can be made to yield detailed statistics.¹

For Scotland, however, no such detailed sources exist. Lists of the cess due in a county can sometimes be found,² but these are rare and are often amalgamated into valuation rolls. The only land tax records which remain in any numbers are the valuation rolls themselves. By their nature these rolls would not have been rewritten yearly. They are copies of the basic assessment laid on each farm or owner from which the share of the total tax due by each proprietor was assessed. Thus there are valuation rolls which are merely lists of the taxable items in a county³ although most include some, if not all, the proprietors' names.

Copies of these rolls might be made for various reasons. Amalgamations, subdivisions or the sale of estates might have rendered an old roll unworkable from the collector's point of view. The commissioners of supply or someone interested in the assessment within a county such as a large landowner might have wanted a copy. The most common *raison d'etre* of the later 18th century rolls still in existence was the

1. See the detailed bibliography of Mingay 1968, section 5, p.40.

2. See Orkney, SRO E106/24/3.

3. See Kirkcudbright 1774, SRO E106/36/6.

ordering by the barons of the exchequer in 1771 and 1802 that copies of the valued rental of each county should be sent to the office of the presenter of signatures.

The Exchequer Order of 1771 proved to be of crucial importance to this study for, although the response to the order was not complete, 75% of the rolls used in the Directory are dated between 1765 and 1775. National coverage can also be obtained for c.1802, and a wide coverage for several other years, especially 1649 and 1733. Keeping in mind the other reasons why valuation rolls were made, it is not surprising that the remaining rolls are of random dates.

The problems encountered in dealing with these records do not vary with dating, however, as by the 18th century the system had become 'frozen'.¹ Therefore, with the possible exception of legibility, the problems found when using these rolls of c.1770 apply to any roll of the late 17th and 18th centuries.²

Basically the problems, over and above actual dating, can be divided into three categories:

1. Those perpetuated from the beginning by the system.
2. Those created by the fact that prior to 1802 no rules were laid down as to the form rolls should take, which led to variations in quality from county to county.
3. The influence of the attitudes of the officials concerned.

1. See Appendix 2, pp.329-31.

2. Redemption was not introduced until the end of the 18th century and had no immediate effect on valuation rolls.

1.1 Difficulties Perpetuated by the System

The history of the land tax in Scotland is discussed in Appendix 2 and it is necessary here only to repeat that, in the majority of cases, the valued rental quoted in the rolls of the 18th century is the real rental of 1656.

As the system of collection of the land tax became frozen in Scotland there was never a need for yearly revision of the valuation rolls.

Anomalies which were built in when the rolls were first devised remained.

Chambers and Mingay draw attention to the fact that in England the original assessments were heavily biased towards the northern counties.¹ The county figures for Scotland, as seen in Table 1 of Appendix 2 (p. 324), show no obvious bias, remembering that the assessment for royal burghs were separate. Contemporaries did not complain of unfair assessments and even Sinclair, who discusses the 'burdens' laid on landowners, makes no mention of such an inequality.² Work in Chapter 4 on the relationship of real to valued rents c.1770 also backs up the premise that the assessments were generally fair. A comparison of the percentages of the national rental held by each county in 1656 and 1815, shown in Table 4.1 (p139), shows no inexplicable movements. Roxburghshire and Selkirkshire were already highly organised in terms of 17th century farming techniques and so the rise in rents in the 18th century was not so marked in these counties. The converse is true of Ayrshire and Lanark. One would also expect Midlothian to increase its share of the total in the 18th century due to the influence of the capital on rents. The relative decline of Fife and the rise of Inverness and Argyll may represent a bias in the original assessment, but even this is doubtful.

1. Chambers & Mingay 1966, p.43. 2. Sinclair 1814, p.111.

There is also the matter of knowing exactly what was included in the original assessments and what was omitted. When first raised, the land tax in England was intended as a tax on all incomes including those from land, tithes and mines as well as public office and mortgages, but by 1733, with few exceptions, it had become purely a tax on land.¹ In Scotland too there had been a dilution of the effect of the tax so that by 1656 it was a tax on the agrarian sector generally, including profits from mills, fishings, teinds and feu duties as well as land. It must be remembered, however, that the royal burghs did pay one-sixth of the land tax directly to the crown, and although part of this was assessed on profits from land and rents, part was also based on a trade stent.

As time went on the real rental of 1656 became more and more out of date. In the earlier part of the century this was not very significant and, although rents rose a little, the relative position of a landowner to his neighbour did not greatly change. The system gave each a convenient way of paying his share of the tax. As increasing agricultural and industrial change took place, however, the balance was destroyed in many areas. At the same time rents began to increase at a faster rate, adding to the lack of reality in the situation. However, although these two processes were at work by 1770, they had not gone far enough to invalidate the hierarchy of owners which can be assessed for Scotland using the valuation rolls. Changes in detail could perhaps be made, but on the whole the picture is correct. Looked at from another viewpoint this basic flaw in the system can be turned to good use as it allows studies in time to be undertaken. The Redemption Act of the late 18th century

1. Davies 1927, p.88.

had no effect on the statistics and so comparisons can be made from the base of valued rent.

Profit from feu duties was taxable, and as other forms of tenure fell into disuse, feu duties (especially on former church and crown lands) became more common. If a piece of land was feued after 1656 the procedure was that the commissioners of supply would divide the 'valued rent' among the feuars and the superior.

Teinds were originally the annual payment of one-tenth of the produce of the soil to the church. Although payment in kind was not banned until 1808, there was a gradual commutation to money payments in the 18th century. Through grants made about the period of the Reformation to landowners and others called titulars, heritable rights to teinds were established which were subject to land tax. The valuation and sale of teinds began under Charles I, subject to complicated rules. Basically the titular was obliged to sell to a proprietor the tithes or teinds on his land at a set yearly value and at a set number of years' purchase. This system had great advantages to the Scottish landowner, especially when rents rose towards the end of the 18th century.¹

As prices rose in the 18th century the fixed value put on mills and fishings had obvious advantages to the proprietor. Occasional reference is made to the fact that a mill paid no cess because it was no longer profitable. New mills were obviously excluded.

Having noted the items included in the original assessments it would now be of value to discuss the less obvious omissions. As mentioned earlier, it must always be kept in mind that royal burghs were

1. See Sinclair 1814, p.116.

taxed separately from the counties (although burghs of barony and regality were included).

The proprietor of the lordships of Orkney and Zetland and the tacksman of the bishopric of Orkney, Sir Lawrence Dundas of Kerse in 1770, paid his share of the land tax directly to the receiver general in Edinburgh. In the case of Orkney, the valuations of the lordship and bishopric are not always included in the land tax records, and thus the data used in the Directory was a list of the cess due rather than a valuation roll.¹ In the case of Zetland, no valuation rolls or land tax records exist. The complicated system of landholding in Zetland, which resulted directly from Norse occupation, makes this county unique. Sir Lawrence Dundas, as proprietor of the lordship of Zetland, collected various payments, including the land tax, from all other landowners on the islands.² Apparently no separate valuation roll was drawn up for the county and so Zetland cannot be included in the national coverage. Fortunately a comprehensive rental of the time gives the landowning pattern of c.1770.

Commonties were not specifically valued, but each owner has been proved to have a share in direct proportion to his valued rent. In reference to the division of the commonty of Pilmuir, I.H. Adams states that 'the method of division [was] based on the valued rent of the lands having interest in the commonty'.³ The cost of division of a commonty was also shared in proportion to each owner's valuation. In Scotland only the local landowners had a legal right to common land and so no complications, such as existed in England, arose in assessing the status

1. See Directory, introduction to Orkney.

2. See Directory, introduction to Zetland.

3. Adams 1967, p.79.

of squatters or cottagers. One Act of Parliament passed in 1695 was sufficient to facilitate the division of all commons except those on crown land or associated with royal burghs.

Land tax exemption and redemption did exist, but have no bearing on the records used in this study. Exemption is sometimes noted in valuation rolls¹ but although this might affect cess books it did not alter the form of the rolls. Redemption, as noted earlier, did not come into effect until the end of the 18th century and, as in the case of exemption, the freezing of the system meant that the format of the valuation rolls did not alter. Exemption and redemption were the concern of the collectors.

1.2 Difficulties arising from Variations in the Format of the Rolls

The basic problems in the structure of land tax records, outlined above, are on the whole uniform and can thus be allowed for, but within this structure various counties had peculiarities of format which tended to be perpetuated within this 'frozen' system.

There was no attempt to stylise the valuation rolls of Scotland until 1802 when the exchequer sent out a circular laying down the form in detail and sending out special paper on to which the information had to be copied, 'neatly written and in good ink'.² Each valuation roll therefore has to be assessed on its own merits if written before 1802. Some divide the information noted into parishes, others do not. Some give each landowner's name and others are merely lists of the taxable items within a county. Again, some give very few associated farm or land names

1. See Buteshire 1771, SRO E106/7/1.

2. See SRO E254/11.

while others provide an abundance.¹

These basic problems can only be solved by the use of additional source material where this is available. A valuation roll of a later date can sometimes be useful in dividing a county cumulo into parishes, as in the case of Kincardine. A lack of landowners' names cannot always be made good, although documentary and secondary sources can yield valuable information. A lack of farm names, while relatively unimportant, is harder to rectify, but contemporary estate plans can sometimes fill a gap.

Within these basic general problems arise difficulties of interpretation, namely ambiguous entries, repetition of names and boundary changes.

(a) Ambiguous entries:

Sometimes a name is given with no qualifying information. This could represent an estate, a farm, an owner's territorial designation or occasionally a peerage title. The answer in each case can only be found by combining a knowledge of the valuation roll and of adjacent landowners, with close study of the one-inch Ordnance Survey map of the area.

This methodology has also to be applied to entries such as that found in Mauchline parish, Ayrshire, which reads 'Bannaigh Wilson' and proves to be the farm of Barinaigh owned by Mr Wilson. An entry reading 'Town of Auchtergaven' or 'Town of Edinburgh' could mean that the town in question was owned by one man, but usually relates to the holding of land by a community for the common good.

(b) Repetition of names:

The problem of unknowingly listing one owner as two, or two as

1. See Directory for examples, except those with no owners at all, e.g. SRO E106/36/6 dated 1774 for Kirkcudbright.
2. See SRO E106/4/4.

one, does not arise as often in the study of Scottish land tax records as in English records, because of the almost universal use of territorial designations, even by bonnet lairds.¹ However, some valuation rolls, such as those of Banff² and Berwick,³ give few territorial designations, and small feuars or portioners rarely have designations. Some rolls do differentiate between men of the same name by adding their occupation or place of residence.⁴ If available, indexes to the valuation rolls can be very useful in solving this problem.⁵ Perhaps an unusual surname or christian name occurring in adjacent parishes, or a valuation roll which habitually repeats owners within a parish, will give an indication that two entries refer to one person, if all else fails. Sometimes, however, there is no way of resolving this problem. As the alphabetical index to the Directory brings together all entries of a given name, there is no error in the Directory itself, although the analysis of the data may be very slightly affected.⁶

(c) Boundary changes:

The accurate interpretation of the information listed in the valuation rolls depends on a complete understanding of parish boundaries as they were at the time of compilation and any changes which occurred subsequently. Modern boundaries were used to avoid complications, to allow comparisons with modern material and to place the onus of inter-

1. Mingay 1968, p.24.

2. See SRO GD248/982/3.

3. See SRO E106/6/4.

4. E.g. Peebles (Edinburgh University Library LA.III, item 333) and Midlothian (SRO E106/22/4).

5. E.g. Caithness (SRO E106/8/1) and Argyll (SRO E106/3/2).

6. In such a situation, the maximum rather than the minimum number of owners has been taken, but the error which might thus be introduced is very small.

pretation on the author rather than on the reader. Boundary changes can best be looked at in three phases:¹

(i) Pre-1891. The 'freezing' of the system of collection of the land tax had the effect of perpetuating outdated parish boundaries. In the late 17th and 18th centuries there were a few changes in parish and county boundaries, which on the whole were not reflected in the valuation rolls. Some parishes were suppressed, as in the case of Aboyne (Aberdeenshire), and others were erected from parts of existing parishes, as in the case of Caddonfoot (Selkirkshire).

The validity of the parish as presented in the valuation roll is sometimes in question even where boundary changes are not involved. Some rolls do not attempt to divide the information given into parishes, and others, such as Angus, make a very poor pretence at doing so. The latter are easily recognised, but others which appear to divide the information more accurately may on closer examination be found wanting. The only method of determining whether the breakdown of information is reasonably accurate is by checking the farm names given against the one-inch Ordnance Survey map, and sometimes contemporary estate plans can also be helpful. In the majority of counties, however, the problem is slight.² It is perhaps relevant to note at this point that distortion of information at the parish level is merely the continuation of an out of date format and not an indication of attempts by local magnates to opt out of paying the land tax, as the stylised form of the rolls made this impossible.

1. See Directory p.ix for sources used to trace these changes.

2. Where the problem is more than slight, this is noted in the county introductions in the Directory.

(ii) 1891. The changes in parish boundaries which were implemented in 1891 represent a sweeping reform designed to rid the system of many anomalies. Altering data to conform to these new boundaries can be difficult but is necessary.

(iii) Post 1891 changes are few in number, the most outstanding being the erection of Grangemouth.

There are for the historian certain problems of interpretation of English tax records which do not apply for Scotland. The most important of these concerns tenants and owner occupiers. In England printed forms were issued for the return of quarterly or half yearly assessments from 1780, but it was not until 1786 that the distinction between owners and occupiers or tenants was universal.¹ As a result, historians working with data prior to 1786 often have difficulty in assessing the status of persons listed. The basic differences in the character of the sources used in England as compared with those in the Directory mean that no such problem arises in Scotland. The Scottish records show who is liable to pay the tax, not who actually gives the money to the collector as in the case of English records. There are one or two entries where a group of tenants are listed in the valuation roll, which probably represents an agreement with the landowner to pay the cess directly to the collector, but these are rare.

Other problems, such as the possible avoidance of payment by owner-occupiers and the entry of long term lessees as owners, have no equivalent in Scotland. Variances in the history of land tenure, in the

1. Davies 1927, p.89.

system of land tax collection, and in the number of landowners per county, make this impossible. There is, however, mention in some rolls of liferenters. These are usually former landowners, who on the handing on of their estates before their death have provided an income for themselves (or occasionally their wives, or widows under the terms of their will) from part of the estate.

1.3 Difficulties arising from the Attitudes of Officials

By definition the effect of attitudes is hard to quantify. Ward¹ emphasises the fact that commissioners of supply and collectors were on the whole out to profit from their positions, or at least apathetic towards the situation around them. The validity of this assumption is not in question here, but rather the effect attitude might have on the valuation rolls themselves. The conscientiousness and enthusiasm of a collector or clerk would undoubtedly have affected the amount of effort he was willing to put into preparing a roll, as would the attitude of his superiors to his work.

The method most commonly used to compile a new valuation roll put the onus for revision on the collector or clerk who compiled it. Existing valuation rolls were used to give the basic structure and the records of the commissioners of supply, along with the receipt books kept by the collector, gave the alterations to be made.² The valuation roll for Caithness³ shows this clearly. The roll starts by listing the valuation of 1702 in detail and then lists each owner for 1751 with their respective total valuations. That both were written at the same time is

1. Ward 1954.

3. See SRO E106/8/1.

2. See statement by William Mein, collector, at end of Dumfriesshire roll (SRO E106/12/2).

proved by the fact that the bottom of each page of the roll is signed by the attestors of 1751, namely Andrew Taylor and William Sinclair, bailies of Thurso and commissioners of supply, and Hugo Campbell, sheriff clerk of Caithness, who was also the clerk to the commissioners of supply. That this method perpetuated out of date formats is therefore understandable.

It was not just laziness on the part of the compiler of the roll that was responsible for this state of affairs, as is seen in the example of the Roxburghshire rolls. At the beginning of the valuation roll for Roxburgh 1771¹ the collector of the land tax, George Cranstoun, states that he never received 'an authentick Valuation Book of Heritors by parish' but had to make up the 1771 roll from the former year's roll, which was in the form of a cumulo. He was also informed that this was the method always used. Clearly Cranstoun had some misgivings, but no help was forthcoming from his superiors. That his misgivings were well founded is seen in An Analysis of the Valuation Books of the County of Roxburgh,² where the author analyses the rolls of 1643, 1678, 1707, 1743 and 1770 and states that the later ones are full of errors which were compounded by the use of earlier rolls to formulate new ones. Of the 1770 roll in particular he states that it was 'nothing more than a roll for laying the cess for that particular year' as the division into parishes was disregarded and each owner's valuation stated in cumulo.

The extent to which this apathy extended is hard to judge. There

1. See SRO E106/29/3.

2. William Turnbull Falnask, Hawick 1788. Copy to be found at Wilton Lodge Museum, Hawick.

is no evidence to suggest that this rather easy-going system led to false entries or corruption. Balances might have been used to obtain a little profit but this was not regarded as dishonest in the morals of 18th century Scotland.

Obviously the situation varied from county to county, but on the whole it is true to say that although the format of the roll was often left unaltered revision concerning amalgamation, disjunctures and the sale of estates was usually undertaken. Changes in ownership perhaps took longer to permeate the system in some counties, such as Fife¹ or Perth.² These were large counties for which the valuation rolls were incomplete, indicating imperfect knowledge on the part of the clerk or unwillingness to revise. Thus in the Perthshire roll the Earl of Perth was still listed as an owner when in fact his estate had been forfeited in 1745 (on the other hand, however, this might indicate the political leanings of the writer).

The problems described above inevitably lead to the question of validity. How much reliance can be put on the 18th century valuation rolls? Firstly it must be kept in mind that poor revision regarding ownership only appears in a few valuation rolls. The majority, although sometimes not listing all owners, were revised at the date of writing. Evidence for this conclusion comes from various sources. Entries in the Old Statistical Account can be useful in assessing the validity of a roll, although the correlation is not always 100 per cent because of differences in dates and categories of owners included.³ Rentals of farms or estates;

1. SRO E106/15/3.

2. Roll to be found in County Buildings, Perth (see SRO, Inventory of Local Authority Records, Perthshire, section 1, item 8/22).

3. The O.S.A. sometimes includes owners of lands taxed under royal burghs.

rentals of feu duties payable out of bishoprics or earldoms; lists of freeholders; parish valuations; county and parish histories; family histories; and countless other primary and secondary sources similar to those used to fill gaps in the valuation rolls can be used to validate them. The occasional lapses are usually confined to forfeited or former crown property, and could be due to poor revision or ignorance of the new landowner's name, especially in the case of forfeited lands. In addition, it was the practice that all valuation rolls sent to the exchequer were accompanied by a certificate of authenticity signed by the clerk, collector or commissioners of supply, or a combination of these. Many were also accompanied by an oath sworn before a justice of the peace or sheriff. In the case of Angus,¹ for example, Alexander Scrymsoure of Tealine, collector, signed the oath of authenticity before James Miln, justice of the peace; and in that of Dumfries,² William Mein, collector, and John Goldie of Craigmore, clerk to the commissioners, signed each page of the roll and signed the oath before Theodore Edgar, justice of the peace.

The minority of rolls which give cause for slight uneasiness can be divided into two groups.

Firstly, there are some rolls which, although dated c.1770, appear in the light of further study to give a pattern of ownership of an earlier decade. Those of Banff³ and Bute⁴ fall into this category. The roll used in the Directory for Banff is dated 1767 and is amply attested to as being accurate. Nearly all landowners are given, but unfortunately few

1. SRO E106/16/5.

2. SRO E106/12/2.

3. See SRO GD248/982/3.

4. See SRO E106/7/1.

territorial designations. The number of owners seems high when compared with entries in the Old Statistical Account and a roll of 1802,¹ even though it is clear from such works as Lord Fife and his Factor, 1729-1809² that amalgamation of holdings was occurring in the late 18th century. In the case of Bute, the roll is far from complete and some entries are definitely out of date.³ The processes of amalgamation were also at work in this county but the fall from somewhere in the region of 44 (plus nine entries unaccounted for) in 1771, to 10 in 1802, seems large.

Secondly, a few of the larger counties, for which the valuation roll is far from complete, have some out of date entries. Ayr, Fife and Perth fall into this category. The problem is to assess just how far poor revision goes. In general it is limited, and its effect is further lessened by the fact that a lot of the owners noted in these counties come from other sources.

1.4 Summary

Having fully discussed the problems associated with the use of the 18th century valuation rolls and their credibility it becomes clear that, as with English tax records, they 'can be turned to some use only if their deficiencies are constantly borne in mind'⁴ and if the researcher is careful not to put too great a weight on the data.⁵

The problems introduced by the other sources used in the Directory

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1. SRO E106/5/5.
 2. Tayler 1925.
 3. See Directory, introduction to Buteshire.
 4. Thirsk 1954, p.234.
 5. See discussion of acre-equivalent in Chapter 4, p.153.

are few, as these were selected merely to fill gaps in the information given in the valuation rolls.

The most obvious problem is that of date. It is often difficult to correlate the dates of information gleaned from various sources with that of the valuation roll in question. Generally speaking more information exists for the decades after 1770 than before, but nowhere does information used postdate the Old Statistical Account of the 1790s.

The use of more than one source can introduce a spelling problem. Different contemporary and modern works can spell a farm name, a territorial designation or a surname in various ways. The first two can easily be dealt with by using the spelling given on the Ordnance Survey maps. In the case of surnames, a certain amount of standardisation is the only answer.

2 FROM DIRECTORY TO CONCLUSION

Having discussed the problems attached to the handling of the source material, the next step is to analyse the information in the Directory to see if and how this can be modified to give as accurate a picture as possible of landownership in Scotland for 1770. This is necessary not only for the study of 1770 but also for comparative studies within the 18th century, and to assess modifications to data used in the subsequent chapters on social structure and pattern of landownership.

2.1 Interpretation of the Data in the Directory

Broadly speaking the information given in the Directory can be looked at

from the two criteria of date and quality. If the decade 1765-75 is considered the optimum, then the information for only nine counties falls outside these ten years. Argyllshire, Caithness, Ross, Ayr and Peebles are based on rolls written between 1751 and 1765, while Dunbarton, Selkirk, Inverness and Kirkcudbright are based on rolls from between 1775 and 1799. The quality of information varies from county to county, but over all the percentage of valued rent for which no owner can be found is only 6.5.

By dividing the counties, firstly by the date of the relevant valuation roll and secondly by the quality of information, assessments can be made of how numbers changed over time and what effect the gaps in information would have on the ownership pattern of a county. These assessments are based on many things, including:

Trends noted by comparing valuation rolls of different dates with each other and with entries in the Old Statistical Account.

Comments in contemporary and modern books.

The existing pattern and structure in counties with only a few gaps or in adjacent counties if the gaps in information are large.

The author's interpretation and knowledge of the sources.

These assessments are rough but on a national scale are nevertheless fairly accurate. The number of owners estimated in order to take account of gaps in information will tend to be on the large side, as there is no way of knowing if any owners in question are already listed.

To keep data to workable proportions only four basic categories of owners have been listed in the following tables.

1. Individuals Each individual is classed as an owner even if husband and wife, or father and son, are noted.
2. Groups This category is made up of entries which should be included in (1) above but for which the exact number of people involved is unknown. Groups of feuars, portioners, lesser heritors or 'sundries' are included.
3. Institutions The dictionary definition of 'a society or organisation established for some object especially cultural, charitable or beneficial'¹ has been widened in this context to include mortifications, kirk assessments and crown property (including the forfeited estates).
4. Corporate bodies A corporation is a body or society authorised by law to act as one individual and so included under this category are the entries relating to towns, trade associations, companies such as the York Building Company and the Carron Company, and groups of creditors.

To avoid undue repetition, the basic county statistics showing the figures derived from the Directory, and the modified totals as discussed in the following, are listed by county in Appendix 3. The information relative to the Directory is divided into the four categories listed above, but the modified data is divided into only three categories as the valued rent of the category headed 'Groups' is included in that for individuals. In both sets of figures the information relating to individuals is further subdivided into six groups by valued rent:

1. W. Geddie (ed), Chambers 20th Century Dictionary, Edinburgh 1970.

<u>Group</u>	<u>Range of valued rent</u>
1	above £4,000
2	above £2,000- £4,000
3	above £1,000- £2,000
4	above £500-£1,000
5	above £100-£500
6	above £0-£100

2.2 Valuation Rolls dated 1765-75

Seventy per cent of the 33 counties fall into this category, as do the counties of the cities of Edinburgh and Glasgow which are based on valuation rolls of Midlothian and Lanark respectively. Dundee is not separately listed in the Directory, due to the form of the valuation roll of Angus, and although Aberdeen is, the information is of such a limited nature as to make it pointless to include this city separately in the statistics. These are therefore included in the statistics for Angus and Aberdeenshire respectively.

The range of information given for the 24 counties which fall into this chronological category is wide. Even when additional information is collected from various sources, gaps still exist. Table 3.1 shows the number, total valued rent and percentage of the county covered by farms, estates or property for which owners cannot be found. Despite the high percentage of Stirling and Clackmannan, the over all percentage of valued rent unaccounted for is only 6.6 (minus Stirling and Clackmannan it would be only 4.7 per cent).

TABLE 3.1 Data for counties based on valuation rolls of the decade 1765-1775 concerning gaps in information

<u>Counties</u>	<u>Number of gaps</u>	<u>Total valued rent of gaps (£ Scots)</u>	<u>Percentage of county total</u>
<u>Section 1:</u>		£ s d	
Berwick	-	-	-
Kincardine	-	-	-
Lanark	-	-	-
Moray	-	-	-
City of Edinburgh	1	336 0 0	0.43
City of Glasgow	2	221 2 2	1.13
Midlothian	2	426 0 0	0.38
Orkney	2	246 0 0	0.43
<u>Section 2:</u>			
Nairn	4	411 0 0	2.8
Aberdeen	7	2,720 13 4	1.1
Bute	9	370 12 0	2.5
East Lothian	10	1,661 1 3	0.92
Banff	13	1,606 0 0	2.19
Roxburgh	14	5,441 5 10	1.77
Angus	17	2,976 2 0	1.73
<u>Section 3:</u>			
Clackmannan	24	7,088 16 3	27.49
Kinross	30	2,796 13 4	12.77
West Lothian	41	5,639 14 0	7.5
Renfrew	47	7,724 5 8	11.5
Wigtown	52	6,779 19 8	10.43
<u>Section 4:</u>			
Stirling	196	31,316 9 10	29
Fife	221	58,184 14 3	16.3
Dumfries	310	37,974 4 2	16.8
Perth	320	56,606 4 5	18.57
Zetland ¹	-	-	-

1. Zetland is unique in that no valuation roll has been traced for this county, and the information given in the Directory comes from a real rental. See the introduction to this county in the Directory.

The information presented in Table 3.1 naturally falls into four sections, each of which demands different handling if a total picture of landownership in Scotland at this time is to be obtained. It must be remembered, however, when dealing with each section that numbers cannot be totalled without taking into account owners who have property in more than one county. Due to the complexity of this situation, counties should be treated as individual units (which can be compared) until the end of this chapter, when total numbers are discussed.

Bias which might have arisen if geographically adjacent counties fell consistently into one section does not occur, as examination of Tables 3.1, 3.7 and 3.9 shows.

Section 1 of Table 3.1 (Table 3.2)

The information concerning these counties is virtually complete. The number and valued rent of the gaps existing in the last four counties are so small that they do not warrant individual attention. Minor amendments have been made in Table 3.2 whereby one owner was added for each gap.

TABLE 3.2 Number of landowners for the counties in Section 1 of Table 3.1

<u>County</u>	<u>Individuals</u>	<u>Institutions</u>	<u>Corporate bodies</u>	<u>Groups</u>
Berwick	197	1	1	12
Kincardine	74	-	2	-
Lanark	717	3	5	5
Moray	72	1	-	-
Sutherland	26	-	-	-
City of Edinburgh	275	8	8	1
City of Glasgow	123	2	5	1
Midlothian	232	3	1	-
Orkney	320	2	-	-

Sections 2-4 of Table 3.1

In these sections there exist gaps in the available information to varying degrees, although in most cases the percentage of the total valued rent involved is small. Unless, as in the case of Roxburgh, other detailed sources are available, additions have to be generalised and added to the statistics relating to individuals. An assessment of the numbers involved in filling the gaps can be made from comparing various sources but the information used tends to be generalised and often inconclusive, especially if the number of gaps is large. If it were otherwise the data would have been inserted in the Directory.

Care must be taken to assess the nature of existing gaps, as their dispersal throughout a county or concentration in one or two parishes can affect the end result. The division of existing data into groups by valued rental, as seen in Appendix 3, is an invaluable aid, as distinct patterns of ownership emerge for individual counties.

It might appear in the following, especially Section 4, that the dictum of one gap equals one owner has been almost universally applied, but this is merely the picture which emerges rather than a rule adopted. Admittedly in some cases detailed information is non-existent and informed guesswork takes its place, but even this is based on the pattern of the existing data. In a great number of cases the gaps relate to smaller properties, perhaps because these changed hands more often than the estates of the landed aristocracy who were always reluctant to sell even the smallest plot.

Section 2 of Table 3.1 (Table 3.3)

The seven counties involved in this section have relatively few gaps, which never exceed 2.8 per cent of any one county's total valuation.

The valuation roll for Nairn is in the form of a cumulo for the county which suggests that the four gaps relate to individual estates. This hypothesis is backed up for the estates of Knockandoe and Delnies when the information noted in the Directory is compared with that given in a roll of 1802.¹

In Aberdeen there was a total of seven gaps. The parsonages of Auchterless and Turriff were owned by one or more institutions,² and the barony of Gartly, which was a detached part of Banffshire prior to

TABLE 3.3 Number of landowners for the counties in Section 2 of Table 3.1

<u>County</u>	<u>Ind.</u>		<u>Ind. Total</u>	<u>Inst.</u>	<u>C.B.</u>	<u>Gr.</u>
	<u>as Dir.</u>	<u>poss. alts.</u>				
Nairn	12	+2-4	14-16	1	-	-
Aberdeen	251	+3-4	254-55	6	6	1
Bute	44	-	44	-	-	-
East Lothian	187	+10	197	2	2	-
Banff	177	-	177	2	-	3
Roxburgh	208	+12	220	3(+1)	-(+1)	19
Angus	217	+15-17	232-34	5	4	3

KEY:

Ind.	= Individuals
as Dir.	= Number of individuals as in Directory
poss. alts.	= Possible alterations
Ind. Total	= Total of individuals
Inst.	= Institutions
C.B.	= Corporate bodies
Gr.	= Groups

1. See SRO E106/23/4.

2. OSA (vol.20, appendix, p.cviii) gives this information but does not specifically name the institution or institutions involved.

1891, was probably owned by the Duke of Gordon, although the evidence is not conclusive.¹ By comparing the entries in the Old Statistical Account with those in the Directory for the parishes of Keithhall, New Deer and Rathen it is clear that each of the gaps in these parishes represents one owner. There is no information regarding the gap in Old Deer parish.

The case of Bute is a vexed one. The valuation roll dated 1771 appears to give an ownership pattern which, according to other sources, is nearer 1700 than 1800.² A valuation roll of 1802³ gives a total of 10 owners for the county, and the Old Statistical Account gives a maximum of 14 for the landward part of the county. The figure of 44 owners with an additional nine gaps for 1771 therefore seems high. Obviously a process of amalgamation of holding was occurring, although detailed information is unobtainable. As a result no additions in respect of the nine gaps has been made.

East Lothian has a total of 10 gaps, three of which fall into the category £0-£100 Scots and seven into that of above £100-£500 Scots. Failing detailed information, the existing structure of ownership within this county indicates that each gap probably represents one owner.

Banff is in a similar position to Bute in that the pattern of ownership indicated by the valuation roll dated 1767 appears to be outdated. The Old Statistical Account is fairly comprehensive for the parishes of Aberlour, Boharm, Boyndie, Forglen, Gamrie, Keith and Marnock and by using this data, coupled with a knowledge of changes over time,⁴ a more accurate number of owners for 1770 can be assessed. As with Bute,

1. See entry for parish of Gartly, Banffshire in OSA, vol.11, p.138.

2. See introduction to county in the Directory.

3. SRO E106/7/2.

4. See Chapter 5, pp.237-40, 245-6.

amalgamation of holdings was occurring but by adding nothing in respect of the gaps in information a more accurate picture is established.

In the case of Roxburgh a roll of 1788¹ helps to clarify the situation regarding the 14 gaps in information. This roll shows that each gap probably had a separate owner in 1770 and is even detailed enough to allow the addition of an institution, the Society for the Propagation of Christian Knowledge, and a corporate body, the burgh of Jedburgh.

The valuation roll of Angus, as explained in the Directory, has an unusual format. It would seem likely, however, that each of the 17 gaps represents one owner for, although there was repetition of a few larger landowners, most were just given a cumulo for the county. In addition six of the ownerless entries fall into the category of £0-£100 Scots valued rental and the remainder into the category above, which is a reflection of the existing data.²

Section 3 of Table 3.1 (Table 3.4)

The five counties within this section have between 24 and 52 gaps, but as the total valued rental of individual counties varies so much this can represent between 7.5 per cent and 27.49 per cent of any one county's total. It is harder to assess the ownership pattern in such a situation, especially where the use of existing data is limited by the size of the gaps, as in the case of Clackmannan.

Clackmannan is a small county with a total valuation of only £25,787 Scots, and as a result the 24 gaps which exist form 27.49 per

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1. Roll to be found in Wilton Lodge Museum, Hawick.
 2. See Appendix 3.
 3. See totals in Appendix 3.

cent of the total. The remaining valued rent is owned by 13 individuals and four groups of feuars. As noted in the introduction to this county in the Directory, Clackmannan was thought of, in the 1790s, as a county of small landowners and portioners. It is therefore highly probable that each gap represents one owner at least, and perhaps one or two represent groups of feuars. Detailed information is not available, but the entries in the Old Statistical Account tend to back up the supposition that one gap equals one owner.

Kinross is also a county of smaller proprietors, but these are more often named in the valuation roll of this county than in Clackmannan, where block entries are the norm. Of the 30 ownerless entries, 21 fall into the category of £0-£100 Scots valued rent and the remainder into the next category. As a large percentage of the valued rental of this county is accounted for, comparisons between the structure of existing data and the gaps is possible. Once again this supports the supposition that each gap represents one owner.

The 41 gaps in the valuation of West Lothian occur in only five of the 11 parishes of this county, Bathgate having seven, Bo'ness four, Linlithgow five, Livingston three and Torphichen 22. By comparing the

TABLE 3.4 Number of landowners for the counties in Section 3 of Table 3.1

<u>County</u>	<u>Ind.</u>		<u>Ind. Total</u>	<u>Inst.</u>	[key on p.113]	
	<u>as Dir.</u>	<u>poss. alts.</u>			<u>C.B.</u>	<u>Gr.</u>
Clackmannan	13	+24	35-37	-	-	4
Kinross	130	+28-30	158-60	-	1	-
West Lothian	132	+30-35	162-67	-	-	2
Renfrew	157	+40-47	197-204	1	3	5
Wigtown	77	+40-52	117-29	1	-	-

information given in the Old Statistical Account with the data of 1771, it would appear that for the first four parishes named it would be reasonably fair to assume that each gap represents one owner. However, the same cannot be said of Torphichen. Detailed information is lacking, but it must be taken into account that the valuation roll for this county has on other occasions listed farms individually rather than under the owner's name.¹

The 47 gaps in Renfrewshire can be divided into four valued rental categories, 29 falling into the category £0-£100 Scots, 16 into the category of above £100-£500 Scots, and one each into the next two categories. By using the information given in the Old Statistical Account, coupled with a knowledge of the existing pattern of ownership, it once more seems likely that each gap represents one owner.

The valuation roll for Wigtown is very poor in quality, being very much a list of farms with few owners given. Detailed information lacking, assessment has to be made from accepted trends worked out in Chapter 5, information from the Old Statistical Account and a knowledge of the character of the roll.

Section 4 of Table 3.1 (Table 3.5 and 3.6)

The counties in this section present the biggest problem in these four sections. Each county is large, with valuation rolls which are only partly complete. The number of gaps varies from 196 to 320 and represents on average 20 per cent of the valued rent of the counties involved.

1. See Earl of Hopetoun's lands in the parishes of Abercorn and Ecclesmachan in SRO E106/33/2.

The information needed to fill the gaps in these counties is not available. From the assessment of trends detailed in Chapter 5, the study of available information in the Old Statistical Account and other sources, and the comparative study of the valued rent of the gaps and of the existing data, it becomes clear that one gap usually represents one owner (Table 3.6).

As explained in the Directory, the case of Zetland is unique in that a rental rather than a valued rental has been used. The structure of ownership within this county is also unique, having a different origin from that of the rest of Scotland. There were 52 major landowners in the county but also numberless udallers whose status was akin to that of portioners elsewhere in Scotland.

TABLE 3.5 Number of landowners for the counties in Section 4 of Table 3.1

<u>County</u>	<u>Ind.</u>			<u>Inst.</u>	[key on p.113]	
	<u>as Dir.</u>	<u>poss. alts.</u>	<u>Ind. Total</u>		<u>C.B.</u>	<u>Gr.</u>
Stirling	369	+190-96	559-65	1	2	3
Fife	418	+200-21	618-39	20	10	10
Dumfries	103	+290-310	393-413	-	1	4
Perth	473	+300-20	773-93	12	6	1

TABLE 3.6 Number and valued rent of gaps in the counties of Stirling, Fife, Dumfries and Perth

<u>Valued rental categories</u> ¹	<u>Number of gaps</u>			
	<u>Stirling</u>	<u>Fife</u>	<u>Dumfries</u>	<u>Perth</u>
1	0	0	0	0
2	0	0	0	1
3	2	5	3	4
4	5	21	7	11
5	93	148	89	168
6	96	47	211	137

¹ As listed on p.151.

2.3 Valuation Rolls of pre-1765

As with the valuation rolls of 1765-75 these vary in quality, and have the added problem of being up to 14 years outside the optimum decade. In the cases of Argyll, Caithness, Peebles and Ross and Cromarty the problem is essentially one of assessing the changes which might have occurred in the landowning pattern between the date of the roll and 1770, as the number of gaps is small. Ayr, however, presents difficulties on both fronts, as quality and date are both poor. (Table 3.7)

TABLE 3.7 Summary of data concerning gaps in information for the counties based on valuation rolls of pre-1765

County	Date of valuation roll	Number of gaps	Valued rent gaps			% of total
			£	s	d	
Peebles	1761	1	6	13	4	0.01
Ayr	1759 plus ¹	385	37,536	11	0	19.6
Ross and Cromarty ²	1756/75	1	3	4	0	0.003
Argyll	1751	-	-	-	-	-
Caithness	1751	9	663	4	6	1.78

TABLE 3.8 Number of landowners for the counties based on valuation rolls of pre-1765

County	Ind.			Inst.	[key on p.113]	
	as Dir.	poss. alts.	Ind. Total		C.B.	Gr.
Peebles	96	-7	89	-	2	-
Ayr	374	+385	759	-	3	3
Ross and Crom.	120	-12	108	3	2	-
Argyll	249	-49	200	1	-	2
Caithness	45	+5	50	1	1	-

1. Ayrshire roll is dated 1759 but has at back a list of undated amendments (see SRO E106/4/4).

2. The valuation roll for Cromarty is dated 1775 and that of Ross 1756.

By comparing the evidence in the Directory with that given in a valuation roll of 1802¹ for Peeblesshire, the fall in the average number of owners per parish can be worked out at 1.84 over 40 years. Although this fall is unlikely to have been uniform, a rough calculation can be made over the decade 1761-71 in the 18 parishes involved. Allowing one owner for the gap in the roll of 1761 the fall was about seven owners.

The valuation roll for Ayrshire was dated 1759 but at the back there were listed alterations in this roll, which were unfortunately not dated. The roll was very poor in ownership data and as a result additions were made from various sources. As the Old Statistical Account was used, with a date in the 1790s, it seemed best to centre all other information on 1770. Hence the information for Ayrshire does have a fairly wide span of dates, but this is mitigated by the ownership structure in Ayrshire. Generally speaking the lands owned by the larger proprietors, which are generally noted, tended to remain fairly stable, but those of the large number of bonnet lairds tended to change hands relatively often, especially at this time,² and so an accurate picture for one given date would in any case be difficult to achieve.

The gaps in information are confined to the first three categories of valued rent, 276 being in the category £0-£100 Scots, and 102 and eight being in the next two categories respectively. When this is compared with the existing data and evidence from other sources, it becomes clear that the large number of small owners indicated was indeed the pattern of landownership in Ayrshire.

Ross and Cromarty were two separate counties in 1770. The

1. SRO E106/25/1.

2. See Chapter 5, pp.242-3.

valuation roll for Cromarty was dated 1775 and was virtually complete. The roll for Ross was dated 1756 but with the help of rolls dated 1794¹ and 1802² the change which occurred in the number of owners can be assessed. In 1756 the average number of owners per parish was six, but by 1794 it was five, as it was in 1802. Although not uniform, the fall between 1756 and 1770 must have been about 12.

The picture of ownership for Argyllshire in 1751 is complete, and the only assessment that has to be made is in the possible change in the number of owners between 1751 and 1770. In 1684³ the average number of owners per parish was 14.38, but by 1751 this had fallen to 11.52, and by the 1790s it had fallen further to 8.29.⁴ This represents an over all fall of approximately 1.5 per parish between 1751 and 1770. This fall would not be evenly spread over the county and probably represents a diminution in wadsetters as well as amalgamation of holdings. By taking into account the fact that there were quite a few owners with estates in more than one parish, the figure of 49 owners less in 1770 would be approximately correct.

The valuation roll of Caithness, like that of Argyllshire, is dated 1751. When the average number of owners per parish is assessed the figures for the 1790s and 1802⁵ are found to be about the same, being 6.3 and 6.5 respectively. If the nine gaps are not included in the figure for 1751 the figure of 6.3 is also arrived at. Trends in this part of

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1. To be found at Conon House, press A, drawer ix (see NRA survey 143 of the manuscripts belonging to Mr Mackenzie of Gairloch).
 2. SRO E106/10/2.
 3. This statistic comes from SRO E106/3/1.
 4. This statistic comes from the OSA entries for individual parishes and is perhaps not so reliable as the others (see Chapter 5, p.236).
 5. Figures from the respective parishes in the OSA and SRO E106/8/2.

Scotland, however, indicate that the figure arrived at by taking each gap to represent one owner would be more accurate for 1751. A fall of that order over 20 years would represent about four owners. The final figure of plus five is arrived at by adding one owner for each of the gaps in information for 1751.

2.4 Valuation Rolls of post-1775

As with the valuation rolls compiled before 1765, the rolls in this section vary in quality of information as well as date. There is the added problem, however, that the rate of change within the pattern and structure of ownership seems to have accelerated in some areas, although not all, in the last quarter of the 18th century.

Dunbartonshire presents the dual problem of lack of information and poor dating. By looking at the entries in the Old Statistical Account and the history of adjacent counties, a two-fold change over time can be seen. In rural parishes such as Arrochar and Luss there was a slight decrease in the number of owners in the latter half of the 18th century,

TABLE 3.9 Summary of data concerning gaps in information based on valuation rolls of post 1775

<u>County</u>	<u>Date of valuation roll</u>	<u>Number of gaps</u>	<u>Valued rent gaps</u>			<u>% of total</u>
			<u>£</u>	<u>s</u>	<u>d</u>	
Dunbarton	c.1779/1782	106	9,602	14	0	27.5
Selkirk	1786	-	-	-	-	-
Inverness	1788	58	7,234	8	0	9.6
Kirkcudbright	1799	5	379	0	0	0.33

1. Figures from the respective parishes in the Old Statistical Account and SRO E106/8/2.

whereas in areas associated with urban development, such as Kilmarnock and Dunbarton, there was a movement towards the feuing of estates in small plots. Although parish totals will not always be correct, by equating one owner to each gap the overall picture obtained will be roughly equivalent to that prevailing in 1770, as feuing was concentrated into the last quarter of the century.

The valuation roll for Selkirkshire is complete, although dated 1786. Other valuation rolls give little information and it is difficult to correlate the information given in the Old Statistical Account with that in the Directory as prior to 1891 three parishes were only partially in Selkirkshire, Kirkhope was united with Yarrow, and Caddonfoot was not erected until 1870. This county was, however, closely linked with Roxburghshire, for which there exist two rolls of 1771 and 1788.¹ By studying the parishes adjacent to Selkirkshire it is clear that there was a slight decrease in the number of owners in rural parishes but an increase near centres of population where feuing increased numbers.

TABLE 3.10 Number of landowners for the counties based on valuation rolls of post 1775

<u>County</u>	<u>Ind.</u>		<u>Ind.</u> <u>Total</u>	<u>Inst.</u>	[key on p.113]	
	<u>As</u> <u>Dir.</u>	<u>poss.</u> <u>alts.</u>			<u>C.B.</u>	<u>Gr.</u>
Dunbarton	72	+106	178	-	3	-
Selkirk	43	-2	41	1	1	-
Inverness	89	+41	130	2	-	-
Kirkcudbright	363	-79	284	4	1	-

1. See SRO E106/29/3, and one to be found at Wilton Lodge Museum, Hawick, Roxburghshire.

Inverness-shire, like Dunbartonshire, has the dual problems of date and gaps in the information supplied, amounting to 9.6 per cent of the valued rental. The problem of the 58 ownerless entries can be dealt with by comparing the Directory with the entries in the Old Statistical Account (bearing in mind any boundary changes between the 1790s and modern times) which are roughly of the same date. This comparison gives an addition of 27-30 owners, which have been apportioned to the respective landowning classes with regard to the structure of ownership found in the existing data.

There is little evidence for Inverness itself to indicate likely changes between 1770 and 1788 except that regarding the Forfeited Estates Commission. In 1770 this body controlled six estates of varying sizes which had been returned to private hands by 1788.¹ By comparing roughly analogous statistics from Ross-shire² it would appear that there was in addition a fall of about 16 from 1770 to 1788. There is no way of knowing exactly what classes of landowner were involved in the sale and the purchase of estates. Clearly the sellers were smaller owners and so to bring the statistics to roughly 1770 six owners have been added on to Group 5 and 10 to Group 6, as well as adjusting with regard to the Forfeited Estates Commission. Valued rent was altered by working out the average holding in Groups 5 and 6 and then multiplying them by six and 10 respectively. These sums were then added to Groups 5 and 6, and subtracted in equal shares from the top four classes of landowners. The valued rent of the Forfeited Estates is known.

1. Introduction to SRO E700-788 series, and Wills 1973.

2. See valuation rolls dated 1756 and 1794 for Ross-shire noted on p.121.

The valuation roll of Kirkcudbrightshire is the latest used in the Directory for, although others nearer to 1770 do exist, these are merely lists of the farms within each parish with their valued rentals. The valued rental of the gaps within this county is small but the time gap is large.

There is little detailed evidence for Kirkcudbright itself to indicate possible changes in the period 1770 to 1799, but this county is, however, closely linked in landowning pattern with that of Wigtownshire, as Chapter 5 shows. In Wigtown the average number of owners per parish fell from 10.2 in 1766 to 7.1 in 1799.¹ If this ratio is applied to Kirkcudbright's 28 parishes, allowing for the gaps in the original valuation roll and the fact that the desired date is 1770, the fall can roughly be assessed at 79 owners. This decline in numbers was the result of consolidation of holdings and by comparing with the statistics of Wigtown as well as with those for the county for 1814² it seems highly likely that it was the owners of Group 6 who were largely involved.

2.5 Owners with Property in more than one County

Before totalling the preceding numbers of owners, the numbers who owned in more than one county must be assessed. One hundred and eighty-six individuals, seven institutions and four corporate bodies actually owned in more than one county.³

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1. See valuation rolls SRO E106/34/2 dated 1766 and SRO E106/34/3 dated 1799.
 2. See Sinclair 1814, p.122.
 3. See Chapter 5, pp.261-3.

Table 3.11 Number of owners having property in more than one county¹

Owners	Number of counties						
	2	3	4	5	6	7	8
Individuals ¹	141	23	10	5	5	1	1
Corporate bodies	4	-	-	-	-	1	-
Institutions	3	-	1	1	-	1	-

By assessing the number of times each owner is repeated, the number of double, triple etc entries can be compensated for. (Table 12).

Table 3.12 Number of landowners in 1770

	<u>Individuals</u>	<u>Institutions</u>	<u>Corporate bodies</u>	<u>Groups</u>
<u>1765-75</u>				
Section 1	2,036	20	22	19
Section 2	1,138-1,143	30	13	26
Section 3	671- 697	2	4	11
Section 4	2,343-2,410	33	19	18
<u>Pre 1765</u>	1,206	5	8	5
<u>Post 1775</u>	633	7	5	-
	8,027-8,125	87	71	79
<u>Zetland</u>	+52	-	-	udallers
	8,079-8,177	87	71	79 + udallers
Subtraction for repeated owners	-275	-27	-10	-
Total	7,804-7,902	60	61	79 + udallers

1. The crown is the only proprietor to own property in more than eight counties, viz. 12 (NB, the Cities of Glasgow and Edinburgh are treated as separate counties).
2. If a husband and wife were noted as owning taxable property the two entries have been treated separately.

2.6 Conclusion

The final number of owners thus arrived at for 1770 is in the region of 7,800 to 7,900 individuals. There were, however, 79 groups of feuars, portioners or lesser heritors which could easily have added another 250-500 small landowners and perhaps more as exact figures are impossible to calculate, as is the number of udallers in Zetland. The total number of individual landowners must therefore have been in excess of 8,500. In addition there were 60 institutions, including the crown and the Forfeited Estates Commission, and 61 corporate bodies. The breakdown into landowning classes and counties can be seen in Appendix 3.

CHAPTER 4

THE STRUCTURE OF THE LANDOWNING CLASSES

The landowning class in 18th century Scotland was relatively small, but far from homogeneous. In terms of income, economic function, social prestige and political power, widely varying categories or classes are easily distinguished. To understand the stratification of the landowning class in general, however, it is necessary first to grasp something of the complexities of the Scottish tradition of feudal law.

1 LANDOWNING AND FEUDAL LAW

Feudalism was based on the concept that the king was vested with the ultimate ownership of all land: all authority resided in the king, although real authority became limited in time. The king could grant land to his vassals who in their turn, as subject superiors, could grant land to their subvassals and so on for, in contrast to England, there was no check on subinfeudation in Scotland. The superior at any level could retain certain rights, especially to administer the land while an heir was under age, to arrange the marriage of an heir, and to receive a sum called 'relief' when an heir entered his inheritance. All rebellion or disaffection automatically carried the penalty of forfeiture.

In return for the 'fief' or land granted under these terms the subject would perform certain services. Immediate vassals of the king were granted their fief at a ceremony of homage that made it explicit not only

that the vassal owed very precise services in exchange, usually the duty of arriving armed on horseback with followers in time of war and of attending court and council (later parliament), but also that the vassal was the delegate of the king in certain matters of authority and government. He was also bound to maintain a castle to help the king keep order. Subvassals would be granted land on similar terms, although labour services and payment of agricultural produce became involved in the lower orders.

Thus the functions of government, justice and defence became tied up with landholding, and so strong was the structure of feudal law that the system continued long after the economic need for this form of social structure had disappeared. The old system, in various stages of decay, was still operative at the Union.

Wardholding, the oldest form of feudal tenure, was based on military service, hospitality to the crown and attendance at the superior's court. The wardholder could securely inherit or alienate this land but his estates were subject to the casualties of relief, ward and marriage, which originated in the theory that the land did in fact revert to the superior on the death of the holder. Fortunately this archaic tenure with its onerous customs was by 1690 limited to the Highlands, and was finally abolished in 1747.¹

Feuferm was a form of tenure more recent in origin and much less feudal in character since it was based on cash payments rather than personal obligation. It was obtained by paying the superior a large sum known as the 'grassum' followed by a rent known as 'feu-duty' that came to be regarded as fixed.

1. Smout 1969, p.136.

Thus feuing could be the short term answer to lack of capital for the superior but, in an inflationary situation, it was the feuars who benefited in the long run. This type of tenure conferred perpetual heritable occupation but differed from wardholding in that there were no military or judicial obligations or payment of casualties. In the 15th and 16th centuries this form of tenure became popular with crown and church, to be followed later by the nobility and wealthier lairds. By the end of the 17th century it was the most common form of tenure in the south and east, and spread even further during the 18th century.

Blanch-holding was a much less important form of feudal tenure, where the vassal made only a small or nominal payment as an acknowledgement of the superior's rights.

In addition there also existed in the 18th century several remnants of local tenures, namely udal tenure and Lochmaben or kindly tenure.

Udal tenure, found in Zetland and Orkney, was based on a form of tenure dating back to Norse occupation of the islands. Under it the proprietor or udaller paid duties to the lessee of crown rents and grantee of the bishop's rents, requiring no other title than to be in possession of the holding, which was certified in the rent book of the lessee or grantee (Sir Lawrence Dundas of Kerse in 1770). By the end of the 18th century many had taken regular charters and sasines and udal property was diminishing, converted into blanch-holding by the crown.¹

On some estates customary tenants, rentallers or kindly tenants were to be found, the most often quoted example being at Lochmaben in Dumfriesshire. As in udal tenure, the only title required was insertion

1. Sinclair 1814, vol.1, p.92.

of the proprietor's name in the rent books of the local representative of the family from whom the grant of land was originally made. This form of tenure was never of any national significance even in the 17th century, and diminished further in the 18th.

Thus throughout the 18th century land law was simply known as 'the feudal law' and the lawyers who specialised in it were called 'feudalists'.¹ The received ideas which held society together were impregnated with feudal notions. Thus feudalism not only determined the possession and use of land but also the main structure of society, which was dominated by the landowners.

2 GENERAL STRATIFICATION OF THE LANDOWNING CLASSES

Historians generally accept that this system gave rise to three broad categories of owners who enjoyed heritable tenure - the nobles, the lairds and the bonnet lairds.²

The nobles were the closest to the king in the feudal pyramid and were distinguished by their aristocratic rank and by the fact that most of them acknowledged the king as their immediate feudal lord. In terms of economic, political and social power this group had an importance far greater than their number warranted.

As a class the lairds were far more numerous, much less exclusive and more diverse in origins. Successful merchants, lawyers and industrialists who bought estates helped to make this true, for the laws of entail and the policy of the House of Lords meant that the 18th century

1. Ferguson 1975, p.71.

2. Smout 1969, p.137.

newcomers could not acquire enough land and influence to enable them to rise to the peerage. Although there was a wide range of income, and consequently of social prestige and political power within this class, in general they can be defined as having an unearned income from rents, mortgages, government office or a profession which enabled them to live a more comfortable life than that of the bonnet lairds.

As there was no check on subinfeudation in Scotland the freeholder in the English sense never emerged in Scotland. The bonnet laird, roughly equivalent to the owner occupier of England, was mainly limited to areas where the church or crown had feued land in small parcels. Large landowners did sometimes feu part of their estates, this practice becoming more common with the growth of urbanisation and industrialisation in the latter half of the 18th century. This subdivision of the landowning classes included a number of smaller bonnet lairds or portioners who either rented land to supplement their smallholdings or worked in a burgh or village part of the time, much as the crofter of today. In addition there were craftsmen and tradesmen within built up areas who owned land either as an adjunct to their trade, as in the case of the butcher, as a supplementary source of income or as an allotment.

The dividing lines between these three categories were determined by social status and political function. The lairds were able to mix socially with the nobility and the bonnet lairds, but they were shut out from the exclusive privileges of the former and had a way of life different from that of the latter. The lairds shared with the nobility the privileges of a ruling elite, each category having its own important and fairly distinct functions in government, and in general they shared the same back-

ground and outlook. They did not, however, aspire to rival the nobility's political power and social leadership.

To some degree the members of each group were conscious of belonging to a distinct unity which held a particular position in the social hierarchy and exercised the political functions peculiar to itself. When economic and financial criteria are considered, however, it becomes clear that more fundamental divisions and similarities exist. As for England, the landowning class can be seen not merely as 'a three-tier structure of landowners differentiated only by the size of their landholding and their consequent social and political status, but a less distinct and yet more meaningful division based on incomes and economic function'.¹

When incomes are considered, social categories tend to break down. Although few outside the peerage could compete with the wealth of the greatest lords such as Buccleuch, Queensberry or Roxburgh, there were a number who commanded higher incomes than the poorest peers. Overlapping incomes also occurred between the lairds and bonnet lairds, which had the effect of blurring social distinctions and encouraged the great degree of intermarriage.

In terms of economic function, as Mingay states,² only two categories can be distinguished, those of landlord and owner occupier. The nobles and lairds lived mainly on rents, although occasionally they farmed the home farm, especially as new methods of agriculture became the vogue. The bonnet lairds, however, were essentially farmers living on the profits of their farms. Although they might have let out small plots

1. Mingay 1963, p.8.

2. Mingay 1963, p.8.

to other farmers, in general they kept their land in their own hands. On the other hand they might well have leased land from other owners, hence further blurring the distinction between bonnet laird and tenant farmer.

Clearly the division of the landowning class into the two basic groups of landlords and owner occupiers, as put forward by Mingay, is more meaningful and avoids some of the difficulties of a division based merely on social criteria, although care must be taken not to transpose the English situation to Scotland. Although basic categories of owners are the same as Mingay postulates for England, Scotland was a much smaller and poorer country. In 1707 contemporary estimates on which fiscal arrangements were based assessed Scotland as having only one-fortieth the wealth of England. Even towards the end of the century, when wealth had increased dramatically in Scotland, a differently structured landowning class makes this exercise impossible. Mingay states that in 1790 there were 400 families in England with a minimum income of £5,000-£6,000 sterling, and many had vastly more. In Scotland, taking that real rent increased between 1656 and 1793 approximately eight times¹ (and ignoring any change in landholdings between 1770 and 1793 for the sake of a rough calculation), only about 50 families could possibly have qualified under this criterion to be 'great landowners'. Thus the levels of income for the various groups have been made less in Scotland than England, although terminology is somewhat similar. Any comparisons it is possible to make between the English and Scottish situations will be made in the final chapter.

The landlord class will clearly merit some subdivisions for, although

1. See later in this chapter, p. 148.

in general they had similar educational and cultural backgrounds, there were substantial differences in way of life, role in society and political function between the small laird and the wealthy noble. This subdivision presents difficulties in practical terms, as no previous work has been done on landed incomes in Scotland on a national scale, nor is there any contemporary data, as exists in England, on to which a general assessment can be pegged. This situation also makes it difficult to assess the dividing line between the classes of landlord and bonnet laird.

3 ASSESSMENT OF INCOMES

As detailed information on incomes does not exist, a less direct approach has to be used. The data available from the Directory relates to valued rental which, although giving a rough hierarchy of owners, has inherent difficulties which have to be kept in mind.¹ Valued rental was in fact the real rental of 1656, which had become frozen to give a nominal value for various units of agrarian income. If the trends in the rise and fall of rents within Scotland from 1656 to the end of the 18th century could be assessed and applied to the base of 1656, then a rough guide could be obtained as to the income from the agrarian sector experienced by the various classes of landowners throughout the 18th century.

This approach has some inherent difficulties. Firstly, valued rental does not include royal burghs or the income from other sources such as government office, funds, mortgages or the professions, and can, therefore, only be a measure of agrarian wealth, not the total wealth

1. See Appendix 2 and the first section of Chapter 3, pp.89-106.

of the Scottish landowners. There is no doubt, however, that this made up the largest part of a landowner's wealth, and income from other sources would probably have risen proportionately with income from land. - the more wealthy a landowner, the more he would have had to invest or lend. The wealthier owner would have had more political power and would have been able to acquire government positions for himself or his family. The exception would have been the owner of independent means, who had prospered in trade or a profession before buying an estate, often a small residential one near the town in which he carried out his business. Furthermore it must be remembered that not only rents, but also the income from mills and fishings as well as feuduties and teinds, were included in the assessment of valued rent. The former incomes probably rose at a rate commensurate with general rents and prices, but the latter were for the most part fixed. Fortunately these only account for a very small percentage of the real rental of 1656 and so can be relatively safely ignored when working at a national level.

Secondly, the 18th century saw vast changes in the methods and organisation of the agrarian sector of the economy, and although the change from the traditional methods associated with the runrig system was virtually completed by 1815, the changeover was far from uniform. Improvements were piecemeal for most of the century and so the rise in rents was very spasmodic. This inequality of rents was further increased in the late 18th century by the dual processes of industrialisation and urbanisation.

3.1 General Rent Trends

These trends have been noted by many historians but seem to be best summed up in the contemporary estimate of Robert Wilson, who assessed that rents were in general stable from 1700 till 1750, whereupon they began to rise, more steeply after 1768. Thereafter rents doubled between 1783 and 1793, and again between 1794 and 1814.¹

From available evidence it is clear that from 1650 till 1750 rents on average rose very little, which in an age of inflation is hard to envisage. It is likely that rises in the late 17th century due to spasmodic improvements in agriculture² were offset by falls in the 1690s when famine, pestilence and economic depression swept the country. The economic depression of the early 18th century gave little opportunity for rent rises, although a few isolated cases of improvement and subsequent rent rises began to occur, especially after 1740. Indeed, local conditions were often against rent rises until the 1780s in some areas.³ In general, however, rents began to increase rapidly after 1760 (with a slight slump during the American War of Independence)⁴ as agricultural improvements, coupled with urbanisation, industrialisation and a wartime economy operating on food prices, made it possible for farmers to sustain increased rents. The war with France, coupled with deficient harvests, gave a great artificial stimulus to Scottish agriculture. In 1795, after a deficient harvest and with wartime restrictions on the import of corn from the continent, the price of wheat rose from 50s to 81s 6d a quarter, and

1. An Enquiry into the Causes of the High Prices of Corn and Labour, Edinburgh 1815, pp. 47-9, quoted in Smout 1969, p. 310.

2. Smout and Fenton 1965.

3. Smout 1969, p. 291.

4. Handley 1953, p. 269.

by 1796 it was 96s. By 1812 the price was 126s 6d, and from 1810 till 1814 it averaged 107s a quarter.¹ It must be remembered, however, that after 1797 the suspension of cash payments and the ensuing inflation played a part. The rate of increase in rents did begin to lessen towards 1815 as the Napoleonic Wars were nearing their end, thus heralding the end of a period of unrivalled affluence for farmers and owners alike.

3.2 Rent Increases at the Regional Level

This generalised picture of the movement of rents hides important regional variations which have to be kept in mind. Table 4.1 brings out clearly the inequality of changes between counties, as it shows the number of times the rental of c.1660 had multiplied by the 1790s. Hence although the average was 7.6 times, the range was from 3.9 to 12.3. The percentage each county had of the total for c.1660 and c.1790s is also given, to show the shift in emphasis over the period.

The counties of the north, namely Ross and Cromarty, Sutherland and Orkney, while experiencing large increases in their total rental, still fell below the national average. Physical factors, such as poor climate and soils, rough topography and distance from markets at a time of poor communications, helped to keep rent increases down, as did the lack of minerals for exploitation, resistance to change, and lack of urbanisation.

The fact that cattle and, latterly, sheep prices did not rise as much as corn prices in the second half of the 18th century also served to accentuate the differential increase between the north Highland and Lowland areas.

1. Handley 1953, p.270.

Table 4.1 The county rentals of c.1660 and c.1790 compared¹

<u>County</u>	<u>% of c.1660 rental</u>	<u>% of c.1790s rental</u>	<u>17th c. rental as % of 1790s figure</u>	<u>No. of times rental increased c.1660- c.1790s</u>
Aberdeen	6.2	5.6	14.5	6.9
Ayr	5.0	6.9	9.6	10.4
Argyll	3.9	4.9	8.3	9.0
Banff	2.1	1.8	15.2	6.6
Berwick	4.7	4.9	12.5	8.0
Bute	0.4	0.4	13.9	7.2
Caithness	1.0	0.8	15.6	6.4
Clackmannan	0.7	0.6	15.5	6.4
Cromarty	0.3	0.3	15.3	6.5
Dumfries	4.2	4.6	12.1	8.3
Dunbarton	0.9	1.4	8.1	12.3
Edinburgh	5.0	6.3	10.5	9.5
Elgin	1.7	1.7	13.1	7.6
Fife	9.5	7.3	17.2	5.8
Forfar	4.5	5.1	11.7	8.5
Haddington	4.4	3.6	16.2	6.2
Inverness	1.9	2.9	8.6	11.6
Kincardine	2.0	1.6	16.2	6.2
Kinross	0.5	0.5	13.2	7.5
Kirkcudbright	3.0	4.0	9.9	10.1
Lanark	4.3	5.3	10.6	9.4
Linlithgow	2.0	1.8	14.0	7.1
Nairn	0.4	0.3	15.8	6.3
Orkney	1.5	0.8	25.5	3.9
Peebles	1.4	1.2	14.5	6.9
Perth	8.9	9.6	12.3	8.2
Renfrew	1.8	2.7	8.9	11.3
Ross	2.0	1.6	16.1	6.2
Roxburgh	8.3	4.3	25.7	3.9
Selkirk	2.1	1.0	25.4	3.9
Stirling	2.8	3.6	10.4	9.6
Sutherland	0.7	0.4	22.4	4.5
Wigtown	1.8	2.2	10.5	9.6

1. Based on statistics quoted in the Old Statistical Account, vol.21, pp.472-3.

Rents all over the Highland region were extremely low at the beginning of the century, even in areas of good soil. The Earl of Selkirk¹ noted this and explained the phenomenon by the prevalence of the Celtic feudalistic ideas among landlords, who wanted to continue to keep large retinues and were thus willing to accept low rents in money and in kind, and to allow the subdivision of already small plots, just to keep the people tied. It therefore took very little to double or even triple rents in these areas and cases abound of the value of estates, which had hardly increased in 100 years, going up five or even eight times in 30 years. In some west coast estates kelping further pushed up estate rentals during the Napoleonic Wars, but with the end of hostilities this industry became largely unprofitable.

Hence the Clanranald estates rose in rental from £1,000 to £17,000 between the early 18th century and 1806, boosted by the kelp industry;² the rent of northerly forfeited estates rose from £12,000 to £80,000 between 1745 and 1770;³ in Fortingall parish rents rose from c. £1,500 to £4,600 between 1750 and 1793;⁴ in Banffshire an estate rose from a rental of £455 in 1647 to £555 in 1730 and £2,800 by 1780;⁵ in the shire of Cromarty rents rose 3.7 times between 1656 and 1790 and 10 times from 1656 till 1811,⁶ and in Ross-shire 11.6 times between 1656 and 1798, and 30 times between 1656 and 1815!⁷

These spectacular increases were accompanied by smaller increases

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1. Earl of Selkirk 1805.
 2. Smout 1969, p.349.
 3. Smout 1969, p.349.
 4. O.S.A., quoted in Graham 1964, p.211.
 5. O.S.A., quoted in Graham 1964, p.212.
 6. Fraser 1872, p.92.
 7. Fraser 1872, p.73.

in other areas. Runrig was still in existence in 1815 in some areas of the northwest. It is also true that in Sutherland, where there was a bigger percentage of the land held by the class of largest landowners, rent increases were far below average; whereas in Ross and Cromarty and Caithness, where this was not so marked,¹ increases were on a par with counties such as Peebles or Clackmannan.

The factors accounting for the rent rises of approximately six times in the northern counties are equally applicable to the counties of Argyll, Inverness and parts of Perthshire. Initially low rents, coupled with kelping in some areas, helped rent increases, but the added factors of a less bleak and inhospitable countryside with a larger proportion of arable land nearer to the markets of the central belt meant that these counties experienced rent rises above the average.

The counties of the northeast, namely Nairn, Moray, Banff, Aberdeen and Kincardine, and those of the east from Fife to Berwick, including Clackmannan, Kinross, West and East Lothians and Peebles, also experienced levels of increase at or below the average. The only exceptions on the eastern half of the country were Angus and Midlothian.

It is not surprising that the rents in Midlothian rose more than in the adjoining counties when one considers the proximity of the city of Edinburgh and the demands made by the urban population for grazings and foodstuffs. As for the other counties, including Angus, they were for the most part agricultural areas with soils of varying qualities. The rate of improvement varied from county to county, and although by the end of the century the majority of these counties were managed under the new

1. See Chapter 5, pp.207-8.

system of husbandry, there were still regional differences. Hence in 1805 only one-third of Fife was enclosed, whereas in the case of West Lothian the figure was two-thirds.¹ It is also interesting to note that of the three counties experiencing increases about the average rather than below, West Lothian rentals were boosted by the exploitation of minerals, Kinross had a pattern of ownership akin to the counties of the west, which will be discussed later, and Berwick was a good agricultural area which did not have a high percentage of large estates.

The counties of Roxburgh and Selkirk had exceptionally low increases in rent between c.1660 and c.1790s partly because, like the Highlands, physical factors such as topography and soils meant that there was a dependence on pastoral farming, but also because both had relatively high valuations in 1656 due to the early exploitation of sheep, which made fairly efficient use of the land even then.

It was in the western half of the country that above average increases were experienced. It is significant that, with the exceptions of Argyll, Inverness and Perth noted above, all the counties in this category are in the area covered by the western and central division noted in the following chapter,² where the proportion of land in large estates was below average. It would therefore seem that on a general level Sinclair's view on the inefficiency of large estates is upheld.³ Areas around Glasgow and other urban areas of the west would also be stimulated by demands for foodstuffs such as milk, cheese, eggs and vegetables, which rose considerably in the second half of the 18th century. Exploitation of

1. See Lythe and Butt 1975, pp.120-1.

2. See Chapter 5, pp.

3. Sinclair 1825, part 1, p.244.

coal, and later blackband ironstone, would also have enhanced the value of some estates, as would the demands for industrial sites. In the southwest cattle farming on a large scale, including the fattening of Irish and some Highland cattle, made a maximum use of resources available and was highly profitable. Hence the rental of Troqueer parish in Dumfriesshire rose from £950 to £4,750 between 1752 and 1792; the rental of Caerlaverock parish in the same county trebled in value between 1756 and the 1790s, and the relative values of land in Campsie parish, Stirlingshire, rose from a base of 100 in 1642 to 1,400 in 1793.¹

Thus regional variations in rent increases seem tied up with the pattern of landholding in a general sense as well as the more obvious factors of climate, topography, soils, distance from markets and the attitude of tenants and landlords.

3.3 Rent Increases at the Local Level

As well as variations at a regional level there were also differences from one estate or farm to another. Rent rises at the local level depended greatly on whether an estate had been improved or not, although after the 1760s there was an over all rise due to increased prices.² Thus the rents on the estate of Monymusk, on which improvements were started before the general price rise and spread over several decades, doubled between 1733 and 1757 and rose a further 40 per cent between 1757 and 1767.³ The piecemeal nature of improvements over the face of Scotland,

1. Handley 1953, pp.268-9.

2. For the reasons why some estates were improved and others not, see Chapter 2, pp.62-74.

3. Hamilton 1945, introduction, p.lxxiv.

brought out forcibly by the diaries of Alexander Wight,¹ therefore resulted in spasmodic rent increases in every county. It was only towards the end of the century, after the surge of improvement brought about by the Napoleonic Wars, that one could say that improved estates were the norm, and enclosure was not finally completed in several counties until the 1850s and 1860s.² Occasionally, however, improvement was not so gradual and came as 'a single cathartic shock',³ as in the case of Wigtownshire. The irregular aspect of rent rises is added to by the rate at which commonly was divided and enclosed, which varied from area to area.

Unevenness of rent increases occurred not only at regional and estate levels but also at farm level, as is clearly shown by evidence from England. Thompson shows that although the average rent increase on estates in England by the end of the 18th century was 90 per cent, the range in individual estates was between 50 per cent and 175 per cent, and on individual farms from 20 per cent to 300 per cent.⁴ Differences in situation, degree of competence of pre-1790 management in obtaining an economic level of rent, and the suitability of the land for wheat production, all played a part in determining such discrepancies.

3.4 Rents and Income

Having studied the trends in rents throughout Scotland for the 18th century, the task now is to equate these with income. To do this on a national scale with any degree of accuracy, estimates of the total rental of Scotland must be obtained and the knowledge of trends applied to give an over

1. Wight 1778-84.

2. Lythe and Butt 1975, p.125.

3. Smout 1969, p.310.

4. Thompson 1963, p.220.

all picture. Furthermore if the rate of rise in rents which was experienced is to be applied to the hierarchy of owners obtained from the Directory, some of whom owned estates in different counties, it will be impossible to allow for local variations. National trends have to be applied, but the reader must keep in mind regional and local trends in relation to specific counties and people.

Fortunately there exist several estimates of real rent for Scotland which are based on criteria similar to the valued rental or real rental of 1656. Although subject to the same limitations as valued rental, they are directly comparable and show how Scotland's agrarian wealth increased in the 18th century. The use of these statistics also circumvents the potential problems arising from rents in kind, which were common in the early part of the century. (Table 4.2)

Explanation of Table 4.2

c.1660 Sinclair gives an ideal starting point for such a study in a table giving both the real rental and valued rental of the counties of Scotland based on the returns of the Old Statistical Account.¹ The valued rental, as discussed earlier, relates in the main to the real rent of 1656,

Table 4.2 The rental of Scotland in the 18th century using contemporary estimates

<u>Year</u>	<u>Real rental in £ Scots</u>
c.1660	£ 3,802,574
1748	8,228,568
c.1793	28,873,188
1811	57,145,104
1815	c.60,000,000

1. Sir John Sinclair in O.S.A., vol.21, pp.471-2.

although it must be remembered that some counties were revalued. Revaluations carried out in the 17th century are of little significance as over all rents moved slowly, although there were fluctuations, especially in the 1690s with famine and economic depression. The only county to be revalued after 1707 was Argyll in 1751.¹ As there is no way of working out revaluations all counties are taken as being c.1660.

1748 The real rental for 1748 comes from the Scots Magazine 1748, p.228. The author assessed this figure by working out the amount of land tax paid in general on £1 of real rent. Hence if the rate levied was 4s in the pound land tax in general, this meant 1s 2d per £1 real rent. On this base the author worked out the total for the country, deducting the share paid by the royal burghs. Although a rejoinder on p.577 fairly states that the sum estimated is not a measure of total income, for our purposes it is directly comparable with the real rental of the mid 17th century.

c.1793 The real rental of the 1790s was computed by Sir John Sinclair² by ascertaining the proportion real rent bore to the valued rent in the parishes for which the ministers involved in the returns of the Old Statistical Account gave detailed figures. From these parishes the proportion was extended to the total valuation of each county, deviations due to 'exceptional circumstances' being taken into account. The date of c.1793/4 is given for, although the returns of the Old Statistical Account are dated from 1791 to 1799, the majority come in the earlier years.

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1. Although Argyllshire is stated in the introduction to the inventory of the SRO E106 series as being revalued in 1751, it is improbable that this can have meant a revaluation to the values of that year, but more likely to a level considered to be on a par with similar counties in 1656.
 2. O.S.A. vol.21, p.471, and vol.20, appendix, p.87.

After discussing this real rental Sinclair makes the statement that the real rental had increased in some parishes since the statistical accounts were made, and estimates the total for 1799 to be £30,000,000 Scots exclusive of houses (£35,250,000 inclusive).¹ This would appear a little conservative with hindsight when the figure for 1811 is considered.

1811 The figure for 1811 again comes from Sinclair, who computes a table of rental from the returns of the Property Act of 1811, the sum given being 'the gross amount of rent, or annual value of land (including mines, quarries, collieries, fishings etc.)'.² The rental of houses is given separately as £13,905,324 Scots and is not included in the table.

1815 In the General Report³ Sir John Sinclair states that the whole land rent of 1814 was nearly £60,000,000 Scots.

By using these contemporary figures, which must be accepted as informed estimates rather than 100 per cent-accurate, along with the general trends accepted by contemporaries and historians alike, the income from the agrarian sector can be roughly assessed for the 18th century.

Table 4.3 The rental of Scotland in the 18th century using contemporary estimates and assessments

<u>Year</u>	<u>Figures from Table 4.2 in £ Scots</u>	<u>Assessments in £ Scots</u>
c.1660	£ 3,802,574	
1748	8,228,568	
1770		£11,332,581
1783		14,436,594
c.1793/4	28,873,188	
1811	57,145,104	
1814	c.60,000,000	

1. O.S.A. vol.21, p.472.

2. Sinclair 1814, vol.1, p.123.

3. Sinclair 1814, vol.1, p.

Taking Robert Wilson's estimate that rents doubled between 1783 and 1793, the figure for 1783 can be acquired merely by halving that of 1793. The figure for 1770 is arrived at by halving the difference between this figure for 1783 and that of 1748, and adding this sum to the figure for 1748; this is done because, although there are 22 years between 1748 and 1770 and only 13 years between 1770 and 1783, the trends indicate that growth was at least as fast in the 13 years after 1770 as in the 22 years before it.

Thus it would appear in general terms that between c.1660 and c.1740 the rental of Scotland doubled; between c.1660 and 1770 it increased threefold; between c.1660 and 1784 it increased fourfold; between c.1660 and c.1793 it increased 7.6 times; and between c.1660 and 1811 it increased a massive 15 times. The rate of increase diminished in the last few years of the century, and by 1815 the figure was probably about 15.5 or 15.6 times that of c.1660.

4 CLASSIFICATION OF LANDOWNERS BY INCOME

Having worked out in general terms how much income from the agrarian sector increased between 1656 and 1770, one can in theory apply this knowledge to the valued rent possessed by each owner and work out a minimum level of income. It is difficult, however, to then relate this projected income to a specific class of landowner, the lack of previous work in the field of incomes making it hard to assess the dividing line between classes.

What indications are there from other sources concerning income

and economic status? In A View of the Political State of Scotland in 1788 Sir Charles Elphinstone Adam ¹ makes a few comments regarding the income of some freeholders. Thus to him £300 sterling a year represented 'a middling estate', ² £700 'a pretty good estate', ³ between £2,000 and £3,000 'a good estate', ⁴ and an income of £6,000 a year is regarded as 'a very large fortune'. ⁵

Fullarton in 1793, when talking of Ayrshire, stated that several peers were taking in rents of £10,000 sterling annually (all had an income of more than £2,000), that there were 100 lairds with incomes of £500-£2,000 and that a total of 180 landowners enjoyed an income of over £100 sterling and were accounted well off. ⁶

Henry Graham in The Social Life of Scotland in the 18th Century ⁷ states that a Scots landowner early in the 18th century was thought wealthy if he had a rent roll of £500; rich with an income of £200-£300 and well off with £80-£100 per annum. Indeed, he states, many gentlemen had to live on incomes of between £20 and £50 a year. ⁸

All these figures give real rent for various years in sterling. These can be made to yield a value related to the valued rental of 1656 by applying the assessments made of rent increases, but in reverse, as these give the number of times rent increased between c.1660 and any date in the 18th century. Thus, because the rent increase up to 1788 was approximately 7.5 times, the valued rental of Adam's 'middling estate' would be £480 Scots, and of a 'pretty good estate' £1,120 Scots.

1. Adam 1887.

2. Adam 1887, p.66.

3. Adam 1887, p.30.

4. Adam 1887, p.165.

5. Adam 1887, p.170.

7. Graham 1964.

6. Col. William Fullarton, quoted in Strawhorn 1975, p.142.

8. Col. William Fullarton, quoted in Strawhorn 1975, p.4.

Along the same lines, all the peers in Ayrshire in 1793 must have owned land valued at approximately £3,000 Scots and the lairds' land valued at between £750 and £3,000 Scots, all owners with land valued at over £144 being accounted well off. Similarly, in the early 18th century a wealthy man owned land valued at about £3,000 Scots, a rich man between £1,200 and £1,800 Scots, and someone well off between £480 and £600 Scots. The valued rental of the estates of the gentry noted would have been between £120 and £200 Scots.

Further evidence comes from Sir John Sinclair who, when dividing the estates of each county into categories in 1814, gave a large estate a valued rental in excess of £2,000 Scots, a middling estate between £500 and £2,000, and a small one below £500.

This evidence has to be weighed up while keeping in mind whether references are to counties or to Scotland as a whole, for what one author considers small might not be so to someone in another part of the country. Luckily most of the above refer to Scotland as a whole and when coupled with techniques used for English data¹ allow divisions of a general nature to be made.

The first division to be made is the basic one between landlord and bonnet laird. Obviously the line is not clear cut, as some very small landowners must have rented out their land while pursuing other occupations, and some landowners could have kept considerable holdings under their own direct management. Smout² notes that there was a large number of bonnet lairds in Ayrshire, as does Slaven.³ By looking at the statistics

1. Mingay 1963 is the most important work on the subject.

2. Smout 1969, p.284.

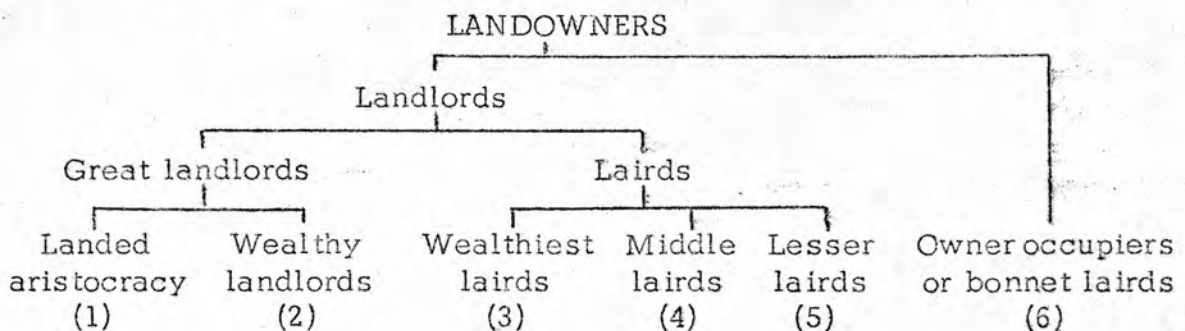
3. Slaven 1975, p.61.

for Ayrshire for 1770¹ and comparing them with other counties, remembering that anyone with a valued rental of over £140 Scots was considered well off, the line can probably be drawn in the region of £100 Scots.

Subdivisions of the landlord class based on the above are set out in Diagram 4.1.

The terminology thus evolved can be applied to any part of the 18th century. Each group clearly saw an increase in income within the century, which is reflected in the increment relative to different years. This rise in income was not just a result of inflation, but meant a real rise in standards of living and quality of life. Hence the terms 'well off' or 'rich' can only be applied within Scotland and are relative to the times. The quality of life of a 'rich' man of 1700 differed greatly from that of a 'rich' man in 1800. Whether or not the membership of each group varied within the century is a question to be tackled later in this chapter from

Diagram 4.1 The subdivisions of the landowning class



Numbers relate to valued rent possessed by each, in £ Scots:

1. above £4000 Scots
2. £2000-£4000
3. £1000-£2000
4. £500-£1000
5. £100-£500
6. below £100

1. See Appendix 3.

the aspect of internal structure, and in Chapter 5 regarding changes in total numbers from one group to another.

5 STRUCTURE OF LANDOWNING CLASSES IN 1770

The next section of this chapter is concerned in essence with establishing the proportion of the total agrarian wealth enjoyed and controlled by each class of landowner identified. The available data is broken down into the three main categories of owners - the great landlords, the lairds and the bonnet lairds - and numbers, income and social structure are discussed, as well as the proportion of the total agrarian wealth held. The positions of institutions and corporate bodies in 1770 is also surveyed. In this discussion Zetland is the only county not included, owing to the unusual character of the source material for that county.¹

The statistics quoted are for 1770, and are based on the data given in the Directory, taking into account where possible the amendments discussed in Chapter 3 and listed in Appendix 3. Obviously the breakdown into special divisions must come straight from the Directory and is thus limited by the character and date of the original valuation rolls. As discussed in Chapter 3, additions relate almost exclusively to the classes of lairds and bonnet lairds and so it will be in these classes that details are deficient. This is not serious when considering items like occupation, as not all rolls list this type of information anyway. It is perhaps a little more serious when talking of titled people, but as these are usually in the higher income groups this is of minimal

1. See Directory, introduction to Zetland.

significance. One is just left with the basic problems encountered in Chapter 3.

Additional material relevant to structure is not added at this point, but discussed later when the 18th century as a whole is under scrutiny. There is also no attempt to give the acreages of estates.

E. Davies, working on the small landowner in England 1780-1832, put forward the hypothesis that a ratio could be established between the amount of tax paid and the acreage of a parish, hence allowing an estimate of the size of each owner's holding. Thereafter, authors such as Mingay and Grigg¹ have pointed out that this method is highly suspect because tax was levied not only on land but also on such items as teinds and mills. This is also true for Scotland and so, although the valued rental for Scotland does not have the added English problem of reassessment at irregular intervals due to newly enclosed land, the concept of acre-equivalent is untenable for the country as a whole (though perhaps feasible in highly rural areas).

1. See Mingay 1968, p.40 for a selected bibliography relating to works concerned with the English land tax.

Table 4.4 The landed aristocracy: valued rental and counties involved

Owner's name	Valued rent in £ Scots			Counties involved
	£	s	d	
Duke of Buccleuch	109,890	17	6	Dumfries Fife Midlothian Peebles Roxburgh Selkirk
Duke of Queensberry	75,607	1	3	Dumfries Kirkcudbright Lanark
Duke of Roxburgh	59,813	10	0	Berwick E. Lothian Edinburgh Roxburgh Selkirk
Earl of Hopetoun	40,278	5	0	Dumfries E. Lothian Fife Lanark M'lothian W. Lothian
Sir Lawrence Dundas of Kerse	34,118	19	1	Clackmannan Fife Orkney Stirling Zetland
Marquis of Annandale	33,286	8	4	Dumfries Lanark
Duke of Argyll	29,118	3	0	Argyll Bute Clackmannan Dunbarton Fife
Duke of Gordon	28,089	3	8	Aberdeen Banff Inverness Moray
Viscount Stormont	25,824	19	3	Dumfries Fife Perth
Francis Charteris of Amisfield (de jure 5th Earl of Wemyss)	25,646	1	11	Berwick Dumfries E. Lothian M'lothian Perth
Archibald Douglas of Douglas	24,930	6	3	Angus Ayr Berwick Lanark Fife Perth Renfrew Roxburgh
Earl of Panmure of Forth	24,470	18	10	Angus
Earl of Aberdeen	24,322	4	4	Aberdeen E. Lothian
Marquis of Lothian	24,087	5	1	Midlothian Roxburgh
Duke of Hamilton	23,311	2	5	Bute Edinburgh Lanark Stirling W. Lothian
Earl of Moray	21,098	19	2	Edinburgh Fife Inverness Moray Perth
William Nisbet of Dirleton	18,657	12	6	E. Lothian Roxburgh
Earl of Galloway	17,313	16	6	Ayr Kirkcudbright Wigtown
Robert Ferguson of Raith	15,649	13	0	Fife Midlothian
Earl of Fife	14,551	11	0	Aberdeen Banff Edinburgh Moray
William Hay of Drummelzier	14,321	14	10	Berwick E. Lothian Peebles Selkirk
Lord Seaforth	14,274	13	4	Ross & Cromarty
Sir John Anstruther of Elie	13,903	13	4	Fife
Earl of Breadalbane	13,855	11	8	Perth Argyll
Earl of Eglinton	13,256	5	6	Ayr
Earl of Cassillis	13,206	0	3	Ayr Kirkcudbright Wigtown
Gen. Scott of Scots- tarvit and Balcomie	13,076	8	4	Fife
Marquis of Tweeddale	12,766	4	2	Berwick, E. Lothian Fife M'lothian
Earl of Kinnoul	12,689	13	8	Perth
Duke of Atholl	12,571	15	10	Fife Kinross Perth
Earl of Findlater	12,493	6	2	Aberdeen Moray Banff

<u>Owner's name</u>	<u>Valued rent in £Scots</u>	<u>Counties involved</u>
	£ s d	
Countess of Sutherland	12,333 6 8	Sutherland
Earl of March	11,104 17 3	Edinburgh Peebles Selkirk
Earl of Marchmont	10,487 12 2	Berwick
Earl of Selkirk	10,371 14 9	Kirkcudbright Wigtown
Duke of Montrose	10,337 17 11	Dunbarton Perth Stirling
Sir James Grant of Grant	9,984 11 3	Aberdeen Banff Inverness Moray
Lord Halkerton	9,836 2 2	Angus Kincardine
Sir James J.R. Mackenzie of Rosehaugh	9,671 18 8	Angus Ross & Cromarty
Lord Blantyre	9,517 7 6	Berwick Dunbarton Glasgow Lanark Renfrew
Gen. Lockhart of Carnwath	9,055 0 7	Lanark Midlothian
Mr Balfour of Balbirnie	8,838 16 8	Fife Perth
Archibald Douglas of Cavers	8,825 17 8	Roxburgh
Earl of Airlie	8,732 8 8	Angus Banff Perth
Richard Oswald of Auchencruive	8,722 4 6	Ayr Kirkcudbright
Earl of Lauderdale	8,667 9 0	Berwick M'lothian W.Loathian
Lord Kinnaird	8,612 5 4	Perth
Sir David Carnegie of Southesk	7,957 1 6	Angus Kincardine
Earl of Haddington	7,943 18 4	Berwick E.Loathian
Earl of Rothes	7,899 3 8	Fife
Mr Hamilton of Pencaitland	7,890 8 0	E.Loathian
Earl Marischal (and Kintore)	7,725 6 8	Aberdeen
Lord Macdonald	7,687 10 3	Inverness
Earl of Erroll	7,584 16 4	Aberdeen
Viscount Arbuthnot	7,433 17 8	Kincardine
Sir Francis Elliot of Stobs	7,233 0 0	Roxburgh
Earl of Leven	7,096 1 0	Fife
Sir Hew Dalrymple	7,038 10 4	E.Loathian
Sir Alexander Don of Newton	6,928 15 7	Berwick Roxburgh
Sir Gilbert Elliot of Minto	6,921 10 8	Roxburgh
Daniel Campbell of Shawfield	6,917 13 3	Argyll Ayr
Earl of Traquair	6,798 18 1	Peebles Selkirk
Earl of Loudoun	6,723 7 2	Ayr
James Moray of Aber- cairney	6,690 15 0	Perth
Lord Elphinston (Earl of Wigtown)	6,664 3 6	Dunbarton Lanark Selkirk Stirling
Alexander Murray of Broughton	6,659 16 2	Kirkcudbright

<u>Owner's name</u>	<u>Valued rent in £ Scots</u>	<u>Counties involved</u>
	£ s d	
Mr Home of Wedderburn	6,618 18 6	Berwick
Earl of Crawford (Viscount Garnock)	6,537 13 4	Fife Ayr Dunbarton
Robert Scott of Trabroun	6,493 7 3	Berwick Roxburgh
John Pringle of Clifton	6,485 16 8	Roxburgh Selkirk
James Wemyss of Wemyss	6,472 18 8	Fife
Sir John Hall of Dunglass	6,448 8 6	Berwick E. Lothian
Mr Graham of Balgowan	6,363 11 10	Perth
Alexander Garden of Troup	6,220 0 0	Aberdeen Banff
Gen. Simon Fraser of Lovat	6,206 11 8	Inverness
Earl of Rosebery (Viscount Primrose)	6,198 6 8	W. Lothian, M'lothian
Sir George Sinclair of Ulster	6,169 19 8	Caithness Sutherland
John Hamilton of Bargany	5,780 14 6	Ayr E. Lothian
Earl of Morton	5,656 1 10	Fife M'lothian
Mr Wauchope of Nidderie	5,598 0 0	Edinburgh Roxburgh
Ranald Macdonald of Clanranald	5,588 19 9	Inverness
Lord Gray	5,520 10 0	Angus Perth
Earl of Stair	5,454 9 8	Ayr Wigtown
Henry Trotter of Mortonhall	5,434 4 2	Berwick Edinburgh
John Carre of Cavers	5,346 9 2	Roxburgh
Earl of Strathmore	5,328 6 8	Angus
Earl of Dumfries	5,200 17 4	Ayr Wigtown
Mr Graham of Gartmore	5,153 4 6	Ayr Dunbarton Lanark Glasgow Perth Stirling
Earl of Glencairn	5,140 16 5	Ayr Fife Renfrew
Lady Ross Baillie of Lamington	5,119 12 4	E. Lothian Lanark
John Mackenzie of Delvine	5,110 19 4	Perth Ross & Cromarty
Lord Elibank	5,004 16 11	Berwick E. Lothian Selkirk
Earl of Dundonald	4,977 19 8	Ayr Dunbarton Fife Peebles
Mr Baillie of Mellerstain	4,968 15 0	Berwick
Lord Kames	4,931 0 0	Berwick Perth
Lord Hyndford	4,898 9 10	Berwick Lanark
Sir George Hay Macdougall	4,878 6 8	Roxburgh
John Johnstone of Alva	4,858 2 0	Selkirk Stirling
George Baillie of Jerviswood	4,850 1 8	Roxburgh Lanark
Lord Napier	4,818 0 3	Edinburgh Perth Selkirk
James Brodie of Brodie	4,804 12 4	Moray Nairn
Earl of Eglinton	4,801 4 4	Bute Lanark Renfrew
Hugh Rose of Kilraich/Kilravock	4,785 9 10	Moray Nairn Inverness Ross & Cromarty
Sir Charles Ross of Balnagowan	4,768 13 0	Ross & Cromarty Sutherland

<u>Owner's name</u>	<u>Valued rent in £ Scots</u>	<u>Counties involved</u>
	£ s d	
Mr Durham of Largo	4,694 2 10	Fife
Mr Dundas of Arniston	4,692 7 8	M'lothian
Hugh Scott of Gala	4,684 5 0	Roxburgh Selkirk
Archibald Ogilvie of Inchmartine	4,678 13 4	Perth
Sir Robert Lindsay of Balcarres	4,664 13 4	Fife
Walter Scott of Harden	4,559 7 4	Roxburgh Selkirk
James Ferguson of Pitfour	4,524 14 0	Aberdeen
Sir William Forbes of Craigievar	4,436 5 8	Aberdeen
Sir James Campbell of Ardkinglas	4,422 8 0	Argyll
General Horn	4,399 18 8	Aberdeen
William Maxwell of Monreith	4,316 16 8	Wigtown
Sir Duncan Campbell of Lochnell	4,276 17 0	Argyll
Macleod of Macleod	4,274 16 11	Inverness
Earl of Aboyne	4,189 16 8	Aberdeen Banff
Lord Methven	4,183 19 0	Perth
John Campbell of Calder	4,181 6 0	Nairn Inverness
Lady W. Constable of Nithsdale	4,176 6 8	Kirkcudbright
Earl of Elgin	4,170 18 6	Fife
Sir William Dalrymple	4,038 10 0	M'lothian
Sir James Maxwell of Nether Pollock	4,014 16 0	Glasgow Renfrew

5.1 Great Landlords

In 1770 there were 311 landowners in Scotland who could be classed as great landlords, and together they controlled just over 50 per cent of the agrarian wealth of the country. Their wealth, influence and style of living separated them from the bulk of Scottish landowners and gave the justification of their political and social dominance.

Of this number, 124 owned property with a valued rental of over £4,000 Scots and for the purpose of this work are known as the landed aristocracy. They all enjoyed an income from the agrarian sector of over £12,000 Scots in 1770, although the wealthiest in fact had nine times this figure. The remaining 186, known as the wealthy landlords, enjoyed an income of between £6,000 and £12,000 Scots in 1770.

These figures are however the barest minimum. In this class especially the level of income worked out previously is an underestimation, as these landowners had a diversity in their income from the agrarian sector coming from sources such as mining or timber which enhanced the value of large and sometimes geographically dispersed estates. There would also have been in some cases a differential due to improvement, but this would be largely lost by the end of the century as most estates became improved. Many of the great landlords were in the vanguard of improvement, but it must be remembered that large estates often covered a high percentage of marginal land which could never yield such high incomes as smaller estates in arable areas. These areas experienced an initial jump in value when enclosures and improved management were introduced, but thereafter the rise in rental was not so dramatic as on arable farms.

The total income of many of the members of this class would have been further enlarged from various sources. The political influence held by members, coupled with the political system operating at the time, meant that this class had access to all levels of government positions, sinecures and pensions, all of which were lucrative. In addition, being the wealthiest section of the society, some had money to invest which would in turn give additional income.

Among the landed aristocracy a number of families of exceptional wealth stood out.¹ The Duke of Buccleuch, who owned land in six counties, was the richest with an income in excess of £330,000 Scots from the agrarian sector in 1770, followed by the Duke of Queensberry with an income of over £226,800 Scots and the Duke of Roxburgh with over £180,000 Scots. It was generally true that the families bearing the proudest titles enjoyed the greatest wealth, and hence of those with an income of over £60,000 Scots six were dukes, five were earls, two were marquesses, one a viscount, one a baronet and only one was untitled, that is, Archibald Douglas of Douglas who in fact obtained a title in 1790.² However, not every peer had a large income as Table 4.5 shows.

Table 4.5 Peers: range of income in 1770

<u>Income range in £ Scots</u>	<u>Peers (hereditary and Law Lords)</u>
6,000-12,000	7 Earls, 1 Countess, 10 Lords
3,000- 6,000	3 Earls, 2 Countesses, 5 Lords, 1 Viscountess
1,500- 3,000	2 Duchesses, 8 Lords
300- 1,500	2 Earls, 5 Lords
below 300	Lord Advocate only

1. See Table 4.4 for list of landed aristocracy with valued rental and counties in which they owned property.
2. Paul 1904-8, vol.1, pp.210-2.

It is true, however, that the great landlords in general contained the majority of the Scottish nobility, as shown by the breakdown of the landed aristocracy and wealthy landlords in Table 4.6.

Table 4.6 The social structure of the landed aristocracy and wealthy landlords in 1770

<u>Title</u>	<u>Landed Aristocracy</u>	<u>Wealthy Landlords</u>
Duke	9	0
Earl	33	7
Marquis	3	0
Viscount	3	0
Lord	12	10
Countess	1	1
Baronet	18	42
Lady	2	0
No title	42 including 4 generals	126 including 1 general, 1 colonel

5.2 Lairds

The lairds resembled the great landlords in many respects, except in the scale of their possessions and style of living. This class was, however, much more fluid than their wealthier contemporaries and also more conservative due to their way of life, which was of necessity more provincial. At the lower income levels there was little to distinguish the laird from the bonnet laird except a definition based on economic principles. Hence, because of this wide diversity, this class can be subdivided into three using the criterion of income: the wealthier lairds having an income from the agrarian sector of approximately £3,000-£6,000 Scots in 1770, the middle group an income of approximately £1,500-£3,000 and the lesser lairds approximately £300-£1,500.

In total this class controlled just over 41 per cent of the agrarian wealth of the country, but were far more numerous than the great landlords, the amended total for 1770 being 3,674. Hence when talking solely about individuals and omitting institutions, corporate bodies and groups of feuars, portioners and heritors,¹ the great landlords included only 3.9 per cent of the total number of individual owners while the lairds included 4.8 per cent, 8.2 per cent and 33.3 per cent for each subgroup respectively, making a total of 46.3 per cent (Table 4.7).

Table 4.7 The number of lairds and the percentages of total agrarian wealth controlled by them in 1770

<u>Lairds</u>	<u>% total valued rent</u>	<u>Numbers</u>
Wealthier	13.5	378
Middle	11.9	648
Lesser	<u>16.2</u>	<u>2,648</u>
Totals	41.6%	3,674

The composition of this class as a whole was much more diverse than that of the great landlords. Each subgroup included members of the peerage, baronets and men of various occupations.

(a) Peers

As the subdivision of the landowning classes was by the criterion of income and not social status, each subgroup of the lairds had members of the peerage. Thus the wealthier lairds included in their numbers the Earls of Abercorn, Dalhousie and Portmore, the Countesses of Dalhousie

1. See bonnet lairds, p.165.

and Glasgow, the Viscountess Primrose, and the Lords Dunmore, Ellick, Forbes, Kinnell and Sommerville; the middle income group, the Duchesses of Argyll and Gordon, and the Lords Alesmore, Boyle, Dundas, Robert Kerr, Lynedoch, Oliphant, Sempill and Justice Clerk; and the lesser lairds, the Earl of Kellie and William, de jure 15th Earl of Nithsdale (title attained), and the Lords Bankton (heirs of), Coalston, Hailes and Murkle.

It is interesting to note that five of the above entries are women who, although listed and treated as individuals in their own right, all had close male relatives with whom their wealth and influence was inextricably linked. There is also a high percentage of law lords as opposed to hereditary peers. The inevitable conclusion must be that the vast majority of Scottish peers were wealthy and, if not in the top income group, were classed among the wealthier lairds.

(b) Baronets

There were large numbers of baronets within this landowning class, as one might expect.

Table 4.8 The numbers of baronets, ladies and lady dowagers in the subdivisions of the lairds

<u>Lairds</u>	<u>Baronets</u>	<u>Ladies</u>	<u>Lady Dowagers</u>
Wealthier	41	3	0
Middle	28	5	0
Lesser	18	18	2

(c) Occupations

The listing of these is very random in most cases, although more common when in relation to rank in the armed forces, ministers or doctors. 21 per cent of the wealthier lairds, 13.9 per cent of the middle income group and 8.9 per cent of the lesser group were differentiated in this manner.

Table 4.9 The Lairds: their occupations as listed in the Directory

<u>Occupation</u>	<u>Lairds</u>		
	<u>Wealthier</u>	<u>Middle</u>	<u>Lesser</u>
Armed forces:			
Major General	1	1	0
Lt.-General	1	1	0
General	2	0	1
Colonel	9	8	9
Lt.-Colonel	0	1	0
Major	1	4	7
Captain	8	18	30
Lieutenant	1	1	1
Admiral	0	0	3
Others:			
Doctor	0	9	24
Minister	0	3	15
Advocate	0	2	0
Writer to the Signet	0	0	8
Crown official	0	0	4
Bailie	0	0	7
Provost	0	1	3
Professor	0	1	0
Architect	0	0	2
Merchant	0	0	8
Tradesman	0	1	4
Banker	1	0	1

In addition to the above, information is sometimes given as regards the status of certain special categories of owners, namely the wadsetter and the liferenter.

A wadsetter was a person who lent money to a landowner and received as security all or part of that owner's lands. The debtor had the right of reversion on payment of the debt within a set time and the wadsetter enjoyed the yearly profits of the land as interest on the debt. The use of wadsets diminished in the 18th century and by 1770 was limited to the Highlands. Only the valuation rolls for Argyll and Sutherland give this type of information.

As with wadsetters, there are some random entries in the valuation rolls relating to liferenters. A liferent entitles the holder to the use of the subject during his lifetime 'without destroying or wasting its substance'.¹ The proprietor of the subject, which can be either a sum of money or an heritable subject, is called a fiar. Genuine liferenters fell into two main categories. The first was the case of a proprietor who deeded his lands to his heir before his death but retained a liferent as a source of income. The second was the case of a landowner's widow who was given a liferent to maintain herself on her husband's death. Liferents of a fictitious nature were created in the 18th century in association with lands and superiorities in order to create votes.²

A discussion of the social structure of this class of landowners would not be complete without mention of territorial designations. It has for long been common practice in Scotland to suffix the name of a landowner with the name of his estate and indeed sometimes to use this as a sort of title. This tradition, especially in counties where many of the owners had the same surname (for example, the Campbells of Argyll) makes the job of the historian easier, although the habit of referring to

1. Bell 1861, p.663.

2. See Chapter 2, pp.42-44.

an owner's lands merely by his territorial designation can be confusing.

As a general rule the use of territorial designations in the valuation rolls diminishes with the income of the owner in question, although some rolls, notably those of Banff and Berwick, give few no matter what the size of holding. Hence all the commoners in the great landlord class have a territorial designation, except one or two who were baronets or men with army rank. Thus of the wealthier lairds only 46 (12.8%) have no territorial designation, of the middle income group only 158 (27%) and of the lesser lairds 1,102 (56.8%) have none.¹ Some of these owners, however, have occupations listed if no territorial designation, and hence there are few in this class who cannot be positively identified by one means or another.

5.3 Bonnet Lairds

The dividing line between the laird and the bonnet laird is clear in economic terms, but it is not easy to translate this definition into reality using the information given in the Directory. This class is intended to include all those who farmed their own lands with help only from agricultural labourers, much as the English owner occupier did. The distinction between the bonnet lairds and the lesser lairds is blurred, however, by bonnet lairds letting land and lesser lairds on occasion leasing it. It is therefore difficult to make a hard and fast dividing line in terms of valued rental, and the figure of £100 Scots must be viewed as being rather arbitrary but necessary for the sake of analysis.

In 1770 this class controlled 5 per cent of the total agrarian wealth

1. This does not include baronets who have no territorial designations.

of Scotland, although there were large regional variations in their holdings which are discussed in Chapter 5. In contrast this class had the largest membership, which must have numbered well over 4,000 in 1770 or approximately 50 per cent of all landowners. The exact number cannot be assessed even after the work detailed in Chapter 3, as the 79 groups of owners listed in the Directory have been included in this class (see Table 4.10) and account for 18 per cent of the valued rental attributed to the bonnet lairds.

Table 4.10 Groups: number and type of entries

<u>Number of entries</u>	<u>Type of 'Group'</u>
50	'feuars'
9	'heritors'
11	'portioners'
1	'ackerers'
1	'particotes'
1	'kindly tenants'
2	'tenants'
3	'sundries'
1	'feuars' or 'portioners'

In terms of income from the land the maximum enjoyed by members of this class was about £300 Scots. Like the great landlords, but in contrast to the less wealthy lairds, these landowners would commonly have supplementary incomes, but out of necessity rather than a desire to enhance their life style.

The only member of any standing noted in this low income group was the Lord Advocate, with in addition six baronets and three ladies. These figures relate solely to the evidence given in the Directory and,

as this group was the one most affected by the amendments discussed in Chapter 3, these figures obviously show only part of the picture.

This is true also when discussing territorial designations for, although only 212 individuals had territorial designations noted and 2,852 did not, 891 of this latter figure come from projected amendments.

As with lairds, so the occupations listed for the bonnet lairds are of a random nature; nevertheless they give a valuable insight into the type of people who owned small areas of land.

Table 4.11 Occupations of proprietors listed as owning land valued at or below £100 Scots

Armed forces

2 lieutenants, 19 captains, 6 colonels, 1 general.

Trades or occupations

1 baker, 1 baxter, 3 brewers, 1 butcher, 1 candlemaker, 1 carter, 1 clerk, 1 coachwright, 2 coopers, 1 cordiner, 1 dyer, 1 factor, 1 farmer, 1 glover, 2 masons, 1 messenger, 1 painter, 1 printer, 1 saddle stock maker, 1 shoemaker, 3 smiths, 1 stabler, 1 supervisor, 2 tailors, 1 tapster, 2 weavers, 4 wrights.

Others

12 ministers, 12 doctors, 1 surgeon, 7 Writers to the Signet, 4 advocates, 1 procurator, 3 provosts, 13 bailies, 1 commissioner, 1 commissary, 3 professors, 2 teachers, 15 merchants, 10 gardeners (of whom one was also a bailie).

Although landowners can be so subdivided in terms of economic function and income, it must be remembered that the class as a whole was overlaid by a fine web of inter-relationships which were considered important at the time. Intermarriage within and outwith the landowning class tended to blur social distinctions, all the more so because 'kin' was traced to many distant generations.

In the previous centuries the idea of 'kin' had coloured all relationships. In the Highlands it was considered that everyone was related to the chief, and thus the system of mutual obligations under the clan, which persisted into the 18th century, was built up. In the lowlands the family name had been just as important, although the coming of feudalism from England brought a new social order which prevailed sooner here than in the Highlands. The study of any family history will show the links forged across society. There was a tendency not to marry 'below one's rank', but old established families experiencing financial troubles were not averse to substituting money rather than social position as a criterion. It was precisely this habit of remembering kinship ties, no matter how distant, that helped to foster the English hatred of the Scots through much of the century, for whenever a Scot obtained a position of power, promotion by him was inevitably to a 'relative' even if only a fellow countryman of the same name.

5.4 Institutions

Of the total valued rental in 1770, institutions accounted for only 1.8 per cent and corporate bodies 1.3 per cent. The history of the landholding of these groups is discussed in Chapter 5 and so it is sufficient here merely to state the position as it was in 1770.

The institutions existing in 1770 fall under four main headings, viz. the Crown, Annexed Estates, Church and Charitable Institutions.

(a) Crown

By 1770 the revenues which the crown received from the agrarian sector were limited to feu duties, teinds and tack duties, as well as the rent

from a small amount of land.¹ In total the valued rental of this property was £20,075 Scots, which means that in the hierarchy of owners including individuals the crown was 19th in the country. The property was spread over the 12 counties of Caithness, Ross and Cromarty, Inverness, Nairn, Moray, Banff, Aberdeen, Angus, Perth, Fife, Wigton and the City of Edinburgh.

(b) Annexed Estates

By 1770 the only estates under the direct control of the government as a result of forfeiture were those annexed after the Jacobite Rebellion of 1745. Of the 53 estates surveyed in the so-called Vesting Act of 1747, 13 were not forfeited and the remainder fell to the management of the barons of the exchequer. The majority of these were then sold by public auction to satisfy the claims of creditors, but 13 in or near the Highlands were treated differently in an attempt to stamp out the causes of discontent and disaffection. From December 1752 they were inalienably annexed to the crown, with the intention of promoting agriculture and industry within the estates and of using rents to help the Highlands in general. These estates were in the hands of the commissioners of forfeited (or annexed) estates in 1770, although the Lovat estates were restored to the heir of the original owner in 1774 and the remainder in 1784. These estates were situated in the seven counties of Ross and Cromarty, Banff, Inverness, Argyll, Perth, Aberdeen and Stirling, and had in total a valued rent of £35,595 Scots. This meant that the commissioners as a body controlled land equivalent to the largest landowners in Scotland, being 14th in the hierarchy of owners.

1. List of records of Auditors Office (SRO E219 series).

(c) Church

By 1770 the large areas once owned by the church in pre-Reformation days were in the hands of numerous feuars, and the income from feu duties was in the hands of the crown or lay titulars. The only income associated with religious bodies in 1770 was property owned by various kirk sessions, kirk boxes and miscellaneous church bodies, totalling only £2,502 Scots valued rental. The miscellaneous entries consist of the Chapel Royal, which owned property in East Lothian and Kirkcudbright (and was responsible for £1,200 Scots out of the total £2,502); a seceding church in Perthshire; the Brethren of the Mouats in Orkney; the Associate Presbytery in the City of Edinburgh; and ministers of Dunkeld and Abernyte for the Prebendary of Fungarth. Glebes are not noted at all in the Directory. Sinclair in 1814 estimates that there were about 1,000 of 6-8 acres in extent, each of which was given by law to the residing clergyman of the established church.

(d) Charitable Institutions

Charitable institutions fall into three main categories, namely hospitals, colleges and charities. In the data used to compile the Directory, 13 hospitals were listed with a total valuation of £11,561 Scots. Valuations ranged from £36, belonging to Hamilton Hospital, to £2,974, the nominal value of the lands belonging to Watson's Hospital. Of the 13, only the two wealthiest owned in more than one county, namely the Merchant Maiden Hospital, owning in the counties of Aberdeen and Roxburgh, and Watson's Hospital, owning in East Lothian, Midlothian, Roxburgh and the City of Edinburgh.

Only four colleges were noted, with properties valued at a total of

£6,545 Scots, ranging in value from £109 to £4,550. The College of Glasgow was by far the wealthiest, owning property in the counties of Roxburgh, Selkirk, Renfrew, Lanark and the City of Glasgow, the others being the King's College, Aberdeen, and the New and United Colleges of St Andrews.

Lands donated for the relief of poverty were few and totalled £779 Scots valued rent in 1770 according to the Directory. This sum includes two mortifications in the county of Angus, the purpose of which is unspecified, the charity workhouse in Edinburgh, two funds for widows and three for the poor of the parishes of Caerlaverock, Chandry and Newabbey.

In addition to these charitable institutions listed in the Directory, at least two more entries can almost certainly be added. As noted in Chapter 3, it is highly probable that the Society for the Propagation of Christian Knowledge, which definitely owned land in Kirkcudbrightshire in 1799 valued at £267 Scots, also owned lands in Roxburghshire valued at £2,760 earlier in the century. It is also probable that two parsonages in Aberdeenshire valued at £400 were in the hands of an institution in 1770, although the nature of this is unknown.

5.5 Corporate Bodies

Under this heading are included entries relating to trade associations, commercial companies, towns and burghs, and creditors.

(a) Trade Associations

The valuations noted in the Directory concerning trade associations can be subdivided into those belonging to sea boxes, trade boxes, guilds and individual trades (Table 4.12). The income from these properties

might well have been used for charitable purposes, but only within the guild or craft concerned, and so these do not strictly come under charitable institutions.

Table 4.12 Entries relating to Trade Associations

	Total valued rent in £ Scots		
	£	s	d
<u>Sea boxes</u>	648	10	2
Anstruther Easter			
Elie			
Kilrenny			
Kirkcaldy			
Pittenweem			
<u>Trade boxes</u>	82	16	8
Anstruther Easter			
Pittenweem			
<u>Guilds in</u>	128	4	8
Edinburgh			
Dundee			
Dunfermline			
<u>Individual trades</u>	2,594	19	6
Baxters, Glasgow			
Bonnetmakers, Dundee			
Carters, Leith			
Dyers, Aberdeen			
Gardeners, Dunfermline			
Glovers, Perth			
Merchants, Edinburgh			
Shipmasters, Aberdeen			
Shoemakers, Edinburgh			
Smiths, St Andrews			
Tailors, Aberdeen			
Tailors, Edinburgh			
Tailors, Glasgow			
Tailors, Perth			
Weavers, Douglas			
Wrights and Masons, Edinburgh			
Leonard's Hall, Perth			
Glasgow Trades House			

(b) Commercial Companies

The Directory lists only four commercial companies as such, but others might be hidden in entries such as 'Messrs Bairdens'. Three of these, namely Robert Arthur and Company, calico printers, the Carron Company and the West Muir Coal Company, owned lands valued at between £55 and £75 Scots; but the fourth, the York Building Company, was of an entirely different nature.

The York Building Company, originally founded in the 17th century, was bought in 1719 by a Mr Billingsley and some associates who floated a joint stock fund of £1,200,000 sterling to buy up forfeited estates. In 1770 the company controlled property valued at over £22,000 Scots, scattered over the seven counties of Aberdeen, Kincardine, Stirling, Fife, West Lothian, East Lothian and Berwick, making it the 17th largest owner of land in Scotland.

(c) Towns and Burghs

The Directory lists 32 towns or burghs as owners of land outside the boundaries of the royal burghs, controlling land valued at £21,649 Scots and covering a wide area of Scotland. These range from the town of Aberdeen, which owned land in the counties of Aberdeen and Kincardine with a total valued rental of £5,444, to towns such as Crail, Dumfries, Dunbar, Dysart or Pittenweem, with valuations of less than £100. In addition to these, the amendments noted in Chapter 3 show that it was highly probable that the town of Jedburgh owned land in Roxburghshire in 1770 to the value of £333 Scots.

(d) Creditors

This group of entries also includes those listed as being 'the creditors of'

because, like other corporate bodies, they were legally united to act as one. Three such entries were noted, the Creditors of Stanhope Estate and of Easter Fearn, who together controlled property valued at £2,590 Scots, and the Creditors of Girlsta in Zetland, who controlled property of $41\frac{1}{2}$ merks.¹

5.6 Summary of Structure in 1770

Table 4.13 is a convenient way of summing up the social structure of Scotland in 1770. It must be borne in mind that incomes are for 1770 only, and thereafter increased greatly for all classes as rents and prices rose.

Table 4.13 The approximate income of the landowning classes from the agrarian sector in 1770

<u>Class of Landowner</u>	<u>Numbers</u>	<u>Approx. income from agrarian sector, 1770 in £ Scots</u>	<u>Percentage total valued rent</u>	<u>Percentage numbers of individuals</u>
<u>Great Landlords</u>				
Landed Aristocracy	124	above £12,000	36.8	1.5
Wealthy Landlords	186	£6,000-12,000	13.5	2.4
<u>Lairds</u>				
Wealthier	378	£3,000-6,000	13.5	4.8
Middle income	648	£1,500-3,000	11.9	8.2
Lesser	2,648	£300-1,500	16.2	33.3
<u>Bonnet Lairds</u>	3,963 ²	below £300	5.0	49.8
<u>Institutions</u>	60	-	1.8	
<u>Corporate Bodies</u>	61	-	1.3	

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1. See introduction to Zetland in the Directory.
 2. Does not include those small owners noted in the 79 groups of heritors, feuars or portioners, although the percentage valued rental does so, 0.9% of total valuation being the share held by the 'groups'.

6 CHANGE IN THE STRUCTURE OF THE LANDOWNING CLASSES DURING THE EIGHTEENTH CENTURY

The previous section has given a detailed picture of the structure of the landed classes in 1770; the question now to be discussed is how the makeup of the three basic groups - the great landlords, the lairds and the bonnet lairds - altered within the 18th century. The changes in the share of total wealth held by each group will be discussed at the end of the chapter.

In the 18th century there were four ways in which land could change hands:

1. by purchase.
2. by marriage.
3. by inheritance.
4. by forfeiture or grant of land by the crown.

6.1 Change in Ownership by Purchase

Little has been written on the state of the land market in Scotland in the 18th century, but from the available evidence it is clear that supply and demand were both critical factors at different points in the century.

The Union of the Crowns and the Reformation in the 17th century led to considerable changes in the structure of landholding in Scotland. During the 16th century the crown had followed a policy of feuing any lands which came into its possession, and continued to do so in the 17th century. The church had also followed a policy of feuing, with the result that much of the former church lands were in the hands of lay

feuars by the time of the Reformation. These changes helped to stimulate a land market based on economic forces rather than on political reasons, although the latter influence was still larger in the 17th century than it was to be in the 18th. The active land market which existed for most of the 17th century gave the opportunity for a new element to be introduced into the landowning classes; these were merchants and lawyers, who brought with them the new concept of land as an investment. The changing attitude towards land which these newcomers heralded is reflected by the passing in the early 17th century of some important Acts relating to the titles of land.

By 1700 the activity of the land market had slowed down considerably, through a lack of demand rather than supply. The economy was in a state of depression due to bad harvests, a trade recession and the failure of the Darien scheme. There was little cash in circulation and exorbitant rates of interest were the cause of distress to many.

In such a situation there was a good deal of land on the market. The sellers of land tended to be the smaller landowners. Most survived, but a minority could not cope with the problems associated with low incomes from limited sources, at a time of fluctuations in prices and harvests, increases in taxation and backward cultivation methods. Ramsay of Ochtertyre noted that at this time credit was hard to come by, and that the vigour of the law was so great that a creditor might bring a family to the verge of bankruptcy for a debt which bore no resemblance to the value of the property. He also noted that often sale could afford no relief, as there was not enough money in Scotland to buy one-twentieth of the land on the market.¹

1. Allardyce 1888, vol.2, p.214.

On the other hand the economic depression meant that demand for land was very slack. During the recession there was little inflow from newcomers whose wealth was based on trade, and only a limited amount from the professional classes. Most of the land which changed hands was bought by the wealthier established landowners. Being large landowners, this class had virtually the only pool of capital in Scotland at the time. Agriculture was the mainspring of the economy, and large landowners had the added advantage of a diversity of income from government offices, pensions and sinecures. Even this sector of society, however, had reduced capital in hand early in the century, due to natural calamities and the support given to tenants in these hard times through remission of rents or supply of grain.

After the Union of Parliaments the activity of the land market began slowly to increase. The rate of interest fell to 5 per cent and people began to think of buying land. After 1707 there was more cash circulating in Scotland which came from England in the shape of the Equivalent, the compensation paid for the abolition of the heritable jurisdictions, and money to pay and feed the army after the Forty Five. There was also in the late '40s and '50s a new source of capital within Scotland. Some of the Scotsmen who had, after the Union, taken the opportunity to go to the East Indies, America and other colonies began to return with their fortunes. A few of these were considerable, especially those made in the East Indies. Yet others had prospered through prize money, government contracts and other 'lucky hits of wartime'.¹ The trade of Scotland, especially Glasgow, was beginning to flourish, thus putting capital into

1. Allardyce 1888, vol.2, p.216.

the hands of even more people disposed to invest in land. The supply of land did not diminish and in fact was increased by the sale of many of the estates forfeited after the 1715 and 1745 rebellions. This had the dual consequences of dislocating local aristocratic control over the market as well as increasing supply.

Between the Union and 1740 the price of land was moderate. People were still cautious, as there was as yet little money coming from outside, and also a little suspicious of the rises occurring in rents in case they should prove unstable. Those who did buy, however, got excellent bargains. In common with rents and prices in general, the price of land began to rise in the 1740s but, as Ramsay noted, although new proprietors could seldom be assured of a 4 per cent return on the money laid out, few who had bought between 1748 and 1762 had reason to repent their bargains.⁽¹⁾ Many estates were still in runrig, so with a little more outlay a rise in rents could quickly be accomplished.

Thus the land market moved in tune with the economy. Activity was low when the economy was depressed but when in the 1740s the economy showed the first signs of revival, so did the land market. This increased activity heralded the end of the predominance of the large established landowner in the land market. The swing towards large estates stabilised towards the 1750s-60s and the influx of newcomers increased.

It is the accepted fact that between 1730 and the end of the 18th century there was a narrowing of the land market in England due to a diminishing supply of land for sale.² Increasing use of entail, strict

1. Allardyce 1888, vol.2, p.217.

2. Habbakuk 1960, pp.155-65, and Mingay 1963, pp.27-28, 39.

family settlements and easier credit facilities all helped to cut down the number of estates put on the market. The English situation cannot be automatically transposed to Scotland, however, as all the evidence points to a very active land market in the second half of the 18th century. T.M. Devine in his study of the association of Glasgow colonial merchants with land between 1750 and 1815¹ concludes that the English situation was of only limited relevance to the west of Scotland and that 62 colonial merchants were able to obtain estates fairly near Glasgow with little trouble. Thomas Sommerville, an astute contemporary writer, states that not less than two-thirds of the landed property in Roxburghshire had been transferred by sale to new proprietors between 1750 and 1815,² and the Old Statistical Account has various entries such as that for Stow parish, Midlothian, which states that three-quarters of the property within the parish changed hands within 45 years (c.1745-90). That T.C. Smout thinks the land market was active at this time is made clear when he states, "We can be sure that a high proportion of the total proprietors [in 1814] had only become landowners since 1750".³ This does not take into account purchase of land by existing landowners which, although higher in the early 18th century, continued during the second half of the 18th century in certain areas, especially the Highlands.

Why should there be this marked difference between two countries so linked by crown and parliament? Clearly the answer lies in the amount of land put on to the market, for demand was high in both countries.

Artificial restrictions placed on estates have been blamed in part

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1. Devine 1971, p.214.
 2. Sommerville 1861, pp.359-60.
 3. Smout 1969, p.285.

for the lack of supply in England. Strict family settlements, especially those of marriage and entailment, effectively tied up many estates. Entailment also existed in Scotland, and indeed Sinclair states that in 1814 one-third of the land was under strict entail which effectively barred it from the land market.¹ Although evidence is rare it would appear that the movement towards larger dowries and stricter settlements on marriage, which proved such a burden in England, did not occur in Scotland to the same extent, although liferent provisions for wives were common.

Who were the landowners who were selling their estates at this time when, despite fluctuations, prices and rents were rising fast? In general the larger landowners were not selling, as this class was very reluctant to sell even a small piece of land, considering it the very basis of their wealth and power, and in addition a very high proportion of large estates were effectively kept off the market by strict deeds of entailment. In fact, in most counties the larger landowners maintained or even increased their hold over the landed property in the 18th century.² The large amount of land for sale in Scotland must therefore have come from the less wealthy classes of owners. Given the strong motivation to own land in the society of 18th century Scotland, virtually the only reason for the sale of an estate, as opposed to a small block, was indebtedness. In England, although there was no over all decrease in indebtedness, there was an increasing ability to carry debts, due to falling rates of interest and the increasing use of mortgages.³ After a

1. Sinclair 1814, vol.1, table on p.122.

2. See Chapter 5 for a full discussion of this question.

3. Habbakuk 1940, pp.155-65, and Chambers and Mingay 1960, p.201.

family reached a crisis point in their finances it was generally accepted that retrenchment under the watchful eye of specially appointed trustees was the best way out, and so the sale of much land was avoided.¹ In Scotland, not only was there no decrease in indebtedness but there was a very large increase in the amount of money borrowed as the capital market expanded. Higher expectations of standards of living and expenditure on improvement among all classes of landowner led to many living above their means. Contemporary commentators emphasised that despite rent increases estates still changed hands due to the extravagances of the 'old' occupier. Faced with increased expenditure an owner could either raise rents or borrow. Raising rents was the long-term solution but was not always possible up to 1780; and borrowing, if followed by nothing more, led eventually and inexorably to sale of the estate.² That some landowners, especially older families, would not undertake improvements to enhance the value of their estates is emphasised by Lord Fife, who states 'but our misfortunate country is too grand for farming or to breed their sons so, and you see how families tumble now from taxes and idle living'.³ Newcomers tended to be more aware of the economic potential of their newly acquired estates and were willing to put in just a little more capital to increase rents dramatically. Hence Sinclair comments that estates which changed hands frequently were much more efficiently run than those which had been in the hands of one family for a long time.⁴ In addition it is likely that creditors,

1. Mingay 1963, pp.48-9.

2. Smout 1969, p.291.

3. Tayler 1925, p.193.

4. Sinclair 1825, part 1, p.247.

knowing the potential of good land which had been neglected for lack of good management or capital, were probably less likely than formerly to be merciful to the extravagant.¹

It also seems as if the procedure of retrenchment was not accepted in Scotland, or at least not to the same extent as in England. Hence, unless an owner acted positively once debt was incurred, it was just a matter of time until the estate was sold. Perhaps the attitude of many Scottish landowners to debt was different too. Scotland had long been a poor country and many estates had long carried a burden of debt, and so landowners became blase. Gray notes that the old incubus of debts which had burdened many Highland properties even before 1750 was never lifted, even when rents multiplied many times.² Expenditure not only kept up with income, but often surpassed it.

Thus in the two important aspects of debts and family settlements Scotland and England differed, and in both respects the differences meant increased supplies of land in Scotland compared to England. Less strict family settlements in general, despite entails (which tended to be more important in cases of large estates), meant that less land was legally barred from the land market. Greater indebtedness due to increased spending on such things as housing, clothing, entertainment, travelling and estate improvements, pushed into a few decades compared to the more leisurely rise in standards in England over a longer period, coupled with an inability to impose personal restraint, also resulted in more land being available for sale. There were, however, certain other factors unique to Scotland which also enhanced the activity of the land market.

1. Smout 1969, p.285.

2. Gray 1957, p.150.

Political failures like the rebellions of 1715 and 1745, and occasional sequestrations, temporarily dislocated local aristocratic control over the market in land, especially in the northern counties. In the lowlands, business failures such as those of the Ayr Bank and A.G. Houston and Company, and of individual merchants, also helped to keep the land market active.¹ The failure of the York Building Company in the 1780s again put on to the market much of the land forfeited after the rising of 1715.

In addition to these solely Scottish factors there were some which affected both Scotland and England. Traditionally, wartime increased the supply of land, as wartime taxes and high interest rates produced bankruptcies among landowners. In both countries the American War of Independence and the French Wars caused fluctuations in the supply of land.² The historic penetration of merchant families in certain areas also led to more land on the market, especially near large ports, as these people were susceptible to the vicissitudes of trade and thus more inclined to bankruptcy. This tendency was accelerated by the habit of raising credit on land.³

All these factors meant that in Scotland there was plenty of land on the market; but what of demand? In the second half of the 18th century the buying activity of the large established owners diminished as prices rose, although there was still a bias in favour of larger estates in the majority of counties. The main element in the demand for land was the newcomer. Successful merchants, planters, lawyers and bankers all

1. Lythe & Butt 1975, p.109.

2. Thompson 1963, p.212.

3. Devine 1971, pp.214-9.

wanted to purchase estates. The ownership of land was still fairly exclusive, as costs were high and rose continually. Ramsay notes that in the course of a few years after the peace of Aix-la-Chapelle a great deal of land was sold at about 25-30 years purchase, but that few who bought between 1748 and 1762 had reason to repent their bargains.¹ Given the rise of rents, one can judge the rise in the cost of land on average. During the Napoleonic Wars an improved estate might be expected to triple rather than double its value.² Demand did not slacken, however. Returning nabobs especially had a reputation for not haggling over the price of what they wanted. Less wealthy purchasers could not afford to be so generous, but still large prices were paid, especially near centres of population. In more remote areas such as the Highlands, although prices rose, demand was not so great and so we get the example of the Earl of Fife in 1767 buying the estate of Innes, as the former owner, Sir James Innes of Innes, had implored him to 'enhance' the price of the estate.³

Why was there such a demand for land from classes outside the landowners? A few of the purchasers were in fact scions of landed families who had made their fortunes elsewhere and were in a way returning to their heritage.⁴ John Pringle of Haining, for example, made his fortune in the wine trade with Madeira. His father, a landowner, had died in debt and so John purchased the family estate from his elder brother.⁵ Not all bought family lands, but many did return to the county

1. Allardyce 1888, vol.2, p.217.

2. Saunders 1950, p.10.

3. Tayler 1925, p.40.

4. Fergusson 1949, p.16.

5. Namier & Brooke 1964, vol.2, p.333.

or area where they had originated. Motives for purchase varied, but most buyers were influenced by the prestige which the ownership of land conferred, the rising values and changing land use which put land at a higher premium, and the security of landed property.

Scotland was dominated by landowners in the 18th century and the prospect of joining this elite must have been a considerable attraction to the many newcomers who bought estates. The outward manifestations of their political, social and economic power were many, and the majority of people who had made fortunes in other fields bought estates. The returning nabobs wanted residential estates of some amenity value but were not insistent on being near the centres of population. Lawyers and merchants, on the other hand, wanted estates near their place of employment and seem to have had no difficulty, if Glasgow colonial merchants are an accurate gauge.¹ Once ensconced in the landed classes every effort was made, as by the established owners, to retain the prestige which the family name had acquired. Where possible, coats of arms were acquired, and deeds of entail required the family name to be maintained by the heirs.

Economic considerations were not ignored by the purchasers of estates. Glasgow's colonial merchants commonly invested in mineral-bearing land, and other such examples can be found within the central belt. As at present, land was bought by some as an investment, with a view to large profits from rising prices, or as a hedge against inflation. As a secure asset, land made an excellent method of safeguarding the incomes of relatives on the decease of the owner. An estate could

1. Devine 1971, p.214.

also be used as a security on which credit could be raised, especially for the merchant class, although difficulties could arise because of the low liquidity of land.

At the other end of the scale, estates were also purchased for amenity or sport. Very wealthy traders or planters who had cut off all connections with business usually bought small residential estates for their amenity value. Others bought estates for sport, as did the Earl of Fife when he purchased Inverary in 1784.¹ The Earl had also toyed with the idea of buying an estate in Fife just to go with his title!²

Motives obviously varied from purchaser to purchaser. Devine states that 'quite clearly few commodities could provide, in quite the same way as an estate could, for the special, aesthetic and financial needs of the 18th century businessman'³ and, one might add, the successful lawyer, banker and industrialist. The long established landowners tended to have a different attitude to land. Although on the one hand willing to accept newcomers, on the other they wished to leave no doubt as to their own position of supremacy. Land was purchased whenever possible to enlarge existing estates, especially in the Highlands where competition for land was less than nearer Glasgow and Edinburgh. Hence by 'judicious purchase' the Earl of Fife nearly doubled the not inconsiderable estates he had inherited,⁴ and thus the number of owners in the Highland counties fell dramatically throughout the 18th century.

The critical factor in the Scottish land market in the first half of the 18th century was clearly demand. Early in the century demand was

1. Tayler 1925, pp.159, 176.

2. Tayler 1925, p.176.

3. Devine 1971, p.235.

4. Tayler 1925, p.71.

low, and so was activity on the market. As demand picked up in the 1740s, so did market activity. In the light of available evidence it is extremely hard to say if demand continued to be the limiting factor in the second half of the century or whether, as in England, supply set the level of activity, although at a much higher level. It is clear that the uniform trends of the early century no longer held true. It is significant that the only detailed piece of work done on the activity of the land market relates to Glasgow and the adjacent counties. As will be seen in Chapter 5, this was the area of Scotland least under the control of the large landowners and also the most affected by the failure of the Ayr Bank and other institutions and individual merchants. The conclusions noted by Devine must therefore be treated with caution when viewing the rest of Scotland. That is not to say, however, that all areas with a large aristocratic influence necessarily had a lower activity in the land market, as the case of Roxburgh shows. Here, over 62 per cent of the agrarian wealth of the county was controlled by 15 members of the landed aristocracy, and the turnover of the other 200 or so holdings, as stated by Somerville, was high. In general, however, aristocratic control coupled with distance from the centres of population did decrease the activity in the land market in 18th century Scotland.

The land market appears to be nearer a free market than existed in England in the 18th century, with fewer artificial limits on the transfer of land. Activity seems to have followed the general economic trends of the time. It appears that demand was the deciding factor in the level of activity, although prices were high. This is backed up by the fact that there was a slump in the land market during the American War of Independence, as

it became more profitable for all potential buyers to invest in government funds and more prudent for merchants in particular to keep higher cash reserves at a time of high risk. This lowered activity occurred despite an increased supply of land and a fall in price due to an increased bankruptcy rate among landowners. Towards the end of hostilities sales again rose as credit became easier and expectations brighter. If on the whole it was demand which dictated the level of activity, and that demand fluctuated broadly with economic conditions and expectations, then investment in land occurred as opportunities for it seemed attractive, and land changed hands as freely as was consistent with the relatively high value put upon it.¹

6.2 Change in Ownership by Marriage

Land could also change hands through marriage. A young man could acquire control of an estate by marrying a landed heiress, or conversely a rich heiress could gain an entree into polite society by marrying into a poor but long established family. There is no doubt that these methods were used in the 18th century at all social levels. In such an arrangement both sides benefited, as newcomers could gain immediate entry into polite society and old families with financial troubles could be reprieved. Hence Fergusson could state that 'class distinctions were never strong in Scotland'.² By the same token, established families could enlarge both estates and wealth by marriage.

The extent to which this occurred cannot be measured. It is certain that landowners in general tended to marry within their own social group

1. Thompson 1957, p.308.

2. Fergusson 1949, p.14.

or with outsiders of comparable or greater wealth. Hence the kind of new wealth absorbed by the landed aristocracy was limited to the wealthiest bankers, lawyers or merchants, and in many cases the new families involved had already established themselves as landowners.¹ In all other classes the same process occurred, although levels of wealth and size of dowries were less. It is interesting to note that in his study of the colonial merchants of Glasgow, Devine notes that there was little evidence of merchants marrying rich heiresses.²

In England the marriage settlements, with their complex regulation of dowries, jointures, pin-money, portions, trusts and remainders, dominated family relations, and the trend was towards larger and larger dowries and widows' jointures. In the first half of the 18th century in Scotland 'the widow, be she wife of noble, baronet, or simple laird, was provided with a jointure which needed painful economy'.³ Evidence is not available as to whether there was a parallel increase in dowries and jointures in Scotland, but it is highly likely that with rising incomes and increasing emulation of all things English this did occur. As there is no evidence in contemporary writings of marriage settlements being a burden on estates, it would also appear that rises were tempered by a measure of Scottish common sense or frugality and thus kept within reasonable limits.

6.3 Change in Ownership by Inheritance

The law of primogeniture ensured that estates were not broken up on the death of the owner. The eldest son inherited the estate, and the

1. Thompson 1963, p.21. 2. Devine 1971, p.212. 3. Graham 1964, p.85.

younger sons and daughters were usually provided for by cash settlements. The web of relationships caused by intermarriage among the families of the landowning classes also gave rise to the possibility of inheritance from a childless landowner. Hence the Earl of Hopetoun inherited the substantial estates of the Marquis of Annandale when his uncle died, and the two great families of Wemyss and Amisfield were joined when Colonel Francis Charteris of Amisfield died without an immediate heir. The laws of entail also helped to ensure that estates were not split up.

The simplified procedure for the transfer of land in Scotland was considered beneficial to landowners, as was the system of sasines which served to keep landowners secure in their holdings. All these factors helped in the movement towards larger estates, which was noticeable throughout the 18th century in the majority of counties.

Although inheritance was of prime importance to established owners, it was not common among merchants. The upward social mobility conferred by success in trade often meant that a merchant-landowner would prefer his son to follow a more prestigious occupation.¹ Furthermore, the prospect of succession to land with 'social' rewards tended to steer the eldest son at least away from a commercial career. This might be true for other classes of newcomers, but evidence is not available.

6.4 Change in Ownership by Action of the Crown

In earlier centuries the personal favour of the crown led to gifts of offices, monopolies and lands to the favoured few. Forfeited estates

1. Devine 1971, p.212.

came regularly to the crown, as the nobility were constantly challenging the power of the king or regent. The 17th century saw a lessening in the effect of political influences in the transfer of land, but these still occurred in the form of the revival of episcopacy, which led to the re-endowment of the sees with land; the revocation of the grants of church lands by Charles I; the forced sale of land belonging to royalists during the Commonwealth and the restitution at the Restoration; the effects on the lairds of the west of Scotland by fines at the Restoration and the later persecution of the Covenanters in Charles II's time; and finally the consolidation of the position of land proprietors by the Entail Act of 1685.¹

Political conditions in the 18th century led to internal stability and a limiting of the power of the crown so that it could neither make or unmake as hitherto except by due process of law. The road to advancement lay rather through government office, ministerial patronage or extraordinary ability in warfare, law, or occasionally trade. The large capital needed to buy even a moderate estate meant that only the more lucrative offices, the highest positions in the law, and the greatest success in trade provided the necessary income to buy a substantial amount of land.

Land was forfeited twice in the 18th century by reason of treason, after the Jacobite Rebellions of 1715 and 1745, but in neither case was it put directly into the hands of the crown. The estates forfeited after the Forty Five were administered for the good of Scotland rather than the benefit of the king or his favourites.

1. Conacher 1938, p.20.

7 THE EFFECT ON THE LANDOWNING CLASSES OF EIGHTEENTH CENTURY EVENTS

What then was the net result of these influences on the structure of the landed classes in Scotland and on the relationship of one class to another? The question of structure can be answered by the foregoing study of the variations in the velocity and character of land transfers. However, the question of inter-class relationships needs additional material, as change in the distribution of landed property is not necessarily synonymous with activity in the land market.

To find previous studies in this field one has once more to look to England. F.M.L. Thompson discusses the changes in the social distribution of landed property in England from the 16th century and comes to the conclusion that no swing exceeded 5 per cent in any century before the 20th, for a large amount of land would be involved even in a one per cent swing.¹ Thus in inter-group relationships there were few dramatic changes, just gradual trends. As there are no contemporary estimates for Scotland of the social distribution of wealth before the rather generalised study by Sinclair at the end of the 18th century, a study along the lines laid down by Thompson is impossible. Therefore only general trends can be delimited by using the evidence so far noted regarding the character of land transfers, coupled with Thompson's conclusions as to the size of swings and a foreknowledge of some of the conclusions reached in the next chapter.

1. Thompson 1966, p.512.

7.1 The Great Landlords

As a class the great landlords very rarely sold land, and then usually only small detached pieces. There was a fixation about preserving the family name and wealth, backed by the use of legal weapons, especially entail. The greater size and diversity of the income enjoyed by this class enabled them to withstand bad times and even consolidate their position by purchase, as they did at the beginning of the century. As prices rose their activity diminished in the Lowlands, where an active demand for estates led the large landowners to buy only in a piecemeal manner to augment their estates. In the Highland area, however, the large landowners increased their already strong hold on the land. Thus, in Birnie parish, Morayshire, there were six heritors in 1766, but by the 1790s the Earl of Findlater had bought all except a croft of some 5 acres;¹ and again in the same county the parish of Dyke and Moy had at least 12 owners in the 17th century, but by 1793 there were only four landholders, plus one person with an income from fishing rights only.²

As well as their ability to buy land and hold on to it when purchased, other factors such as inheritance, ability to attract heiresses, diversity of income and the geographical dispersal of estates all weighed in favour of this class and the consolidation of estates in general. Even the forfeitures, which were the only factor weighing against the aristocratic class, were modified in their favour. Some estates were purchased by others on behalf of the original owners, and the annexed estates were returned in 1774 and 1784 to the families who originally owned them.

The members of the peerage formed a fixed influence in the 18th

1. OSA, vol.9, p.155.

2. OSA, vol.20, p.192; vol.8, p.499.

century. In the previous century titles had been somewhat lavishly conferred and as a result there were in the 18th century many peers who were only a couple of generations removed from a plebeian ancestor. The resentment against these new titles was seen in 1707 when the older established families were willing to accept a representation of only 16 in the House of Lords, although there were about 150 Scottish peers, because they knew that in general their superior wealth and influence would assure them positions of power. In the 18th century, however, the only titles granted were to existing Scottish peers, giving them a title in the peerage of Great Britain, or to their near relatives. In general, titles were very difficult to obtain at that time, and it was easier for a man in France to buy a title than it was for someone in Scotland or indeed England to acquire one in their respective countries.

Those wealthy landlords who were not actually peers were often closely associated with titled families and, like them, tended to augment their estates. There was a very slow movement up and down of families in general in the great landlord class, although it is true to say that the upper ranges of rural society were more stable in the remoter areas than in areas where there was a high turnover of estates.

The relative position of the great landlords in terms of agrarian wealth as compared to the lairds and the bonnet lairds improved throughout the century. In 1770 the great landlords held about 50 per cent of the total agrarian wealth of Scotland. It is likely that this figure increased slightly between then and the end of the century, for although their position stagnated in countries where their influence had not previously been great, in others they continued the consolidation which had been going on

throughout Scotland in the earlier part of the century. Thus, remembering the evidence put forward by Thompson, it would appear that the great landlords probably controlled 46-47 per cent of the agrarian wealth of the country in 1690, 50 per cent in 1770 and 51-52 per cent in 1815.

7.2 The Lairds

The net result of the foregoing factors on the structure of the lairds was to create a mobile and fluid class of landowners of very diverse origins.

The landowning classes of the 18th century, although forming a very small and powerful elite, were not an oligarchy of birth. They were open to anyone who could acquire an estate, although it usually took a little time before the newcomer was socially accepted. This granted, it must be remembered that the barriers to such advancement were considerable and only the most ambitious and able could progress far up the social scale. Indeed the 18th century, compared to the 17th, saw an increasing difficulty for newcomers to enter the higher ranks of the landowning classes. The size of estates on the market, along with their random distribution and high cost, favoured entry into the laird class by the majority of newcomers. It was also impossible for such a new family to acquire the necessary quantity of land to enter the higher ranks within one or even two generations. Furthermore the policy of the House of Lords ensured that the 'nouveau riche' could not obtain a title. Consequently a marked dichotomy arose between the great landlords and the lairds. The former, mainly of old family, were usually involved in politics in London and thus largely absentee, while the latter, including most of the newcomers, lived for most of the year on or close by their

estates.¹

At the beginning of the century the trend towards large estates favoured the wealthier lairds, but bad harvests, fluctuations in prices, backward cultivation methods and taxation caused some of the less wealthy to sell if a buyer could be found. As the century wore on, although large estates still seemed to be growing it was at the expense of all the lower classes. Estates were sold not because of economic forces outside the control of a landowner, although taxes were high, but rather because of the landowner's actions or lack of them. Debts were incurred at all levels due to increased expectations of standards and style of living. If a landowner did nothing to curb his personal spending, or conversely increase his income, sale was inevitable. The rise in rents was such that with a reasonable amount of restraint any landowner could live at a higher level in the second half of the 18th century than the first without incurring debt. Indebtedness due to overspending on improvements did occur in the second half of the century, but was more common before 1760 than after. Some estates were lost due to political forfeitures or debts incurred in investment or trade, but in the majority of cases large personal expenditure caused the crisis.

As a whole the lairds controlled just over 41 per cent of the agrarian wealth of Scotland in 1770. Despite the fact that there was an active land market in the second half of the century, mainly participated in by members of this class, the share of Scotland's wealth held by them actually fell. Estates on sale came mostly from this group. When sold as a whole they went either to newcomers, thus preserving the status quo, or to large

1. Smout 1969, p.284.

landowners, thus enhancing that class. When sold piecemeal, the land either remained within the control of the lairds, or went to the bonnet lairds or great landowners. There is no doubt that the lairds lost ground to the large landowners in the early part of the century, and continued to do so on a diminished scale in the second part. Thus in 1690 the lairds probably controlled about the same proportion of the country as the great landlords, that is, 44-45 per cent, but by 1770 the differential had widened to 8 per cent, and by the end of the century had further increased to about 10 per cent, with the lairds controlling 40-41 per cent of the total as opposed to the 51-52 per cent of the great landlords.

7.3 The Bonnet Lairds

Evidence relating to the bonnet lairds is limited. It is clear that the smaller landowners were at a disadvantage in the early 18th century, but were able to hold their own and even increase in numbers as the century wore on. The rise in prices after the 1760s enabled many to improve their way of life and even rise in status by buying from members of their own class who were unable to adapt to the new methods of husbandry or whose holdings were too small to be viable. Increased demands from urban areas for foodstuffs such as milk, eggs and vegetables also encouraged the small holder, and the feuing of small plots near towns, especially in the west, encouraged a growth in this class. There was also the encouragement of increased by-employments to help the small farmer in areas near towns. Away from certain favoured areas, however, large scale farming became increasingly profitable as larger units had more resistance to economic difficulties and natural disasters as well as

being able to produce more cheaply.

The bonnet lairds controlled 5 per cent of Scotland's total agrarian wealth in 1770. Owing to the small size of holdings it would take a great number of purchases by established owners in other classes to bring about a swing of even one per cent. Clearly this class had lost out to the larger landowners quite heavily in the early part of the century, and so perhaps controlled some 6 per cent at the beginning of the century. This movement diminished and was even reversed in some areas, so that by the end of the century the proportion of the total enjoyed by this class had possibly increased slightly since 1770, though not as much as one per cent.

8 CONCLUSION

It is clear that the structure of landed society was not static in the 18th century, although the rate of change varied from one class of owner to another. As far as the great landowners were concerned, internal changes in structure were few and slow. In contrast, the continual influx of newcomers from trade and the professions, the rise of some families through marriage, office, law and careful husbanding of resources, and the decline of others through extravagance or unwise speculation in farming, business or politics, kept the structure within the lairds fluid. Except in the latter part of the century, mobile economic forces, taxation and the rise in living standards tended to work against the lesser lairds and bonnet lairds because they depended on small rentals or farming profits, while the wealthier landowners had more diverse sources of income.

The proportions of the total wealth of the agrarian sector controlled by the great landlords, the lairds and the bonnet lairds varied only

slightly over the century, showing a gradual rise in the power of the larger landowners at the expense of the smaller. A breakdown of the statistics regarding the three subgroup would mirror this trend (Table 4.14). Evidence regarding institutions and corporate bodies is largely unavailable,¹ but due to the small percentages involved, the unwillingness of such bodies to sell land and the character of the land market it seems unlikely that the figures relating to these bodies for 1770 changed much over the century.

Table 4.14 Percentages of the total agrarian wealth controlled by the three main classes of landowner in the 18th century

<u>Class of landowner</u>	<u>1690</u>	<u>1770</u>	<u>1815</u>
Great landlords	46-47	50	51-52
Lairds	44-45	42	40-41
Bonnet lairds	c.6	5	c.5
Institutions	2	2	2
Corporate Bodies	1	1	1

1. The only indicator comes from Sinclair (1814, p.122) who gives corporate bodies as controlling 1.2 per cent of total in 1814 as compared to the 1.3 per cent quoted above for 1770 (see p.168), although the criteria considered might not be exactly the same in both instances.

CHAPTER 5

THE DISTRIBUTION OF LANDED ESTATES1 1770: THE DISTRIBUTION OF ESTATES OWNED BY INDIVIDUALS

The data provided by the Directory once more gives the solid point of reference in a sea of conjecture. Not only is the pattern of landholding in 1770 important because of the economic significance, for Scotland, of that period, but also in a much wider context. As has been discussed in the preceding chapter, and will be enlarged upon further in this, changes in the proportion of the total agrarian wealth held by each class of landowners, and hence their landholdings within individual counties, were not large in the 18th century. Thus a study of 1770 reflects not only the landholding pattern for that date but also for the 18th century in general, with only minor alterations to be made at county level.

Unlike her neighbour England,¹ Scotland's landholdings show a definite pattern. The great landlords had a much smaller share of the total wealth in the west than in the east, and a much larger share in the borders than in the highlands, with the exception of Sutherland. Hence for the purpose of analysis the country can be divided into four distinct areas, the boundaries of which are flexible. This is done on the basis of the percentage of the total valued rental controlled by the great landlords, the lairds and the bonnet lairds within each county, but

1. Thompson 1963, p.32.

it soon becomes clear that the landholding pattern generally is closely linked to the basic topography and other geographical factors which helped mould the course of history in Scotland.

The Highlands emerge as a distinct area affected by distance from centres of population, rugged topography, and poor soils and climate. The traditional border counties of Roxburgh, Selkirk and Dumfries, which had for many centuries been the buffer zone against English attacks, also form a distinct region of landholding. In the intervening area there is a distinct east/west split in the pattern of landholding which has more to do with historical than geographical factors.

The following analysis is based on the figures presented for each county in Appendix 3, discussed in Chapter 3. The nomenclature evolved in Chapter 4 is again used, with reference being made to the six classes of landowner - landed aristocracy, wealthy landlords, wealthier, middle income and lesser lairds, and bonnet lairds - as well as to the three more general classes into which these can be grouped - great landlords, lairds and bonnet lairds. It should be remembered that these are solely county statistics used for comparison, and although the levels of income defining each class are the same as for a national study, owners with land in more than one county are not discussed until later in this chapter.

1.1 The West and Central Region

The counties of this region, noted in Table 5.1, all show a pattern of landholding wherein the great landlords control less than 35 per cent of the total valued rent. In Lanarkshire and Ayrshire the landed aristocracy predominate over the wealthy landlords, whereas in Stirling the latter

predominate slightly and in Renfrew they predominate considerably. The lairds, however, control a much higher percentage of the total, the average being 63 per cent, and for the majority of counties the lesser lairds control the highest proportion of the county. Of the exceptions, Renfrew shows the highest percentage, 24.2 per cent, in the class of the wealthier lairds, closely followed by 22.5 per cent in the lesser lairds. In Clackmannan also the highest percentage is found in the wealthier lairds class.¹ The proportions controlled by the bonnet lairds are consistently high when compared with the other regions, the average being 17 per cent.

For all counties in this region, the numbers of people involved in each class rise steadily as the valued rental controlled diminishes.

Table 5.1 The West and Central Region: the percentage of the valued rent of each county controlled by the three main classes of landowners in 1770

<u>County</u>	<u>Great Landlords</u>	<u>Lairds</u>	<u>Bonnet Lairds</u>	<u>Institutions C'porate Bodies</u>
Ayr	34.1	54.9	10.2	0.8
Lanark	27.8	54.0	13.5	4.7
Renfrew	26.8	62.7	8.2	2.3
Dunbarton	19.5	60.5	15.7	4.3
Stirling	9.4	68.4	13.7	8.5
Clackmannan	22.1	64.6	13.3	0
Kinross	0	77.5	20.3	2.4

1. The original roll for this county is not good, as there are many gaps and 'groups'. See Directory.

1.2 The South West Subregion

This region, comprising the counties of Wigtown and Kirkcudbright, is a subdivision showing characteristics of both the West and Central region and the Borders. The percentage of the valued rental of these counties owned by the great landlords is higher than in the West and Central region, but less than in the Borders. Conversely, the percentage controlled by the bonnet lairds is less than in the former but more than in the latter. Thus the number of people involved in each of the landowning classes rises as valued rental diminishes, as in the West and Central region, but then falls in the lowest class. Further evidence of the hybrid nature of these counties is seen in the fact that, although there is a definite peak in the percentage owned by the lesser lairds, the highest percentage is controlled by the landed aristocracy, as in the Borders.

Table 5.2 The South West Subregion: the percentage of the valued rent of each county controlled by the three main classes of landowners in 1770

<u>County</u>	<u>Great Landlords</u>	<u>Lairds</u>	<u>Bonnet Lairds</u>	<u>Institutions & Corporate Bodies</u>
Wigtown	49.4	45.3	3.8	1.5
Kirkcudbright	39.1	54.9	3.6	1.4

1.3 The Borders Region

The counties of Dumfries, Roxburgh and Selkirk form the core of this region, which is characterised by very high percentages of the total agrarian wealth of each county being in the hands of a few owners. The dictates of defence, coupled with the fact that much of these counties

was marginal upland moor, led to some of the largest estates in Scotland being found there. East Lothian is included at this point because, although like Wigtown and Kirkcudbright it is of a hybrid nature, it does in 1770 have a pattern of landholding similar to the main Borders region. The differences between East Lothian and the border counties become apparent later, when changes in the pattern are discussed and East Lothian can be seen to follow the trends of the Eastern counties rather than those of the Borders. A further indicator is the fact that the percentage controlled by the wealthy landlords as compared to the landed aristocracy is higher than in the other Border counties, although still only about half. In all these counties the largest percentage of the valued rent is owned by the landed aristocracy, and the amount owned by the great landlords as a whole exceeds 65 per cent. For the landowning classes below the aristocracy there are variations among the counties, although on the whole percentages decrease with valued rent, with the exception of Dumfries, which shows a marked peak in the amount controlled by the lesser lairds, as in the South West subregion.

The numbers of people involved also show variations. Roxburgh, like Wigtown and Kirkcudbright, experiences a rise in the number of people per class as valued rental diminishes until the bonnet lairds are reached, when there is a fall. Dumfries and East Lothian do not experience this fall and numbers keep increasing throughout. Selkirk, on the other hand, shows a continuous rise from the landed aristocracy to the wealthier lairds, followed by a fall relative to the middle class of lairds, a further rise for lesser lairds and finally another fall to a solitary bonnet laird.

Table 5.3 The Borders Region: the percentage of the valued rent of each county controlled by the three main classes of land-owners in 1770

<u>County</u>	<u>Great Landlords</u>	<u>Lairds</u>	<u>Bonnet Lairds</u>	<u>Institutions & C'porate Bodies</u>
Dumfries	65.7	27.6	6.7	0
Selkirk	65.1	33.6	0	1.3
Roxburgh	73.6	22.0	5.4	1.0
East Lothian	69.7	26.7	1.4	2.2

1.4 The Eastern Region

The core of this region is formed by the counties of Midlothian, Peebles, Fife, Kincardine and Perth, although the last is so large and so situated that it is bound to include part of the Highlands. There are also two pairs of counties - Aberdeen and Angus, and Berwick and West Lothian - which, while not being distinctive enough to warrant subgrouping as in the case of Wigtown and Kirkcudbright, do show the influence of other regions. In Aberdeen and Angus the proximity of the Highlands plays a part in the landholding pattern, and in Berwick and West Lothian the Borders have an influence.

The percentages of the main counties in this region controlled by the great landlords are slightly less than that controlled by the lairds, the averages being 41.5 per cent for the great landlords and 50.2 per cent for the lairds. In the case of the four other counties noted above the situation is reversed, the great landlords on average owning 50.8 per cent of the total and the lairds 45.3 per cent. It is interesting to note that the percentages controlled by the wealthy landlords range only from 16.7 per cent to 22 per cent, so that variations in the proportion owned

by the great landlords are due mostly to variations within the landed aristocracy, which range from 20.2 per cent to 34.1 per cent within the region. The percentages controlled by the bonnet lairds vary, having an average of 3 per cent and nowhere exceeding 5.1 per cent.

Having said this, it is interesting to note that the percentages controlled by the six individual groups fall considerably with valued rent in the counties of Aberdeen, Angus and Fife. The same is true of West Lothian, Fife, Perth and Peebles except for a marked peak in the percentage owned by the lesser lairds, akin to the West, in the first three, and a marked peak associated with the wealthier lairds in Peebles. Midlothian and Kincardine have generally a more even pattern of landholding by the various classes, although with a fairly small representation by the bonnet lairds. In addition, Midlothian has a marked dip in the percentage controlled by the middle lairds, whereas in Kincardine this dip comes in the lesser lairds.

Table 5.4 The Eastern Region: the percentage of the valued rent of each county controlled by the three main classes of landowners in 1770

<u>County</u>	<u>Great Landlords</u>	<u>Lairds</u>	<u>Bonnet Lairds</u>	<u>Institutions & C'porate Bodies</u>
Midlothian	40.8	53.9	3.7	1.6
Peebles	41.0	50.7	2.8	5.5
Fife	44.4	48.7	3.7	3.2
Perth	41.4	47.7	5.1	5.8
Kincardine	39.7	50.0	0.5	9.8
Aberdeen	50.0	44.2	1.3	4.5
Angus	49.7	46.2	3.0	1.1
Berwick	50.5	48.5	3.5	0.5
West Lothian	53.2	42.4	4.4	0

The numbers of landowners involved in each of the six basic classes rise until the bonnet lairds are reached, when there is a fall in most counties. In West Lothian, Peebles and Perth, however, the rise in numbers is continuous, akin to the adjacent West and Central region.

1.5 The Highland Region

The pattern of landholding in the Highland region is not entirely uniform, as the counties of Caithness, Ross and Cromarty and Argyll show slightly different characteristics from the main group of counties.

Moray, Nairn, Inverness, Bute, Sutherland and Orkney all show a pattern of landholding where the great landlords predominated over all others in the proportion they controlled. Although the figures for Banff do not fit in with this pattern, this is due more to a fault in the original valuation than to any marked deviation in the pattern of landholding.¹ In Inverness-shire the figures are slightly distorted by the fact that six estates, valued at a total of £11,334, were in 1770 in the hands of the Annexed Estates Commission and are therefore grouped with the Institutions rather than listed under the individual owners who temporarily lost control between 1745 and the 1780s. In all of these counties the percentage controlled by the landed aristocracy is much higher than that of the wealthy landlords, with the exceptions of Nairn and Bute, which are very small and where a landowner with an estate valued at over £4,000 Scots would have controlled over 27 per cent of the total valued rental of either county.

In the remaining counties of Caithness, Ross and Cromarty and

1. See Chapter 3, pp.114-5.

Argyll the great landlords controlled only 40-46 per cent of the total, whereas the lairds controlled 47-51 per cent. Furthermore, Caithness is the only county where the wealthy landlords controlled a higher percentage of the total than the landed aristocracy, although in Ross and Cromarty the differential is narrowed down to only 3 per cent. It has been noted in the past that the 18th century social structure of Caithness and Ross and Cromarty showed them to be enclaves of the Lowlands,¹ and this is reflected in the pattern of landholding existing in 1770, which had more in common with that of Midlothian than of their Highland neighbours. Ross and Cromarty, however, takes in a greater part of the true Highland area of the northwest and does not show such a marked reversal as does Caithness. In the case of Argyll the division between landed aristocracy and wealthy landlords was more akin to the general Highland pattern, the former controlling 35.9 per cent, the latter 10.1 per cent, but the lairds controlled 51 per cent, that is, slightly more than their combined 46 per cent. This deviation from the general Highland pattern of landholding could be due to proximity to the Lowlands, an accident of history or perhaps partly to the method which had to be employed to assess possible changes between 1751, when the Argyllshire roll was written, and 1770.

At the other end of the scale another characteristic feature of these Highland counties is the small percentage controlled by the bonnet lairds, except in Orkney where unique circumstances prevailed, and in Banff and Bute, where the high percentages noted are again due more to defects in the source material than differences in the pattern of landholding.

The fortunes of the lairds vary from county to county. In Nairn the

1. Donaldson 1938, p.39, and Cruickshank 1961.

percentages controlled fall with valued rental, in Inverness they increase, and in Ross and Cromarty they are fairly level! In Argyll and Orkney there is a secondary peak in percentage controlled in the class of wealthier lairds, whereas in Inverness this peak comes in the lesser lairds.

As with valued rent, so with numbers of owners involved in the various classes. For the most part numbers increase as valued rent decreases until the bonnet lairds are reached, when there is a fall, except as previously noted in Orkney, where the numbers increase dramatically.

Although not included in the national system owing to the nature of the source material, Zetland cannot be entirely omitted. It is clear that the pattern of landholding has some similarities to that of the neighbouring Orkney, but the unique system of udal tenure serves to accentuate the share held by the smaller owner occupiers or udallers. Hence of the total merklands noted in the rental,¹ 22 per cent were accounted for by the 51 named proprietors and the Creditors of Girlsta, the remaining 78 per cent being listed under udal lands.

Table 5.5 The Highland Region: the percentage of the valued rent of each county controlled by the three main classes of land-owners in 1770

<u>County</u>	<u>Great Landlords</u>	<u>Lairds</u>	<u>Bonnet Lairds</u>	<u>Institutions & C'porate Bodies</u>
Moray	57.6	39.0	1.2	2.2
Banff	26.2	64.8	6.0	3.0
Nairn	55.8	42.3	1.2	0.7
Inverness	40.8	39.9	3.8	15.5
Sutherland	67.7	31.6	0.7	0
Orkney	54.1	38.7	7.1	0.1
Bute	52.8	38.1	9.1	0
Argyll	46.0	51.2	1.9	0.9
Caithness	44.4	47.3	1.6	6.7
Ross and Crom.	40.0	50.1	0.9	9.0

1. See introduction to Zetland in the Directory.

1.6 The Cities of Edinburgh and Glasgow

It is difficult to compare these two cities for 1770 when the 20th century boundaries used give the City of Edinburgh a much larger landward portion of 18th century Midlothian than Glasgow acquired from Lanark and Renfrew. This is reflected in the relative valuations of the two cities, for Edinburgh has a total of £77,463 Scots and Glasgow only £19,562. Any differences noted in Tables 5.6 and 5.7 can largely be accounted for by this discrepancy in size. Potential variations are masked, but are unlikely to be large as the landholding pattern outside the two royal burghs was subject to similar pressures in 1770.

Table 5.6 The Cities of Edinburgh and Glasgow: the percentage of the valued rent controlled by individuals, corporate bodies and institutions in 1770

<u>City</u>	<u>Individuals by valued rent¹</u>						<u>Corporate Bodies</u>	<u>Institutions</u>
	<u>1</u>	<u>2</u>	<u>3</u>	<u>4</u>	<u>5</u>	<u>6</u>		
Edinburgh	0	15.2	24.9	18.3	22.1	6.9	1.5	11.1
Glasgow	0	0	5.8	7.4	35.2	21.3	7.3	23.0

Table 5.7 The Cities of Edinburgh and Glasgow: the numbers of individual owners, corporate bodies and institutions in 1770

<u>City</u>	<u>Individuals by valued rent¹</u>						<u>Corporate Bodies</u>	<u>Institutions</u>
	<u>1</u>	<u>2</u>	<u>3</u>	<u>4</u>	<u>5</u>	<u>6(+group)</u>		
Edinburgh	0	5	13	20	64	173(+1)	8	8
Glasgow	0	0	1	2	31	89(+1)	5	2

1. For amounts covered by the six divisions see Chapter 4, p.151.

Table 5.8 The Distribution of Estates owned by Corporate Bodies and Institutions, and their share of each county's valued rent in 1770

<u>County</u>	<u>Corporate Bodies</u>		<u>Institutions</u>	
	<u>Nos.</u>	<u>% of valued rent</u>	<u>Nos.</u>	<u>% of valued rent</u>
<u>Highland Region</u>				
Inverness	0	0	2	15.5
Orkney	0	0	2	0.1
Sutherland	0	0	0	0
Caithness	1	1.8	1	4.9
Argyll	0	0	1	0.9
Moray	0	0	1	2.2
Ross and Cromarty	2	0.6	3	8.4
Banff	0	0	2	3.0
Nairn	0	0	1	0.7
Bute	0	0	0	0
<u>Borders Region</u>				
East Lothian	2	1.8	2	0.4
Roxburgh	1	0.1	4	0.9
Dumfries	1	negble	0	0
Selkirk	1	1.3	1	negble
<u>Eastern Region</u>				
Midlothian	1	1.3	3	0.3
Angus	4	0.45	5	0.65
West Lothian	0	0	0	0
Berwick	1	0.3	1	0.2
Kincardine	2	9.8	0	0
Perth	6	0.6	12	5.2
Fife	10	0.6	20	2.6
Peebles	2	5.5	0	0
Aberdeen	6	2.5	6	2.0
<u>West and Central Region</u>				
Lanark	5	1.9	3	2.8
Ayr	3	0.8	0	0
Stirling	2	8.3	1	0.2
Renfrew	3	2.3	1	negble
Dunbarton	3	4.3	0	0
Clackmannan	0	0	0	0
Kinross	1	2.2	0	0
<u>South West Subregion</u>				
Kirkcudbright	1	negble	4	1.4
Wigtown	0	0	1	1.5
<u>Cities</u>				
Glasgow	5	7.3	2	23.0
Edinburgh	8	1.5	8	11.1

2 1770: THE DISTRIBUTION OF ESTATES OWNED BY CORPORATE BODIES

In the Highlands and Borders regions corporate bodies accounted for only a very small proportion of each county's valued rent, if at all, there being only three in the former region and six in the latter. The Town of Thurso, the Magistrates of Fortrose and the Creditors of Eastern Fearn Estate were the only representatives of this class in the Highlands, while in the Borders each county had an entry relating to the main town or burgh, and in addition East Lothian had some land owned by the York Building Company and Roxburgh some owned by the Society for the Propagation of Christian Knowledge (S.P.C.K.).

Corporate bodies were more numerous in the two intervening regions. In the Eastern region much of the percentage controlled by corporate bodies was in the hands of the York Building Company, which owned land in four counties, and much of the remaining percentage was in the hands of 16 towns or burghs. Items relating to trade associations were found in conjunction with the towns of Dundee, Aberdeen and Perth, although in Fife they were more random. There was also one entry relating to creditors.

In the West and Central region the majority of entries relate to towns, 11 of which owned property c.1770. Over and above these, land was owned in the counties of Stirling by the York Building Company and the Carron Company, Renfrew by a calico printer, Lanark by two trade associations, Dunbarton by a set of trustees, and Kirkcudbright by the S.P.C.K.

Corporate bodies of a similar nature were found in the areas

covered by the cities of Glasgow and Edinburgh outside the actual royal burghs. The Towns of Edinburgh and Glasgow both owned property in their respective areas, and each had land owned by one company and several trade associations.

Corporate bodies in total accounted for some 1.3 per cent of the valued rent of Scotland in 1770, the York Building Company and town or burgh councils accounting for the majority. All but four entries related to one county only. The most notable exception was the York Building Company, which owned land in 1770 in seven counties in the east stretching from Aberdeen to Berwick; the Towns of Aberdeen and Edinburgh both owned land in two counties, as did the S.P.C.K.;¹ and the Glasgow Trades House owned property in the county of Lanark as well as the city of Glasgow.

3 1770: THE DISTRIBUTION OF ESTATES OWNED BY INSTITUTIONS

On paper, institutions appear more evenly spread over the country than do corporate bodies, but this is only partially true. In the Highlands region six of the entries relate to the Crown and four to the Forfeited Estates Commission. This leaves only three entries, one relating to the Poor of Chandry and the others to the Kirk Session of Kirkwall and the Brethren of the Mouats, both in Orkney.

In the Borders region the institutions were of a different nature, there being three entries relating to hospitals, two to the College of Glasgow, and one each to the Chapel Royal and the S.P.C.K.

The Eastern region had by far the greatest number and variety of

1. Information regarding the S.P.C.K. is dated 1788 and 1799 and so there is some question as to whether this body was a landowner in 1770.

institutions, the majority of entries being in the counties of Fife, Aberdeen, Angus and Perth. The Crown owned property in these four counties, and the Forfeited Estates Commission in Aberdeen and Perth. In addition there were seven entries relating to hospitals, three to colleges, 21 to kirk sessions, kirk boxes or other church lands, two to widows' funds, two to mortifications and five (all in Fife) to seaboxes.

The West and Central region including the South West Subregion had surprisingly few entries considering its area. The counties of Stirling, Renfrew and Wigtown each had one entry, relating to the Forfeited Estates Commission, the College of Glasgow and the Crown respectively. Lanark and Kirkcudbright had slightly more, the former having one entry relating to the College of Glasgow, one to hospitals and one to a kirk session, while the latter had one entry relating to the S.P.C.K., one to the Chapel Royal and two concerned with funds for the poor.

In the Cities of Edinburgh and Glasgow the number of institutions tends to reflect the difference between the Eastern region and the West and Central region, as the former has eight entries and the latter only two. In Edinburgh the Crown, five hospitals, the workhouse and the Associate Presbytery controlled property valued at £8,582 Scots, whereas in Glasgow the College of Glasgow and Hutcheson's Hospital controlled property valued at £4,500 - this, however, represented a larger percentage of Glasgow's total than did the eight entries in Edinburgh.

Institutions in total accounted for 1.8 per cent of the total valued rent of Scotland in 1770. Like the corporate bodies, most institutions owned land in only one county. However, there were seven exceptions, the first six of which accounted for a large proportion of the country's

total. The Crown owned property in 12 counties, the Forfeited Estates Commission in seven, the College of Glasgow in five counties near Glasgow and in the Borders, Watson's Hospital in four counties in the South East, and the Merchant Maiden and the Chapel Royal each owned property in two non-adjacent counties. Finally, the Kirk Box of Arngask had property valued at £37 Scots in both Fife and Perth as a result of an 1891 boundary change.

4 FACTORS RELEVANT TO THE DISTRIBUTION OF ESTATES

The pattern of landholding analysed above was the result of many complex forces. Each estate, parish and county had its own special history of influences resulting from local accidents of inheritance, intermarriage among landowners or conquest in earlier centuries as well as from factors of a national significance such as the policy of the church towards its property or the power of the crown to annex and grant property to vassals. Into this complicated picture there also come threads of a different nature, basic factors such as quality of soil, topography, climate and distance from potential markets and centres of population all having influenced the pattern of landholding. For example, great estates tended to occur in those counties which contained large tracts of barren or formerly barren land, remote from urban centres, for such land would always have been cheaper than that of better quality, especially near towns.

In this chapter the data discussed relate to individual counties, whose boundaries often contain and hide interesting differences between one parish or area and another, or cut across areas of similar pattern in

adjoining counties. In theory it might be considered better if the pattern of landholding could be judged on a parish scale so that such differences and similarities could be noted. In practical terms this is impossible at a national level. Firstly, not all the valuation rolls used in the basic survey divide their information into parishes, and some which do are of doubtful accuracy. Secondly, although sometimes dividing similar areas, county boundaries often follow topographical boundaries, and because of this and their longstanding nature, they themselves often have an effect on the boundaries of estates. Thirdly, parishes vary tremendously in size¹ and it would be difficult to correlate the information relating to about 890 parishes, not to mention owners with property in more than one parish.

In this thesis, therefore, it is impossible to enlarge on the preceding general survey of the pattern of landholding, and similarly the factors which acted over the centuries to produce the pattern cannot be discussed in depth. More detailed studies must be left to the local historian. Thus the following is not a history of factors affecting the pattern of landholding in the 18th century, but rather an appraisal of the general historical factors which can be seen at work in the pattern of landholding in 1770 and in any changes which occurred throughout the century.

At the beginning of the 18th century there were two classes of people who were principally interested in the land - the private landowners and the peasantry. In previous centuries the crown and the church had been very influential landowners, but the 16th and 17th centuries saw a virtual end to these once powerful influences. The effects of the policies of both

1. Coppock 1960.

crown and church regarding their respective properties in these two centuries could still be discerned in the landholding pattern of the 18th century.

4.1 The Policies of the Crown

The basis of Scottish landholding was the feudal system. When Scotland first emerged from her inter-racial struggles to form a united kingdom, traces of an elementary feudalism already existed.¹ The thane was overlord of his vassals and could demand specific payments and services in return for his protection and leadership. Celtic feudalism did not, however, vest the ownership of land in one man, but in the people with the chief as their leader and spokesman. This was in marked contrast to the feudalistic concept of landownership introduced from England in the 12th century, which acknowledged the king as ultimate owner of all land, and all proprietors as his vassals or subvassals.²

Attracted by the brilliance of the Norman French lords and anxious that all turbulent parts of Scotland should be subdued, kings from David I onwards induced many to settle in Scotland. Initially the grants of land were confined to royal estates or to the regions of South Cumbria and the Lothians, but in the reigns of Malcolm IV and William the Lyon the policy was extended to include all Scotland, except the Highland area where the Celtic tradition held on. In the Highlands, so strong was the idea that the people owned the land, and so attached were they to their leaders, that even when estates were confiscated and given to others the Highlanders refused to recognise their new lords. Nevertheless, in

1. Symon 1959, p.34

2. See Chapter 4, pp.128-31.

time, Norman French feudal ideas were grafted on to the Celtic tradition in the eastern Highlands, although not totally accepted in the central Highlands even by the 18th century.

As ultimate owner of the whole of Scotland, the king had the power to annex or grant lands as politics or whim dictated. Hence after Bannockburn the estates of the Comyns, the Balliols and other nobles who had sided with the English were confiscated and granted by Robert the Bruce to his most prominent and loyal followers.¹ The redistribution of land by royal favour laid the foundation of some great families whose possession persisted into the 18th century, such as the House of Douglas which was of 15th century origin. This royal power was curbed in the 17th century and by the 18th had virtually disappeared except in the case of treason. Even then, the lands of a man found guilty by due process of law were given to the government rather than directly to the crown.

The extent of crown lands varied from reign, but by the middle of the 15th century they had become a source of revenue which sometimes surpassed the income from the customs levied on exported goods and thus acquired an importance they never had in the 14th century. Although feuholding of crown lands was not unknown before its authorisation in 1458, it still made little progress until a further Act of 1503,² but thereafter the 16th century witnessed the steady conversion of leases into perpetual feus.

By the 17th century the crown was no longer interested in holding land as a source of revenue which would appreciate, or to secure its

1. Symon 1959, p.65.

2. Athol Murray, pp.72-3 of McNeill and Nicholson 1975.

position vis a vis the powerful earls. After the Union of the Crowns there was not the same need to reward supporters with the annexed lands of the disloyal, and as a result lands which came to the crown in the 17th century were mainly given out in feu.

Thus by the 18th century, although the crown was still one of the leading proprietors in Scotland, crown revenues were limited mostly to feu duties, teinds and tack duties, much of which had been confiscated from the church at the Reformation.

4.2 The Policies of the Church

During the 12th and 13th centuries a great wave of religious fervour spread over Scotland, and as the transfer of land was practically the only method in early medieval times of conveying large gifts to church institutions, much land was thus deeded.¹

In the 13th and 14th centuries church property began to be given out in feu-ferm, although this was to become much more prevalent in the 16th century when the church encountered serious financial difficulties.² Taxation by both crown and papal curia, the effects of war damage, the loss of revenue due to non-payment of kirk dues and the expense of provisions to the prelaties and other benefices, as well as the deduction of the 'third' after 1562, all put a financial burden on the church institutions. Apprehension as the reform movement grew, bringing the threat of royal interference in church property, as well as personal insecurity occasioned by the events of the Reformation itself, all encouraged high churchmen to feu land as a way of liquefying assets. Thus the

1. Symon 1959, p.53.

2. Sanderson 1973, p.117.

'temporal lordships' carved out of the ecclesiastical estates at the end of the 16th and beginning of the 17th centuries were more prestigious than remunerative, the new lords merely acquiring the titles and the right to collect depreciating feu duties. In the long run it was the feuars who were the ultimate beneficiaries of the feuing of church land.¹

At the Reformation there was an undignified scramble for the seizure of all church lands and teinds. The reformed church claimed everything, intending to use the income for religious services, education and support of the poor, but were opposed by the nobles. Although the truth is rather obscure it appears that the crown seized all the property and teinds, allocating two-thirds of the income arising from these to the old incumbents, with the remainder to be divided between the reformed church and the crown. The teinds were never made over to the reformed church as at first intended, nor did the church receive additional income when the old incumbents died. Matters were allowed to drift and favourites of the crown were granted property and the right to collect teinds. The commissioners appointed to allocate the church's portion were loath to give money to the clergy and this, coupled with the manner of collection, led to unrest. A series of laws was passed at the end of the 16th and beginning of the 17th centuries to ease the situation, but the 'Lords of Erection' and those with a right to collect teinds were too firmly entrenched to allow wrongs to be righted. In 1617 a set stipend was laid down which held until Charles I decided on radical change. Following a commission of inquiry all grants of church property made since the Reformation were revoked. A composition on favourable terms for the holders

1. M. B. Sanderson in McNeill and Nicholson 1975.

was arranged for the lands. As for the teinds, Charles decreed that, to make better provision for kirks and ministers, parish heritors should possess the right of collection on their own lands and accordingly they were allowed to buy the teinds at nine years' purchase, the value and price being set by commissioners especially appointed.¹

4.3 Feu-Farming

The system of feu-farming, peculiar to Scotland, was a short term policy which commended itself to those followed by successors rather than heirs. The expense of purchasing a feu-ferm charter was not small and so the superior had immediate gain. The fixed feu duty, although meant to be a realistic rent when first imposed, soon proved otherwise in a time of rising costs and land values. Thus the feuars were the long term beneficiaries of this policy, as they gained security of tenure, fixed cash rents and stipulated casualties in place of the old rents in kind, services and uncertainty as regards casualties and occupation.

Feu-farming proper, first introduced at the end of the 14th and beginning of the 15th centuries by the church, was gradually extended as the need for hard cash grew. It was practised by the crown from the middle of the 15th century, and by the 16th century both institutions had intensified the process. There is little evidence of much feuing on ordinary estates, although crown and church feuing provided private land-owners with the opportunity to enlarge or round off their estates or to provide for younger sons. Indeed, considerable areas of former church and crown lands were so feued. Thus the church lands of Lesmahagow

1. Symon 1959, pp.81-3.

owned by Kelso Abbey were feued to Hamilton of Finnart, Lord Lovat acquired church lands near Inverness, the Laird of Grant part of the church lands of Strathsley, and the Laird of Mackintosh those of the Barony of Moy.¹

Not all land feued went to the larger landowners, however, especially in the case of former church lands. M. Sanderson in her definitive work, The Feuars of Kirklands,² notes that although there were scattered examples of large blocks of land being feued by one man it is clear that the small man did reasonably well. Of the 16th century feuars considered, 65 per cent were sitting tenants, 87 per cent of whom were resident. Furthermore, 60 per cent of the resident sitting tenants came from a social class below established landholders and lairds.³

This policy of feuing altered the landholding structure of society. Heritable proprietors came into being, varying in number from one area to another according to whether holdings were amalgamated, subdivided or feued in small portions as they had formerly been occupied by the tenants. In lands associated with the baronies of Paisley, Melrose, Coldingham, Scone, Balmerino, Dunfermline and Glasgow, occupant tenants received over 40 per cent of the feus granted. At Brechin on the Forfar lands of the archbishopric of St Andrews, in the barony of Kerse belonging to Holyrood, at Jedburgh, Kelso, Newbattle and Crossraguel, the feuing policy tended to favour outsiders, mostly lairds. The picture was brighter for occupants in Fife, on Melrose Abbey lands, and at Dunkeld, Kilwinning and Lesmahagow, where many resident tenants were

1. Grant 1934, pp.270-4.

2. Sanderson 1973.

3. Sanderson 1973, p.123.

given feus, although in Lesmahagow two outsiders also got substantial feus. On the lands of Dunblane bishopric and the barony of Perth, however, a higher proportion of feuars were outsiders. Pluscarden presents the most undemocratic picture of all, many of the feus going to the kinsfolk of the last pre-Reformation prior.¹

Thus in areas where land was feued in large blocks the nobility, lairds and rich urban newcomers from trade, law or court office could purchase feu charters to enhance or start estates. In other areas, especially those remote from major burghs that could contain a nucleus of buyers ambitious for land, the church and crown appear to have alienated land at lower rates and in smaller parcels, so that larger peasants had a chance to buy their holdings.²

4.4 The Implications of Crown and Church Feuing

What effects did the feuing policies of church and crown have on the 18th century pattern of landholding? Sanderson shows that the pattern of 16th century church feuing, especially the distribution of small landowners, was perpetuated into the 17th century in some areas. Some small feuars alienated their land within a generation or two, but others prospered as portioners or bonnet lairds. There is evidence that, despite the general movement towards larger estates, remnants of this pattern of church feuing still existed in the 18th century. The fermtouns of Lessuden, Newton,

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1. Sanderson in McNeill and Nicholson 1975. Statistics calculated not from the number of charters but pieces of territory feued, for sometimes an outsider received a number of charters and in others a fermtoun was feued in small lots. Feus relating to the lands of the bishopric of Moray and Inchaffray Abbey are not included, as the feu charters do not specify the social position of the feuars.
 2. Smout 1969, p.137.

Newstead and Gattonside, which had belonged to the Abbey at Melrose and had been feued to the resident occupants in the 16th century, were still in the hands of 'feuars' in 1770, although exact numbers are not given. In the parishes of Coldingham and Eyemouth a number of small 'portioners' still existed, and similarly in parts of Fife, Lanark and Ayr remnants of the 16th century feuing plan could still be detected in 1770. On the other hand there were areas like Strathisla where many of the small feus created by the church had been purchased by one family, in this case the Duffs of Bracco, the ancestors of the Earls of Fife.

Evidence relating to crown feus is not so detailed. The first wholesale feuing of crown lands took place in Bute in 1506, followed later in the century by lands in Fife, Perth, Angus and Selkirk.¹ If the experience of the church lands can be applied to crown lands, it is likely that a little of this feuing pattern still remained in the 18th century.

The policy of the church and crown towards their lands, which had been extensive in centuries past, thus had an effect on the pattern of landholding in the 18th century. The original feuing pattern had been much altered by forces operating on the local level, as well as by general economic factors which dictated the viability of small properties, but nevertheless the influence of this feuing could still be discerned.

4.4 The Effect of the Commonwealth and the Restoration

Events during the Commonwealth and the Restoration had an effect on the 17th century pattern of landholding, and, although difficult to assess in exact terms, some repercussions would most definitely have been

1. Conacher 1938, p.84.

evident in the 18th century. At the beginning of the Commonwealth many great landowners who had mortgaged their lands, often in order to support the king, were foreclosed upon. There can be little doubt that these forced sales tended to break up large estates and led to a more even distribution of land among a wider landowning class.¹ Some of the lords who had obtained former church lands suffered, such as the Earls of Dunfermline, Home, Mar, Abercorn and Huntly, while others who had taken Parliament's side were occasionally granted land, such as the Earl of Eglinton.

The Restoration did not undo all that the Commonwealth had done, although the forfeitures of the more distinguished victims were certainly recalled. Claims for financial loss were also entertained and lucrative offices bestowed on the lucky petitioners. In an Act of Indemnity of 1665 several lairds were fined for their activities in those troublous times, and punishments were of a severity to make a mark on the landholding of the western counties in particular. In 1690 this Act was rescinded, but too late to save the earlier victims.

By the end of the 17th century private property was well established in Scotland. Although the superiorities of the bishops' lands went to the crown, lay lairds had the power which the church once had as a landowner, as well as much of the former crown lands. On old church lands new lords of erection were the superiors of the feuars who had already been in possession. The small feuar, however, gradually disappeared before the superior, a process which started in the 17th century and continued into the 18th.²

1. Conacher 1938, p.42.

2. Conacher 1938, p.46.

4.5 Influences within the 18th Century

Factors which could have had an effect on the dispersal of estates take on a new look in the 18th century. Political influences faded significantly as the power of the monarchy was restricted and the rule of law became more widespread, whereas economic influences grew in importance.

The two Jacobite Rebellions of 1715 and 1745 brought about the only political forfeitures of land in the 18th century, and in each case the situation was handled differently by the government.

Although punishment of the rebels after the Fifteen was not unduly severe, the government was determined to teach the Scots a lesson. Against the advice of the Lord Advocate, forfeitures were decided upon, and a commission of six, four Englishmen and two Scots, was set up to dispose of the estates. The connivance of lawyers and judges meant that a Jacobite family was extremely unlucky if it did in fact lose its lands. In one way or another, by exaggerating the claims of trustees, feudal superiors or heirs of entail, it was proved that very few rebels had such complete ownership of an estate that it could easily be forfeited.¹ In all, only 38 landed properties were eventually forfeited.² It took four years to value the estates in question and then a policy of sale was adopted. As discussed in the previous chapter, there was a lack of demand for estates in general in Scotland at this time, and in view of the legal difficulties, coupled with the loyalty of tenants to their former lords, there were few bids for these estates. Angered by this, the

1. Mitchison 1970, p.323.

2. See the inventory of records held in the SRO under the E700-788 series for a list of those who forfeited estates, and Millar 1909, introduction, pp.xi-xlvi.

government appointed a new commission of 13 to expedite matters, but the disposal of estates still dragged and it became probable that relatives of former owners might be able to buy back the estates quite cheaply.

It was at this point, however, that the York Building Company came into the picture.

This company had been chartered in 1691 as 'The Governor and Company of Undertakers for raising the Thames Water in York Buildings'. In 1719 the stock was bought by a Mr Billingsley (an active speculator at the time of the South Sea Company) and associates, who then floated a joint stock fund of £1,200,000 sterling 'for purchasing forfeited and other estates in Great Britain'.¹ At first the company seemed set for success. In 1719 four of the forfeited estates were bought for a total of £129,064. However, in the following year six more were purchased for £122,747, and these extensive purchases had so much the appearance of 'plunging' that shareholders' confidence was shaken and the price of shares fell. Billingsley then devised a lottery to raise funds, but the company was soon in financial difficulties. Attempts to work mines and salt pans on some estates produced further loss rather than gain, and in addition, under the terms of the two principal Acts of Forfeiture, the company had to meet all just claims against the estates. Almost universally, tenants' sympathies were with the former owners and it was suspected that bribery tempted the company's employees to favour the attainted rebels at the expense of their own employers. 'The Company was alien, it was impersonal',² and to the very conservative tenants, wary of intruders, it soon became very unpopular.

1. Millar 1909, introduction, p.xxxlv.

2. Murray 1883, p.35.

Problems of administration must have been great. The company was based in London and the estates were scattered over at least seven counties in Scotland at a time of very poor communications. Estates were unimproved and rents were paid largely in kind. If the company had been more intent upon developing the estates than amassing gigantic sums, the venture might have been more successful. In 1764, however, the estates of Panmure, Southesk, Marischal and Pitcairn were sold to their original owners or their heirs, and in 1777 a second Act was passed to facilitate the ranking and sale of estates. The company, involved in endless litigation, was finally dissolved in 1829.

As for the government's direct involvement with the estates forfeited in 1715, it was discovered in 1725, when the commissioners balanced their accounts, that all but £1,100 of the £411,082 sterling paid into the exchequer from the sale of estates up to that date had been swallowed up in legal fees and payment of debts. In 1727 the remaining work of the commissioners was handed over to the barons of the exchequer, who were to have much to do with the administration of the estates forfeited in 1745.

The forfeitures made after the Jacobite Rebellion of 1745 were handled in a more efficient manner. Of the 53 estates surveyed under the Vesting Act of 1747, 12 were not forfeited, and the remainder fell to the management of the barons of the exchequer, who for three quarters of a century administered the property and funds arising from it.

Most estates were sold at public auction to satisfy the claims of creditors but 13, mostly situated in the Highlands, were treated in a

different manner. From the end of 1752 they were annexed to the crown, with the stipulation that the rents and profits from them were to be used to promote industry, good government, the Protestant religion and loyalty to the crown in the Highlands. Responsibility for executing this scheme fell on the commissioners of the annexed estates, whose membership varied between 28 and 35 at different times. The commissioners included crown officials, noblemen, judges and landowners, some of whom were the most enlightened and outstanding men of their time. There was a delay in their initial appointment and in the meantime the barons of the exchequer managed the estates. In 1755 the commissioners undertook the administration of half of the estates, comprising Perth, Lovat, Cromarty, Barrisdale, Monaltry, Struan and parts of Arnprior and Kinlochmoidart. The rest were held of subject superiors and it was not until 1770 that the crown bought the superiorities, enabling Locheil, Ardsheal, Callart, Lochgarry, Cluny and the remaining parts of Arnprior and Kinlochmoidart to be transferred from the management of the barons of the exchequer to the commissioners.

For nearly 30 years the commissioners undertook their task in an efficient and patriotic manner, leaving few aspects of Highland life untouched by their efforts. School teachers were employed for remote areas, men were trained in various trades, skilled workers were brought from the Lowlands and England, and agricultural improvements, industries, manufacture and fishing were encouraged.

In 1774 a special Act was passed restoring the estate of Lovat to Lord Lovat's eldest son, Major General Simon Fraser, and in 1784 a general 'Disannexing Act' restored all estates to the heirs of the former

owners with the proviso that all money expended by the government to clear estate debts was to be repaid. In the same manner several estate superiorities were returned, subject to the repayment of the purchase price.

The effects of these two sets of forfeitures on the landholding pattern were immediate but not long lasting. After the 1715 Rebellion the forfeited estates were sold, but usually as a block, thus changing slightly the structure of the landowning classes in the relevant areas but not the pattern of landholding. The York Building Company was the biggest single purchaser. This amalgamation of 10 estates under the ownership of one corporate body did have some effect on the pattern of landholding, especially as this made the company the 17th biggest landowner in Scotland, but the effect was temporary as by the end of the 18th century the estates were once more in individual hands. Aristocratic control of the areas involved was dislocated to some extent, perhaps enabling smaller landowners to enter the land market and enlarge their estates, but this is impossible to measure.

After the 1745 Rebellion it proved less difficult to sell forfeited estates, and 27 were thus disposed of. Purchasers were very mixed in their social status, although many were established landowners. Landowners who bought estates included members of the peerage such as the Earl of Moray, the Marquis of Lothian and the Duke of Athole, lairds such as James Ogilvie of Inchmartine, Lawrence Oliphant of Condie and Charles Stewart of Ballechin. Other purchasers were professional men, including eight Writers to the Signet, an advocate, a banker, an army surgeon, a merchant and a shipmaster in Leith, some of whom were also established landowners.¹

1. SRO E714/18.

Those 13 estates annexed to the crown, although much more efficiently managed than the 10 under the control of the York Building Company, had the same effect on the pattern of landholding. There was temporary dislocation of aristocratic control in the areas concerned, which covered mostly the Highland counties as opposed to the eastern distribution of the York Building Company's lands. This allowed lesser landowners a greater say in local affairs and to have less competition for lands put up for sale, provided they did in fact have enough capital to purchase. By the end of the 18th century, as with the lands under the control of the York Building Company, ownership had reverted to the families who had originally forfeited the estates.

Thus the political forfeitures of the 18th century had the effect of enhancing the land market slightly and of temporarily dislocating aristocratic influence in certain areas, but not of permanently changing the landholding pattern.

There is no doubt that economic rather than political factors were of greater significance in any change which occurred in the landholding pattern during the 18th century. In the previous chapter the varying levels of activity of the land market throughout the 18th century were discussed, and the reasons for any variation explained. Although these factors had an influence on changes in the pattern of landholding, the level of change did not reflect the level of activity of the land market. Shifts in the amount of agrarian wealth controlled by the three main classes of landowners occurred only when an estate was bought by an established landowner, or was split before sale or feuing. As Thompson points out for England, it took a great deal of land to effect a 1 per cent swing nationally.

At the county level, however, regional variations can be noted for the second half of the 18th century, although not for the first half. The early part of the century saw a general movement towards the great landlords, although to a lesser extent in areas not so firmly under their control. The economic situation meant that there was a ready supply of land but only a small pool of potential purchasers, the majority of whom were the larger established landowners. The tenacity of the large landlords meant that these estates, once purchased, were lost to the smaller landowners forever, and so the swing towards the larger estates was permanent. As the economy began to pick up, two things happened which helped to lessen the amount of land purchased by the great landlords. Firstly, there was increasing competition for estates from newcomers from many parts of society, and secondly, the smaller landowners were able to survive against the trend towards consolidation as prices rose, especially after the 1790s. Almost all the estates of moderate size which changed hands were purchased by newcomers, hence maintaining the status quo.

The growth of urban centres in the Lowlands led to smaller estates in the vicinity of towns in the second half of the 18th century. There were two main reasons for this. Firstly, existing landowners increasingly feued part of their land in small lots, either for building purposes, or to owner occupiers who were able to make a living producing such things as milk, eggs and vegetables for the urban market, or to the increasingly affluent body of tradesmen, such as butchers and graziers, found in even the smallest towns. The growth of industrialisation had the same effect on the landholding pattern as factory sites were sought, at first near water power and, later, near sources of raw material and pools of labour.

Secondly, the demand for residential estates near the larger towns by merchants and professional men, and later by industrialists, also helped to keep down the size of estates in these areas. Away from such influences, however, the trend was to aggregation by the large landowners. The extent to which this aggregation continued depended a great deal on the basic pattern of landholding within an area as well as on other outside factors. In areas with a low aristocratic control, namely the west and central Lowlands, consolidation was less as there were few large landowners to buy, and in addition these areas had a high level of competition for land. In areas with a higher aristocratic control the situation depended on other factors. In the Highlands, although there was land available, the competition from other buyers was small and so aggregation was marked. In the Borders, where aristocratic control was in fact higher than in the Highlands, estates offered for sale were more hotly competed for by newcomers, and so aggregation by established landowners was more difficult and limited to select purchases to enhance existing estates.

Having emphasised the changing nature of factors involved in the acquisition of land, it should be remembered that at all times there was a combination of social, political and economic factors at work determining the social distribution of land, although the relative part played by each varied. In the 18th century the importance of non-economic motives for the possession and acquisition of land, together with the basic continuity and slowness of change in the pattern of distribution, almost justify regarding the pattern more as a social system within which economic change operated.¹

1. Thompson 1966, p.516.

5 CHANGES IN THE DISTRIBUTION OF ESTATES IN THE 18TH CENTURY

Having discussed the pattern of landholding as it existed in 1770 and the factors which in a general way had an effect on this pattern, the next question must be concerned with changes in the pattern at the county level within the 18th century, taking into account the factors already outlined. Evidence from which conclusions can be drawn on this topic is very limited, but by relating such evidence as is available to the fixed base of 1770, trends can be distinguished.

5.1 Sources

The available source material can be divided into four categories, namely: (a) valuation rolls; (b) statistics published by Sir John Sinclair; (c) other contemporary sources; (d) secondary sources.

(a) Valuation Rolls

Obviously it would be impossible to complete detailed studies of the landowning classes and pattern of holdings for other years in the 18th century to the depth of 1770, but valuation rolls can be utilised in a more general way using the expertise gained in the detailed study of 1770. There exist valuation rolls of random dates and varying quality for most counties from the late 17th century to the end of the 18th. These vary in number for each county from two to six, including those used in the Directory, the average being three.

For the purposes of comparison the number of owners per parish were noted. The parish boundaries as they existed prior to 1891 were

used, and so the figures for 1770 do not come from the Directory but from the original rolls. The potential problem of poor parish breakdown is of little relevance in such comparisons as the method of compiling rolls tends to keep errors stable.¹ Care has to be taken, however, when comparing statistics from other sources at a parish level, not only because of boundary problems but also because the definition of proprietor or landowner may vary.

Not all counties have sufficient data of the right nature (some, like Angus and Sutherland, being in cumulo form) or of good enough quality, but at least partial statistics exist for the 18 counties of Aberdeen, Argyll, Ayr, Banff, Berwick, Caithness, Dumfries, Fife, Kincardine, Lanark, Midlothian, Moray, Peebles, Perth, Renfrew, Ross and Cromarty, Roxburgh and Stirling.²

The quality and dates of valuation rolls are so variable that figures can hide local and chronological variations, but general trends can be discerned. By making assessments at the parish level in the first instance, county statistics are reasonably accurate, especially when combined with evidence from other sources.

(b) Statistics compiled by Sir John Sinclair

Sir John Sinclair in his General Report gives a table listing the number of estates in each county for 1814.³ This information is subdivided into four groups : estates with a valued rent above £2,000 Scots, between £500 and £2,000 Scots, below £500 Scots, and those belonging to corporations. When discussing these statistics Sinclair does state that the evidence relating to the lowest group of valued rental, that is, below

1. See Appendix 2, p.323.

3. Sinclair 1814, p.122.

2. Valuation rolls used come from the SRO E106 series.

below £500 Scots, is weak in places, and this should be kept in mind in the following analysis. It is also worth noting that the table presented in the General Report contains some arithmetical errors which have been corrected for use in Table 5.9 (p.241).

(c) Other Contemporary Sources

Other contemporary data are of a random nature in both availability and quality. As with all entries returned by the parish ministers of the 1790s, the information contained in the Old Statistical Account regarding the heritors of individual parishes varies tremendously in quality, from lists of heritors with their lands and valued rental to total silence on the subject. Where statistics are given, care has to be taken to ensure that these were arrived at on the same premise as the valuation rolls. The work of Sinclair was carried further by various authors in the 1790s, resulting in the publishing of many books on the county level entitled The General View of the Agriculture of...¹ Some of these give the numbers of landowners for the respective county but, as with the Old Statistical Account, care must be taken. Thus the listing of 30-40 owners for West Lothian² is an obviously small estimate, missing out many of the smaller proprietors, whereas the figure of 80 proprietors for Kincardine would appear more accurate in the light of other evidence,³ as does the estimate of 34 estates (plus two towns and the feu duties of Lynegar) for Caithness.⁴

(d) Secondary Sources

Secondary material giving the type of data required for the 18th century

1. See Symon 1959, bibliography, for comprehensive list.

2. Trotter 1794, p.11

3. Robertson 1813, p.52.

4. Sinclair 1795, p.178.

is rare on the county level, although a little does exist, mainly for the Highlands, such as Banffshire: a Statistical Table with Observations.¹

5.2 Pre-1770 Changes

For the period prior to 1770 the dearth of evidence reflects the general apathy and lack of stimulus to inquiry characteristic of Scotland in the early 18th century. The only contemporary evidence comes from the valuation rolls of the period. This, however, coupled with the evidence concerning the state of the land market as discussed in Chapter 4, is sufficient to gauge the general trend, for all evidence points in one direction. It is clear that over the country as a whole estates were diminishing in number and that established landowners were carrying out a policy of aggregation.

In the Highlands region statistics exist for the counties of Moray, Ross and Cromarty, Argyll and Caithness, and in each case the number of owners per parish fell between 1690 and 1770. Thus in Morayshire the average per parish fell from 8.3 (1667) to 6 (1773); in Ross and Cromarty from 7.8 (1743) to 6.1 (1756) and to 5 (1794); in Argyllshire from 14.4 (1684) to 11.5 (1751); and in Caithness from approximately 10 (1702) to 7.1 (1751) and again to 6.3 (1790s).

In the Borders evidence is more scanty, although from the figures relating to Roxburgh, where the number of owners per parish fell from 12.1 (1678) to 10.1 (1771), it would appear that here too estates were diminishing in number.

Statistics for the West and Central region come from the counties

1. In NLS; no author (1800).

of Lanark, Renfrew, Ayrshire and Stirling. From the evidence it appears that these counties did not experience a fall in numbers comparable to other regions, although decreases were the norm. Thus in Ayrshire the number per parish fell from 19.2 (1705/8) to 21 (c.1770), and in Renfrew from 16.6 (1654) to 14.06 (1735).

In the Eastern region, statistics exist for all counties except Angus and West Lothian, and in all cases the number of owners per parish diminished in the early part of the century. Thus in Berwick the average number per parish fell from 16.5 (1680) to 12.8 (1772); in Aberdeen from 8.9 (1674) to 5.5 (1771); in Kincardine from 8 (1657) to 6.3 (1771); and in Midlothian from 16.1 (1680) to 12 (1771).

Within this general decrease in numbers of owners up to 1770, there is ample evidence that the forces favouring aggregation were being considerably weakened in the 30 years up to 1770, and indeed in some cases the process was reversed. Thus in Moray, although the number per parish fell from 8.3 to 5.5 between 1667 and 1747, it fell only another 0.5 between 1747 and 1773. In Dumfries the number of owners per parish actually increased from c.7.5 to 11.6 between 1745 and 1771. Similar evidence exists for the West and Central region, as the case of Lanark shows, where the number of owners per parish rose slightly between 1722 and 1747. In the Eastern region, too, evidence for such a hypothesis exists. In Peebles the number of owners per parish increased from 6.6 to 7.4 between c.1736 and 1761, and in Aberdeen it increased marginally from 6.5 (1741) to 6.7 (1754). In Kincardine there was only a marginal fall between 1744 and 1771, from 6.5 to 6.3.

In addition, many partial statistics can fit into this picture. Thus

in Fife the average per parish of 15.7 for 1697 and 1771 can in the light of evidence from the adjacent counties be seen as a probable decline and recovery, kept small by the numbers of independent lairds changing little.

Thus the available statistics support the conclusions drawn in Chapter 4. From both it is clear that in the early part of the 18th century, up to c.1740, the smaller landowners were decreasing in number throughout Scotland. In areas with smaller aristocratic influence the pattern remained more stable. Although there was land on the market throughout Scotland, the economic recession meant that there were few buyers except the large established owners, and where this class was fairly small, as in the West and Central Region, the pool of potential buyers would also have been small.

In the middle decades of the century, as the economy began to pick up and prices and rents rose, the economic forces working against the small landowners lessened and many were able to hold on to their land. In addition the established landowners faced increasing competition for land as merchants, planters and lawyers with profits from other fields competed for estates. The newcomers tended to buy small, compact residential estates, which preserved the status quo among the landowning classes, and the established landowners tended to confine themselves to piecemeal purchases to enhance existing estates, except in the Highlands where competition from newcomers was small.

The effects of these movements on the pattern of landholding can only be assessed in a general manner. Between 1690 and 1740 the percentage of total agrarian wealth owned by the larger landowners increased in

every county to the detriment of the lesser and bonnet lairds, the amount varying with the percentage already controlled by the upper classes. Hence in areas like the West the swing would be less than in most of the Highland counties. In the middle decades of the century change in the share controlled by various groups slowed down although activity in the land market increased.

5.3 Changes between 1770 and 1815

Evidence for the last part of the century is more abundant although often still of a random nature. This was an era of enlightenment in all fields of academic and cultural life in Scotland and contemporaries were quick to sense the changing nature of society. Awareness of the new forces of urbanisation and industrialisation, as well as of agrarian change, led to a desire to compare the old with the new. Sir John Sinclair led this movement for statistical knowledge and his work provides the only national contemporary figures relating to landownership (Table 5.9).

The evidence cited in the next section therefore comes from three sources. Firstly, the majority of the statistics come from Table 5.9, which lists the number of landowners for individual counties for 1770 and 1815, divided into three subgroups by valued rental. Secondly, these figures are backed up by evidence from valuation rolls and the Old Statistical Account, which give the changing average number of landowners per parish. Thirdly, further evidence is available, in the form of the total number of owners for individual counties, from published sources relating to the last quarter of the century, mainly the Agricultural Reports noted previously.

Table 5.9 Number of Landowners: the county totals of 1770 and 1814 compared* (in £ Scots)

County	above £2000 Sc		£500-2000 Sc		below £500 Sc	
	1770	1814	1770	1815	1770(+group)	1814
Aberdeen	26	28	85	88	144(+1)	114
Angus	20	16	56	59	158(+3)	191
Argyll	10	17	52	43	138(+2)	131
Ayr	14	20	65	51	680(+3)	200
Banff	4	9	25	17	148(+3)	14
Berwick	21	22	67	59	109(+12)	152
Bute	2	2	3	2	39	6
Caithness	5	5	13	11	32	14
Clackmannan	2	4	11	6	24(+4)	22
Dumfries	4	10	31	30	378(+4)	405
Dunbarton	3	1	13	19	162	136
East Lothian	22	23	37	29	138	133
Fife	34	45	108	102	497(+10)	491
Inverness	6	12	17	18	107	57
Kincardine	7	11	32	29	35	46
Kinross	0	0	6	7	154	161
Kirkcudbright	9	7	37	40	238	354
Lanark**	7	9	46	50	779(+6)	1096
Midlothian***	17	10	67	92	418(+1)	569
Moray	8	7	19	18	45	23
Nairn	3	3	5	3	8	9
Orkney	3	4	13	11	304	195
Peebles	5	6	19	21	65	54
Perth	31	39	100	95	662(+1)	621
Renfrew	6	6	25	22	173(+5)	300
Ross & Crom****	8	13	31	27	69	55
Roxburgh	29	33	48	55	143(+19)	261
Selkirk	9	9	20	20	12	15
Stirling	3	9	40	29	522(+3)	109
Sutherland	3	2	4	3	19	8
West Lothian	8	8	20	22	139(+2)	122
Wigtown	7	6	17	16	105	83
Zetland	0	0	0	0	0	0

* This information comes from the Directory and Sir John Sinclair's General Report, p.122.

** Figures for 1770 and 1814 include Glasgow. Proprietors owning in both are allowed for.

*** Figures for 1770 and 1814 include Edinburgh. Proprietors owning in both are allowed for.

**** Figures for 1814 are just those of Ross and Cromarty added together and no allowance can be made for proprietors owning in both counties.

6 THE IMPLICATIONS OF CHANGE FOR THE REGIONS

6.1 The West and Central Region

Even in this region, where aristocratic control was at its lowest, the over all movement was towards the larger estate, despite the effects of urbanisation and industrialisation and the demand from other sources for landed property.

In Lanark, Ayr, Stirling and Clackmannan, as seen in Table 5.9, the number of large estates valued at over £2,000 Scots increased, while remaining stable in Kinross and Renfrew and decreasing only in Dunbarton. In Ayr, Stirling and Clackmannan the increase in the top group was accompanied by a fall in numbers in both the other main classifications, while in Lanark there was definitely an increase in the middle group and possibly in the smaller, denoting fragmentation of holdings, as one would expect in a county so involved in urbanisation and industrialisation. In Kinross, where there were no great landlords, numbers in both other categories increased slightly, by about 5 per cent. In Renfrew, although the middle group definitely fell, it is hard to say what happened to the bottom group as five 'groups' were noted in 1770, but it seems likely that numbers increased, especially when one considers the average number of owners per parish increased from 14 (1735) to 16 (1771/83) and again to 16.6 (1790s).

The over all position is reflected in the average number of owners per parish. In Ayr, where the great landowners consolidated their position at the expense of all others, the average number per parish fell from

21.4 (c.1770) to 18.2 (1803), and in Stirling from 24 (1771) to 16.6 (1802). In Lanark, where over all numbers increased in the second part of the century, the average per parish increased from 23.3 (1770) to c.34 (1790s).¹

6.2 The South West Subregion

In the subregion comprising Wigtown and Kirkcudbright the number of great landlords declined slightly. In Wigtown this is accompanied by a corresponding decline in both other groups of landowners, pointing clearly to consolidation by a few large landowners, a conclusion which is further backed up by a fall in the average number of owners per parish from 10.9 (1766) to 6.9 (1799). In Kirkcudbright it was a different story, as both lower groups increased in numbers, the middle group only slightly but the bottom group by more.

6.3 The Borders Region

Between 1770 and 1815 the wealthiest owners held their own in Selkirk, increased slightly in Roxburgh and greatly in Dumfries. The middle group of owners in Selkirk and Roxburgh also increased, but in Dumfries there was a slight decrease. Landowners with estates valued at below £500 Scots seem to have held their own, numbers changing little.

The over all result of these changes was a slight tendency towards an increase in numbers of owners. Thus the numbers increased in Selkirk from 41 (1770) to 43 (1786) and again to 44 (1814); in Dumfries from 413 plus four groups (1770) to 445 (1814); and in Roxburgh from 220 plus 19 groups to 349 also between 1770 and 1814. The evidence from the valuation

1. This might be slightly exaggerated as it comes from the O.S.A.

rolls and the Old Statistical Account regarding the average number of landowners per parish supports this, as in Dumfries the average rose from 11.6 (1771) to 12.5 (1803) and in Roxburgh from 10.1 (1771) to 11.7 (1803).

The larger landowners either held their own or increased their position of power at the expense of the others. The main element of change in this area was not between various landowning groups but the influx of newcomers.

East Lothian, although classed with this region when discussing the pattern of landholding in 1770, clearly shows characteristics of change more akin to the Eastern region than the Borders, and as such has been included there in this section.

6.4 The Eastern Region

The general trend in this region, as in all others, was a move towards the large estate, although slight deviations do occur.

The wealthiest landowners increased in numbers between 1770 and 1814 in all counties except West Lothian, which remained stable, and Angus and Midlothian, where there was a decrease. In Berwick, Fife, Perth and Kincardine there was a decrease in numbers in the middle group, whereas in Aberdeen, West Lothian, Peebles, Midlothian and Angus there was an increase. In the bottom group only Midlothian and Kincardine show positive increases, although the statistics of Angus and Berwick might also have shown an increase if the 'groups' noted in 1770 could be broken down.

The result of these movements was a decline in the number of

owners between 1770 and 1814, except in Midlothian, which shows a large increase, and Angus and Kincardine, which show a slight increase. In Midlothian there is clearly a move towards the middle and smaller estates, to be expected near the capital city. In Kincardine the increase in numbers from 74 (1770) to 86 (1814) was due to an increase in the top and bottom classes of landowners, with an offsetting decrease in the middle group. In Angus, however, the small increase comes in the two lower classes, with an offsetting decrease in the top group.

East Lothian, although having a pattern of landholding akin to the Borders, shows characteristics of change more akin to Fife or Perth, where the great landlords increased in number at the expense of the other two classes.

Thus for most of this region there was a marked move towards the larger estates and away from the smaller. This was not the case, however, in Midlothian and Angus, where the movement was more to the lairds with lands valued at £500-£2,000 Scots, and the smaller owners also to some extent. In Kincardine, although the move was towards the larger landowners, as in most of the region, there was also an increase in the number of small owners.

6.5 The Highlands Region

In the counties designated as Highland there was a universal fall in the number of landowners between 1770 and the end of the century, just as there had been in the first half of the century.

When the figures for 1770 and 1814 as seen in Table 5.9 are compared, it becomes clear that the great landlords in every county were

consolidating their position at the expense of the lesser landowners. In Argyll, Banff, Inverness, Orkney and Ross and Cromarty the numbers of great landowners increased, in Nairn, Bute and Caithness they stayed the same, and in Moray and Sutherland the numbers decreased by one. The numbers in the other classes of landowners decreased in every county except Nairn, where the lowest group increased by one, and Inverness, where the middle group also increased by one.

Nowhere else in the country was the process of aggregation so clearly evident as in the Highland counties, despite variations in their initial pattern. All other data points to the same conclusion, as can be seen in Table 5.10

Thus in the period 1770 to 1814, just as in the earlier part of the century, there was still an underlying movement towards larger estates. In certain areas, especially near urban centres, it was reversed, giving a less marked trend over all, but it was evident nevertheless. The most vital factors in this later period were the influx of newcomers and a very active land market, rather than large shifts of control from one class of landowner to another, although individual regions and counties do show slight variations in behaviour.

Table 5.10 The Highlands Region: Changes in the numbers of owners in the second half of the 18th century (refs. in brackets)

<u>County + year</u>	<u>Total number of owners</u>	<u>County + year</u>	<u>Average no. of owners per parish</u>
<u>Bute</u>		<u>Caithness</u>	
1771(1)	44	1751(1)	7.1
1790s(2)	14	1790s(2)	6.3
1802(3)	10	1802(12)	6.5
1814(4)	10	<u>Ross</u>	
<u>Sutherland</u>		1756(1)	6.1
1771(1)	26	1794(13)	5
1795(5)	14 + 4 wadsetters	1802(14)	5
c.1800(6)	13	<u>Moray</u>	
1814(4)	13	1747(15)	5.5
<u>Banff</u>		1773(1)	6
1767(1)	177	1790s(2)	4.8
1800(7)	43 + Crown	1802(16)	4
1812(8)	39 plus burgh lands		
1814(4)	40		
<u>Argyll</u>			
1751(1)	249 + 2 groups		
1770(9)	200 + 2 groups		
1814(4)	191		
<u>Nairn</u>			
1771(1)	16 + Crown		
1802(10)	12 + Crown		
1814(4)	15		
<u>Inverness</u>			
1770(9)	130		
1800(11)	83		
1814(4)	77		

1. From the original valuation roll as referenced in the Directory.
2. From the relevant parishes in the Old Statistical Account.
3. From SRO E106/7/2.
4. From Sinclair 1814, vol.1, p.122.
5. From Sinclair 1795, p.128.
6. From John Henderson 1812, p.40.
7. From Banffshire: a statistical table with observations 1800 (no author)p6.
8. From Souter 1812, p.77.
9. From the reassessments as seen in Appendix 3.
10. From SRO E106/23/4.
11. From Robertson 1808, pp.50-2.
12. From SRO E106/8/2.
13. From a roll to be found at Conon House, see NRA survey 143, Press A, Drawer 9.
14. From SRO E106/28/2.
15. From SRO E106/14/2.
16. From SRO E106/14/4.

7 CHANGES IN THE HOLDINGS OF CORPORATE BODIES AND INSTITUTIONS

While discussing changes in the pattern of landholding in the 18th century, corporate bodies and institutions should not be ignored, although the weight of evidence is related to individual owners.

The most important institutions nationally in 1770 were the Crown and the Forfeited Estates Commission. In the case of the former the 18th century saw no change in the property owned, but the latter was of a more transient nature. Between 1715 and the 1780s various numbers of estates were in the hands of the government by reason of forfeiture, but the majority were sold. The 13 exceptions, known as the Annexed Estates, were under the control of a commission for about 40 years before being returned to the representatives of the original owners.

The College of Glasgow appears to have acquired some of the revenues of the former archbishopric of Glasgow¹ before the 18th century, but thereafter there seems to have been little change in the property under its control. The same can be said for the other institutions noted in 1770, for although evidence is scant it is unlikely that their property changed much in the 18th century. Once acquired property was rarely sold unless, like that of Hutcheson's Hospital in Glasgow, it could be feued to good advantage.² On the other hand the lack of religious fervour among the landed classes, coupled with the high price and demand for land in the

1. This is evident from comparisons of valuations rolls of the 17th and 18th centuries. See SRO E106/21/1 dated 1667; GD1/329/1/1 dated 1772; GD1/329/1/2 dated 1747; and E106/36/7 dated 1771.

2. Kellet 1961, pp.213-7.

second half of the century, meant that institutions like hospitals and poor funds had little chance of acquiring additional property. By comparing the detailed breakdown of institutions and corporate bodies given by Sinclair in relation to Aberdeenshire, based on the returns of the Old Statistical Account,¹ and the evidence in the Directory, the small amount of change in the intervening years can be seen. In both the same amounts of valued rent were controlled by the Merchant Maiden Hospital and Gordon's Hospital, while that of King's College increased £100 Scots, from £844 to £944. It is indicative of the times that an educational establishment should be the only institution to increase its property.

Of the corporate bodies, the York Building Company was by far the largest landowner in this category. Like the Forfeited Estates Commission, the company was of a transient nature and had only a small effect on the structure and pattern of landholding. The company first became a landowner in 1719, and by 1764 had begun to sell its estates back to the original owners, a process which continued until it was dissolved in 1829.

As with institutions, so corporate bodies tended to hold on to property. Sinclair noted this at the end of the century and considered that it was wrong for such bodies to put a bar in the way of circulation, 'which is so beneficial to society, and so favourable to the spirit of enterprise'.² The amount of valued rent controlled by towns or burghs as well as trade associations was unlikely to change greatly unless feuing was undertaken in small lots. Thus when comparing the corporate bodies owning land in Aberdeen there was no change between 1770 and the 1790s except a small decrease in the valued rental owned by the Town of Old Aberdeen, which

1. O.S.A. vol.20, app., p.cvii. 2. Sinclair 1825, p.245.

fell from £501 Scots to £469.¹

The creditors listed under this category were obviously a transient feature of the landholding pattern. The number of companies owning land in 1770 which are readily identifiable is very small. It is likely that these increased in number in the latter part of the century but would still control only a very small proportion of any one county's valued rental.

Table 5.11 The counties of Scotland showing which class of owner controlled the highest percentage of the valued rent in 1770, for each region

<u>Counties where great landlords controlled the largest share</u>	<u>Counties where the lairds controlled the largest share</u>
	<u>West and Central Region</u>
	Kinross
	Clackmannan
	Stirling
	Lanark
	Dunbarton
	Renfrew
	Ayr
	<u>South West Subregion</u>
Wigtown	Kirkcudbright
	<u>Borders Region</u>
Dumfries	
Roxburgh	
Selkirk	
East Lothian	
	<u>Eastern Region</u>
West Lothian	Fife
Berwick	Perth
Aberdeen	Peebles
Angus	Midlothian
	Kincardine
	<u>Highlands Region</u>
Sutherland	Argyll
Moray	Caithness
Nairn	Ross & Cromarty
Orkney	Banff
Bute	
Inverness	

1. O.S.A., vol.20, app., p.cvii.

Table 5.12 Great Landlords: the share of the valued rent of each county controlled by this class in 1770 in descending order of importance

<u>County</u>	<u>Percentages controlled by</u>		
	<u>Great landlords</u>	<u>Landed aristocracy</u>	<u>Wealthy landlords</u>
Roxburgh	73.6	62.4	11.2
East Lothian	69.7	47.0	22.7
Sutherland	67.7	47.3	20.4
Dumfries	65.7	65.7	0
Selkirk	65.1	47.2	17.9
Moray	57.6	32.5	25.1
Nairn	55.8	0	55.8
Orkney	54.1	46.3	7.8
West Lothian	53.2	34.1	19.1
Bute	52.8	0	52.8
Berwick	50.5	28.9	21.6
Aberdeen	50.0	30.5	19.5
Angus	49.7	27.7	22.0
Wigtown	49.4	31.1	18.3
Argyll	46.0	35.9	10.1
Caithness	44.4	16.1	28.3
Fife	44.4	27.7	16.7
Perth	41.4	20.5	20.9
Peebles	41.0	22.8	18.2
Inverness	40.8	38.2	2.6
Midlothian	40.8	20.2	20.6
Ross and Cromarty	40.0	21.5	18.5
Kincardine	39.7	21.2	18.5
Kirkcudbright	39.1	30.8	9.3
Ayr	34.1	20.4	13.7
Lanark	27.8	23.3	4.5
Renfrew	26.8	6.0	20.8
Banff	26.2	12.4	13.8
Clackmannan	22.1	0	22.1
Dunbarton	19.5	0	19.5
Stirling	9.4	4.0	5.4
Kinross	0	0	0
<u>Averages for counties</u>	<u>43.7</u>	<u>25.7</u>	<u>18.0</u>
City of Edinburgh	15.2	0	15.2
City of Glasgow	0	0	0
<u>Averages with cities</u>	<u>41.8</u>	<u>25.7</u>	<u>17.4</u>

Table 5.13 Lairds: the share of the valued rent of each county controlled by this class in 1770 in descending order of importance

<u>County</u>	<u>Percentage controlled</u>
Kinross	77.5
Stirling	68.4
Banff	64.8
Clackmannan	64.6
Renfrew	62.7
Dunbarton	60.5
Ayr	54.9
Kirkcudbright	54.9
Lanark	54.0
Midlothian	53.9
Argyll	51.2
Peebles	50.7
Ross and Cromarty	50.1
Kincardine	50.0
Fife	48.7
Berwick	48.5
Perth	47.7
Caithness	47.3
Angus	46.2
Wigtown	45.3
Aberdeen	44.2
West Lothian	42.4
Nairn	42.3
Inverness	39.9
Moray	39.0
Orkney	38.7
Bute	38.1
Selkirk	33.6
Sutherland	31.6
Dumfries	27.6
East Lothian	26.7
Roxburgh	<u>22.0</u>
<u>Average for counties</u>	<u>47.7</u>
City of Edinburgh	65.3
City of Glasgow	<u>48.4</u>
<u>Average with cities</u>	<u>48.3</u>

Table 5.14 Bonnet Lairds: the share of the valued rent of each county controlled by this class in 1770 in descending order of importance

<u>County</u>	<u>Percentage controlled</u>
Kinross	20.3
Dunbarton	15.7
Stirling	13.7
Lanark	13.5
Clackmannan	13.3
Ayr	10.2
Bute	9.1
Renfrew	8.2
Orkney	7.1
Dumfries	6.7
Banff	6.0
Roxburgh	5.4
Perth	5.1
West Lothian	4.4
Inverness	3.8
Wigtown	3.8
Fife	3.7
Midlothian	3.7
Kirkcudbright	3.6
Berwick	3.5
Angus	3.0
Peebles	2.8
Argyll	1.9
Caithness	1.6
East Lothian	1.4
Aberdeen	1.3
Moray	1.2
Nairn	1.2
Ross and Cromarty	0.9
Sutherland	0.7
Kincardine	0.5
Selkirk	<u>0</u>
<u>Average for counties</u>	<u>5.5</u>
City of Edinburgh	6.9
City of Glasgow	<u>21.3</u>
<u>Average with cities</u>	<u>6.0</u>

8 SUMMARY: THE RELATIVE POSITIONS OF GREAT LANDLORDS,
LAIRDS AND BONNET LAIRDS IN THE REGIONS

The West and Central region had, of all the regions in 1770, the lowest percentage controlled by the great landlords, being less than 35 per cent in each county. As a result the percentages controlled by the lairds and bonnet lairds are relatively higher, giving the highest average number of owners per parish for the whole of Scotland, being 16-24 in 1770.¹

The counties of this region therefore come at the bottom of the table showing the hierarchy of counties based on the percentage controlled by the great landlords (Table 15.12), but the reverse is true when the tables concerned with lairds (Table 15.13) and bonnet lairds (Table 15.14) are considered.

It is in this region that the feuing of church and crown lands had the most impact on the 18th century pattern of landholding. Much was feued in small lots and despite the intervening years and a general trend away from small landholdings, bonnet lairds or portioners were still prevalent in areas of the west, especially north Ayrshire, Lanarkshire and Dunbartonshire, with holdings often less than 50 or even 20 acres.² The lesser lairds also prospered in these counties, perhaps as a result of feuing or the amalgamation of feus, for in most they controlled the largest share of the valued rent.

Further east in Stirling and Kinross, the great landlords had even less control than in the above mentioned counties and the lairds and bonnet

1. Taken from valuation rolls which have relatively good parish breakdown.

2. Slaven 1975, p.61.

lairds predominated. In both it was the lesser lairds who held the lion's share of the lairds' total, 34 per cent of the total of 68 per cent in Stirling and 52 per cent of the total of 77 per cent in Kinross. The percentages controlled by the bonnet lairds, being 14 per cent and 20 per cent respectively, were among the highest in the country.

This pattern of landholding, established before the beginning of the century, meant that despite the general trend towards larger estates at the beginning of the century the large landowners in the West and Central region did not gain the same position of power as in other areas. Although estates were on the market in these early years, the representatives of the large landlords did not have the capital to purchase sufficient land to alter the pattern of landholding drastically. The consolidation which did occur was arrested in the 1740s by the demand for land by newcomers and the increasing viability of small landowners.

Demand was high from merchants, lawyers, industrialists and others who had made considerable amounts in trade, commerce, manufacturing and the professions and who wished to acquire land mainly for the social prestige it conferred. Supply was also high in this region, due not only to bankruptcy, which was the most common cause of sale, but also to the collapse of the Ayr Bank and the high rate of business bankruptcies among the merchant-landowners. Any estate which changed hands, however, did so as a single unit, usually to a person who had no other land, and thus the status quo regarding the classes of landowners was maintained. The continuing purchase of small areas by the large established landowners meant that most of the change which did occur still favoured the larger proprietors, although to a lesser extent than earlier in the century, and

indeed in some areas such as Lanarkshire the forces of urbanisation, industrialisation and commercialisation reversed the process.

In the Borders region the vast majority of the wealth of each county was in the hands of a very small number for, although the percentage of each county controlled by the great landlords as a whole was very high, the share held by the wealthy landlords was only on a par with counties in the central Lowlands. The estates involved were, however, much larger as a result not only of large areas of marginal land but also the proximity of the English border, which had made it expedient in centuries past to have large estates as a buffer against English incursions. The movement towards these larger estates evident in the early part of the century was only minimal in the second half.

The percentages controlled by the lairds were correspondingly small and as a result the counties of the Borders are all near the top of Table 5.12 showing the hierarchy of great landlords, with the position almost exactly reversed in Table 5.13 showing the lairds. An active land market centred on the lairds' estates in the second half of the century helped stem the movement towards large estates.¹

In the case of bonnet lairds, however, the position is very mixed. Although Selkirk is near the bottom of Table 5.14, Dumfries and Roxburgh are in 10th and 12th positions. The average number of owners per parish in 1770 is between 10 and 11 for Roxburgh and Dumfries (which does not include entries classed as 'groups') and approximately eight in Selkirk.

East Lothian, although having as high a percentage controlled by the great landlords as the rest of the Borders, shows the effects of proximity with the counties of the Eastern region, with the wealthy lairds

1. See Chapter 4, pp.180-3.

rather than the great landlords controlling the larger share.

In the Eastern region the percentages controlled by the great landlords and the lairds are very similar although, as in the West, the latter predominate in the main counties of the region. In the marginal counties of Aberdeen, Angus, Peebles and Berwick the situation is reversed (see Table 5.11).

In the counties of this region there is a more even spread of influence among the six classes of landowners than in any other region. In Fife and West Lothian the lesser lairds prevail over the other two groups of lairds, whereas in Kincardine, in common with the marginal counties of Aberdeen, Angus, Berwick and Peebles, they are the least powerful. In Perth and Midlothian the wealthier and lesser lairds are approximately equal and predominate over the middle group.

However split, it is clear that the main counties of this region were characterised by control from the middle of the spectrum of landowners rather from the top end, as in the Borders, or from the bottom end, as in the West and Central region. Fife and Ayr both had numerous small landowners, those of Fife being more substantial. Ramsay of Ochtertyre notes that in the Stewartry of Menteith the bulk of the land had been in the hands of gentlemen for 200 years, 'there being at 1707 few commoners of large fortune'.¹

As a result of the levelling out of power among the various groups of landowners, the counties of this region are spread out in the middle of Tables 5.12, 5.13 and 5.14 which show the hierarchy of counties for the great landlords, lairds and bonnet lairds respectively. It is interesting

1. Allardyce 1888, vol.2, p.46.

to note that the counties of this region are closely associated in these tables with the counties of Kirkcudbright and Wigtown, which also lie somewhere between the two extremes of pattern found in the Borders and the West and Central region. There is also a similarity of landholding pattern between some of the Highland counties, notably Caithness and Ross and Cromarty, and those of this region.

The keynote for the Highland region is diversity. In six counties the great landlords predominated over the lairds to varying degrees, while in three or four¹ the reverse was true (see Table 5.11). As a result the position of the counties of this region in Tables 5.12-5.14 is mixed. In the case of the great landlords, some are near the top of the table, associated with the counties of the Borders, while others are associated with counties in the East. For lairds the position is reversed, as with the counties of the Borders, but with a less strong polarity. In general the percentages of the Highland counties controlled by bonnet lairds are small.

It is surprising to find that at first glance the percentage of the Highlands controlled by the great landlords is on average much less than in the Borders. On closer examination it can be seen that in the Borders there were a few very large estates owned by men like the Dukes of Buccleuch and Roxburgh, the remainder being divided fairly evenly among the other groups. In the Highlands there is some diversity, as the region is larger and covers a wider range of topography than the Border counties as designated for this study. In the central Highlands the landed aristocracy

1. The information given in the valuation roll for Banffshire, dated 1767 (SRO GD248/982/3) should be treated with care. See Chapter 3, pp.114-5.

control more than the wealthy lairds, but the disparity is not so great as in the Borders. The dispersal of the remainder tends to be biased towards the wealthier landowners, a situation which became increasingly evident throughout the 18th century. As a result of this variation the average number of landowners per parish in the Highland counties in 1770 was between 5 and 10, less than in the Borders.

Aggregation of landholdings is most clearly seen in the Highlands throughout the 18th century, and falls in numbers were much more marked than in the Borders, due to the differences discussed above and also because in the second half of the century there was more competition for estates put on the market in the Borders than the Highlands. Newcomers readily bought estates in the Border counties, for they were in general not so bleak, nearer centres of population, and between the central belts of Scotland and England which were linked by better communications in the second half of the century. In the Highlands estates were remote, tenanted by conservative Highlanders and of little economic value to the average newcomer unless for sport. Thus for small landowners who found life difficult, their larger neighbours were the only readily available potential buyers. Many landowners made enlargement of their estates a definite policy and thus the Earl of Fife, who had inherited large estates, 'nearly doubled them by judicious purchase in the three counties of Aberdeen, Banff and Moray'.¹ The Duke of Gordon and the Earl of Findlater also followed such a policy of aggrandisement in the North East, and hence the dramatic fall in the number of landowners there noted in Table 5.10.²

1. Tayler 1925, p.71.

2. Tayler 1925, p.101, and Cramond 1904.

TABLE 5.15 The number of individual owners, corporate bodies and institutions in each county owning property elsewhere¹

<u>County</u>	<u>Nos.</u>	<u>Individual owners</u>		
		<u>% of total number of owners in county</u>	<u>Corporate Bodies</u>	<u>Institutions</u>
Aberdeen	16	6.3	2	3
Angus	12	5.1	0	1
Argyll	7	3.5	0	1
Ayr	23	3.0	0	0
Banff	13	7.3	0	2
Berwick	25	12.7	1	0
Bute	4	9.0	0	0
Caithness	3	6.0	0	1
Clackmannan	3	8.1	0	0
Dumfries	10	2.4	0	0
Dunbarton	10	5.6	0	0
East Lothian	26	13.1	1	2
Edinburgh	20	7.2	1	2
Fife	20	3.1	2	2
Glasgow	8	6.5	1	1
Inverness	10	7.5	0	1
Kincardine	9	12.1	1	1
Kinross	4	2.5	0	0
Kirkcudbright	18	6.3	0	1
Lanark	25	3.4	1	1
Midlothian	29	12.5	0	1
Moray	10	13.9	0	1
Nairn	7	43.8	0	1
Orkney	1	0.3	0	0
Peebles	15	16.8	0	0
Perth	24	3.0	0	3
Renfrew	18	8.8	0	1
Ross and Cromarty	9	8.3	0	1
Roxburgh	21	9.5	0	3
Selkirk	22	53.6	0	1
Stirling	12	2.1	1	1
Sutherland	5	19.2	0	0
West Lothian	14	8.3	1	0
Wigtown	9	7.0	0	1
Zetland	1	0	0	0

1. This information comes from the Directory and thus relates to valuation rolls of varying dates which have some gaps yet to be filled. Although rectification of these faults might alter the picture slightly, no fundamental changes would occur.

It is also to be noted that on some occasions husband and wife are noted separately if so listed in the valuation roll.

9 OWNERS WITH ESTATES IN MORE THAN ONE COUNTY

The preceding analysis considers statistics from individual counties, but to get an over all picture reference must also be made to the few owners who had property in more than one county. Corporate bodies and institutions which owned property in more than one county have already been discussed, and so the following applies only to individual owners. The figures quoted come from the Directory and not from the amended statistics discussed in Chapter 3; as, however, the amendments in general refer to the smaller landowners, it is highly probable that few owned in other counties anyway.

Of the total number of individual owners, only 186 owned property in more than one county,¹ and furthermore 141 owned property in two counties, 23 in three counties, 10 in four counties, 5 each in five and six counties, and one each in seven and eight counties.

The majority of the owners listed in Table 4.1 as being the landed aristocracy of Scotland owned land in more than one county, and these account for the majority of owners who obviously had disjoined estates rather than one estate which happened to straddle a county boundary. Thus all the owners owning in five, six, seven or eight counties belong to this group, and also eight of those owning in four counties, 14 of those owning in three counties and 42 of those owning in two counties can be classed as members of the landed aristocracy. Of the 42 owning in two counties, three owned in Edinburgh and another county and one in Glasgow

1. Glasgow and Edinburgh are each counted as a separate entity.

and another county; 25 owned land in adjacent counties but with substantial estates in both; and 13 owned in non-adjacent counties. Of the 14 owning in three counties, the majority had estates in roughly adjacent counties although some, like those owning in more than three counties, had more widespread estates. These latter estates represent land accrued by inheritance and marriage rather than purchase, as an owner would not usually buy an estate far from his main holdings. Thus the Earl of Fife dismissed the idea of buying an estate in Fife to go with his title as it was too far from his other lands in Moray, Banff and Aberdeen.¹

In addition to the landed aristocracy there remain two landowners who owned land in four counties, nine who owned in three counties and 99 who owned in two counties. With regard to the first 11 of these owners, six owned estates of over £100 Scots in each county, while the remainder had a holding below this limit in one county. For 10 of these landowners the counties in question were roughly grouped together, the exception being Christie of Baberton, who owned land in Midlothian and East Lothian but also in Kirkcudbright. Of the 99 owning in two counties, 66 owned land in adjacent counties although in nine cases one of the holdings was valued at less than £100 Scots, 18 owned in non-adjacent counties where only in two cases was one holding considerably smaller than the other, and the remaining 15 owned land in one of the cities and a county. It would therefore appear that, on the whole, owners with land in more than one county had two or more viable units under their control rather than one estate divided by an accident of boundary. Furthermore, no discernible pattern emerges when the numbers of owners owning in

1. Tayler 1938, p.159.

more than one county (see Table 5.15) are considered on a regional basis. It is to be remembered that some owners in the Highlands, although technically owning land in two counties, actually had their estate in one county and a wadset in the other. Thus Innes of Sandside and Sir John Sinclair of Ulbster each had their main estate in Caithness and a wadset in Sutherland.

Absenteeism by landlords due to dispersal of their estates was of limited significance in the total picture of landholding. True, many of the larger estates did cover more than one county, but in the vast majority of cases these were grouped together. The absenteeism so lamented by Sinclair and other contemporaries was therefore due more to political involvement or personal choice on the part of the landowner rather than to wide dispersal of estates. In the final analysis the proper management of an estate depended on the character of the landowner, for if he were truly interested a combination of regular visits and correspondence, as carried out by the Duke of Argyll or the Earl of Fife, would ensure the desired result.

Finally it is interesting to speculate at this point on the implications of the pattern of landholding on the speed of agricultural improvement in different areas. It is generally accepted that improvements were piecemeal over Scotland in the early period, depending more on the character of the landowner than anything else. As time went on, however, differences in soil, climate, and markets, set into the national backcloth of economic factors, mattered more. Capital was a vital factor in determining the progress and manner of improving and its availability depended greatly

on the fertility of the land.¹ Thus, as the landholding pattern is also in some measure a result of these same environmental factors, there is bound to be some correlation between it and the speed of improvements, which were of a coincidental rather than causal nature. In the north Highlands fairly large estates were coupled with slow improvement, whereas the same cannot be said of the Borders. Differences in topography, soils and climate did matter, but so did attitudes and traditions. General statements can be made about small landowners being slow to undertake improvement because of conservatism and lack of capital, or large estates being tardy because of poor management, but the pattern of landholding was so intricately woven that although in some areas one class of owner predominated over the others, it was rarely to their complete exclusion. This, coupled with the many other factors involved in a landowner's decision to improve, makes it impossible to relate the pattern of landholding to the pace of improvements on a national scale, although size of estate might be of relevance at the local level.

1. Third 1955, p.89.

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CHAPTER 6

LANDED SOCIETY IN THE 18TH CENTURY

Landed society in 18th century Scotland dominated the constitution, the economy and society as a whole. There was no free land market as 'ownership was artificially protected, politically recognised, and valued as the basis of social distinction'.¹ The permanence and stability of the landowning classes was a vital factor in the country's stability, giving this century an appearance of calm which contrasted with the turbulence of the 17th century and the social tensions of the 19th. The two Jacobite rebellions, the American war and the French wars, although major events in their own right, made only a small impact on the country compared to the internal struggles of the 17th century.

Despite this outward appearance of solidity, however, it is clear that the structure of the landed classes was not uniform or unchanging. Previous chapters have outlined the tiered structure of the landowning classes in the 18th century and the changes which occurred within these classes with the influx of newcomers, the rise of some families and the decline of others. The land market in Scotland started the century in a very depressed state but by the 1740s was beginning to pick up, and the second half of the century saw a very active market. Underlying these variations in activity there was a general move towards larger estates which continued throughout the century, although more marked at the beginning. Economic forces, taxation, and the rise in living standards tended

1. Saunders 1950, p.15.

to work against the small landowners while the more wealthy could call upon more diverse estate revenues as well as income from other sources.

1 NUMBERS OF LANDOWNERS WITHIN THE 18TH CENTURY

The size of the landowning class at any point within the 18th century has been a matter for conjecture as only one contemporary estimate, for the end of the century, exists. T.C. Smout is the only historian to have put forward an actual figure, and even then in rather muted terms. He estimates that c.1690 there were probably less than 5,000 men who possessed the right to inherit or to sell the ground they held, not including the bonnet lairds of the south west.¹ Sir John Sinclair's estimate for 1814 gives a total of 7,637 landowners although this figure does not include all the smaller portioners.

Looking at the century as a whole it is probable that the number of landowners fell between 1690 and 1740, principally as a result of the decline in numbers of the smaller landowners; held stable between the 1740s and the 60s and then gradually declined towards the end of the century although there were regional variations at this time. It would therefore appear that there were approximately 8,000 landowners in Scotland in 1814, c.8,500 between 1770 and 1740 and in excess of 9,000 in 1690, although there is no way of knowing just how many. T.C. Smout was therefore right to question the supposition that there were more landowners in 1814 than a century earlier,² for indeed there were less.

The number of landowners in Scotland throughout the 18th century

1. Smout 1969, p.135.

2. Smout 1969, p.285.

was thus small, being just over one-half per cent of the population in 1770.¹ The number of owners who were wealthy enough to live better than substantial tenants was much lower, and those who wielded economic and political power lower still. If the voting qualification is considered as the dividing line then only about 2,000 landowners in 1770 (not including voters who obtained their right to vote fictitiously) could be considered as politically, economically or socially important. This small number of influential owners can further be reduced to a few powerful family interests when the ties of kinship and political alliances are considered. The high degree of intermarriage, coupled with the fact that ties of blood along with alliances of friends were 'things at that time supposed of some force',² welded groups of landowners together. This situation was further accentuated by the fact that the majority of small freeholders, if not tied by kinship, aligned themselves with a local magnate, giving their vote in return for favours done.

2 THE LIFE AND FORTUNES OF THE LANDOWNING CLASSES IN THE 18TH CENTURY

The interests of the large proprietors and the smaller ones were not always identical. The great landlords, lairds and bonnet lairds had varying incomes, standards and modes of life, and roles in society and the economy, which led to differing attitudes towards a wide range of subjects from the support of wars, with the inevitable increases in taxation, to matters affecting agricultural development and prosperity.

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1. Worked out from the population statistics quoted in Lythe and Butt 1975, pp. 88-89.
 2. Turberville 1927, p. 485.

2.1 Great Landlords

The standard of living enjoyed by the great landlords differentiated them from their lesser contemporaries, a distinction which became more marked with the changes in income experienced in the second half of the century. There had always been a few of the greater families living in splendour, such as the Dukes of Argyll, Breadalbane, Atholl and Sutherland in the Highlands¹ and the Dukes of Buccleuch, Roxburgh and Queensberry in the Lowlands, but the majority lived in meaner circumstances. As incomes rose in the 18th century, so did expectations, and more families were able to support a great house and employ it as a centre of social influence. All levels of society felt the impact of the 'Revolution of Manners' and associated cultural changes,² but naturally the wealthier landowners could afford to maintain more lavish standards in everything from clothes, entertainment and diet to education of their children and travel abroad. Thus the great landlords had more in common than the possession of large estates. Their upbringing, way of life, family setting, social outlook and occupations, although not conforming to any rigid pattern, were all shaped by a readily identifiable mould.

The few members of this class ruled national politics in liaison with the party in power in Westminster. Peers could not vote in elections to the House of Commons, nor could they or their heirs sit for Scottish constituencies (although the latter was allowed after 1802) unless, like the Earl of Fife, their title was Irish. They could and did, however, along with other wealthy landowners, control elections, making sure that

1. Gray 1957, p.15.

2. Discussed Chapter 2, pp.31-7.

candidates sympathetic to their views were elected. Although the electorate was small, this was an expensive business in which only the wealthiest could indulge.¹ The part played by the great landlords in local politics varied, but in general they were not so provincial in their outlook as the lairds and tended to be involved in national politics, although some did become commissioners of supply or lords lieutenant of the militia after 1797. They were, however, careful to reward family and supporters with local government positions gained from their activities in national politics, especially after 1747 when many heritable offices were abolished.

As the leading sector of the landowning classes the great landlords were also important in the economy of the 18th century and the changes which took place in all sectors.

Agriculture was their most obvious sphere of influence, and it is clear that many in this class were in the vanguard of improvement.² At the beginning of the century it was often landowners with the interest and the capital who undertook improvements. Financial gain was not the motive but rather enjoyment, reputation as a good farmer and patriotism. This type of improver was needed to start the process of change for although their example was not always of the best they did introduce new methods and crops which were later taken up and amended by smaller landowners and farmers. By the end of the century the wealthiest landlords were no longer active in improvement, the initiative being left to the tenants.

One problem which often arose among the members of this class was

1. Discussed Chapter 2, pp.39-40.

2. Strawhorn 1975, p.101, 'The initiative came from the great landowners'.

absenteeism. This grew throughout the century and was most acute in the Highlands, where even the lairds were often absentees. According to Macdonald three-fifths of the Hebridean proprietors about 1811 were non-resident and he estimates that the proportion on the mainland was probably similar.¹ Many of the great landlords, owing to political commitment, personal preference or, very rarely, to the fact that estates were dispersed, lived much of the year away from their estates. Some, like the Duke of Argyll² or the Earl of Fife,³ showed in instructions to their factors a remarkable grasp of affairs pertaining to their lands and tenants, but not all were of such calibre. The situation need not have been desperate if the steward or factor was of a suitable character but many (if not downright dishonest) lapsed in the performance of their duties when left with little supervision. Regular and frequent visits by the owner, coupled with correspondence, was the best way of ensuring that such an estate was properly run. Absenteeism led not only to falling standards of cultivation and estate management but also to the draining of capital from Scotland. These factors, although important throughout the 18th century, were more crucial at the beginning when Scotland was very poor and needed the leadership of the landlords to rise out of traditional apathy. It is also true that by the second half of the century a large proportion of the property owned by the great landlords was entailed. Sinclair is quite firm in his opinion that entail coupled with very large estates were the two biggest drawbacks to improvement at the end of the century.⁴

1. James Macdonald, General View of Agriculture of the Hebrides (Edinburgh 1811), quoted in Adam 1921, p.7.

2. Cregeen 1964.

3. Tayler 1925.

4. Sinclair 1825, p.244.

The success of landowners in general in industrial ventures was mixed, and the great landlords were no exception. In common with other landowners their interests lay, for the most part, in enhancing the value of their estates and the living standards of their tenants. In mining and long-term transport improvements they played an important role in the growth of the Scottish economy, but in processing industries their success was variable and generally landowners opted out of active participation as the scale of production grew.

The great landlords also played an indirect part in the growth of the economy by investing in industry or agriculture. Direct participation was rare, unless on a personal level, but money was lodged in banks or with factors which could be diverted to entrepreneurs in all fields. The flow of such capital is impossible to measure. However, it is interesting to note that this would diminish at times when the rate of interest on government securities was high, as in wartime, and landowners were tempted to divert savings into the funds.

The great landlords nationally controlled just over 50 per cent of the total agrarian wealth of Scotland in 1770. Change was slow over the century but was always towards the larger estates, and so it is probable that this class controlled 46-47 per cent at the beginning of the century and 51-52 per cent at the end.

This class owned land in every county except Kinross, and there were definite regional variations in the size of their share of the total wealth of a county. Figures ranged from nil to 73.6 per cent, with the lowest percentages being recorded in the West and Central areas and the highest in the Borders and parts of the Highlands. The average for the 32

counties excluding the Cities of Glasgow and Edinburgh was 43.7 per cent, and 41.8 per cent including them. In 12 counties this class controlled 50 per cent or over of the valued rent, and in three more the great landlords had a higher percentage than the lairds. If these statistics are split to show the share controlled by the landed aristocracy and the wealthy landlords separately, it would be seen that the former on average controlled 25.7 per cent of a county's valued rent (30.4 per cent if the smaller counties with no members of landed aristocracy present are omitted), whereas the latter controlled 17.4 per cent (19.3 per cent if counties with no representatives are omitted).

This small group of landowners thus had a power and wealth far above that which their numbers merited. They did not constitute a true oligarchy of birth and were willing to absorb new wealth and talent, although not to the same extent as the less wealthy classes. Furthermore they accepted and discharged in a generally fair manner the authority and responsibility which the absence of any centralised administration put upon them. By the end of the century, despite dramatic increases in the rate of growth of landed income after the 1760s, their position was being threatened by men whose fortunes were based on trading, banking or industry. It is a measure of the wealthy landowners' hold over society that the social dominance of this class continued well into the 19th century, long after its economic and then its political power had crumbled away.

2.2 Lairds

As with the great landlords, this class as a whole experienced a vast change in its standards and style of living. Many lairds tried to emulate

their social superiors, and in fact many tried to keep up with new fashions on inadequate incomes and had to boost their incomes by estate improvement or by leasing to farmers able to pay high rents. The alternative was debt and eventual sale of the estate. Hence in a way the 'revolution in manners' encouraged the enclosure and improvement movement and also helped to account for the large number of estates on the market.

The increase in wealth brought about by the rise in rents, especially after the 1760s, and the changes in life style and manners tended to accentuate the differences between the various sections of this class. When incomes were small tastes had been simple, dress plain, homes and furnishings spartan. Travel was cut to a minimum and members of this class were thrown upon themselves for entertainment and companionship. Variations in income would make small differences in the amount of food offered at the table or perhaps the size of house, but not in matters of education or outlook on life. As the century, progressed, however, homogeneity broke down as higher incomes and increased communication with the more civilised countries of England and Europe brought about a greater social stratification. Those who could afford it sent their children to boarding schools, maintained a home in Edinburgh, and built larger and more lavishly furnished homes. Income became more important and the social gap between wealthier lairds and lesser lairds widened, although they still maintained a certain amount of class self-interest.

This stratification was further accentuated by the political situation. Not all lairds could vote and those who could had more chance of obtaining government posts for themselves and family through the system of patronage operating at the time, thus further augmenting income and

accentuating social divisions. By 1793 the real value of an estate valued at 40s old extent for voting purposes was computed at £840-£1,560 Scots. The alternative qualification, using valued rental, stated that owners holding of the crown estates valued at £400 Scots could vote but in real terms this was worth four times the previous qualification. Hence by 1814 Sinclair estimated that only one in four lairds could vote. The figure for lairds as they have been classed in this work is probably more as bonnet lairds have not been included, although Sinclair also ignores the smallest landowners in his calculations.

Those lairds who did have the vote tended to align themselves with one of the wealthier landowners who as a group controlled elections in conjunction with the government. Some lairds became members of parliament sponsored by the local magnate or a group of freeholders although the expense of travelling to and living in London was prohibitive to many, especially at the beginning of the century.

The lairds as a class played a much more active part in local politics filling the posts of justices of the peace and commissioners of supply as well as taking part in parish affairs. Sinclair noted that in areas where lairds were numerous, 'public business is conducted with peculiar regularity and attention', highlighting the more provincial interests of this class compared with the majority of great landlords.¹

Newcomers infiltrated the legal and administrative posts which were the preserves of the landowners but, as Devine points out in his study of Glasgow's colonial merchants, only the most successful in their own profession were involved. In addition the great majority of those who obtained

1. Sinclair 1825, part 1, p.244.

office through the possession of landed property were themselves related to landowners or were descended from merchants who were themselves landowners.¹ A highly successful example of such a family were the McDowalls of Castle Semple. Colonel William McDowall, a younger son of the Garthland family, made his fortune in the West Indies, returning in 1724 to establish himself as a merchant and landowner. His son inherited these estates and soon added more, giving himself electoral interests in four counties. He used his influence in three to ensure his election in 1768 as member of parliament for Renfrewshire.²

The response of this class of landowner to the new methods of husbandry were mixed, depending on the character of the landowner as well as size of holding, quality of land and availability of capital. Many lairds were in the vanguard of improvement, some treating it as a fashion to be indulged in but others as an economic proposition. Hence Ramsay of Ochtertyre noted that two neighbours, Mr Graham of Meiklewood and Mr Callendar of Craigforth, both professed to follow the new husbandry as a trade which had to make regular returns in proportion to their outlay and industry, neither being able to afford to farm for pleasure or fashion. This was in contrast to two other neighbours, Mr Seton of Touch and Mr Drummond of Blair, 'who were objects of wonder rather than imitation for their neighbours'.³ Like the bonnet lairds, the lesser lairds were more conservative and cautious towards the new methods. When the pace of improvement increased the main contribution of this class was the adaptation of new methods and technology to local requirements. Those who took

1. Devine 1971, p.221.

2. Namier and Brooke 1964, vol.3, p.82.

3. Allardyce 1888, p.236.

interest in the day to day running of their estates helped by including improving clauses in leases and by demanding high rents which encouraged new, more profitable modes of farming.

What was the effect of the influx of newcomers into the ranks of the lairds on the rate of improvement? Smout thinks that the effect of the new landowners in searching out and propagating new methods was not large, except perhaps in the case of lawyers.¹ Devine, however, in his study of Glasgow colonial merchants and their involvement with the land, thinks that the flow of money from commerce into land was one of the major contributory factors in the complex picture of the Scottish 'Agricultural Revolution'.² There is no doubt that noted contemporaries such as Adam Smith and Sir John Sinclair thought that the part played by newcomers was important. Sinclair in his Analysis³ states that when a family held an estate for a long time they were apt to neglect it, whereas an estate which changed hands became in reality an object of commerce and the new proprietor endeavoured to improve it. Perhaps it is true to say that, although not prominent in the vanguard of change, newcomers, often being astute businessmen in other fields, were exceptionally quick in adopting new methods from the 1760s onwards when the writing was on the wall.

The growth of the financial motive towards the end of the 18th century in the landowning classes as a whole was deplored by many but made necessary by increased demands on income. The newcomers had to recoup at least part of their outlay, and old established landowners had increased

1. Smout 1969, p.284.

2. Devine 1975, pp.205-6.

3. Sinclair 1825, part 1, p.247.

standards of living to maintain. Paternalism towards tenants still existed but as farming became a commercial proposition such motives became obsolete, although lingering on in the special circumstances of the north-west Highlands.

All strata of this landowning class showed enterprise in industry and trade if the opportunity arose within their sphere of interest. For much of the century industry was essentially rural and involved some relationship between the land and the landowner, whether as the result of water power, raw materials or pools of labour. Younger sons often had to find their own way in life unless a suitable marriage could be arranged and many took to industry and trade as well as the professions as a means of livelihood. In the Highlands there was no middle class so lairds and tacksmen had to act as merchants, entrepreneurs and bankers in an agrarian society dependent on trade, especially in the earlier part of the century.¹ In carrying out these functions the lairds were complemented by the activities of the drovers and fish curers, but even in these branches the lairds played a part.

The lairds nationally controlled 41.6 per cent of the total agrarian wealth of Scotland in 1770. Change within the century saw a slight decline in the power of the lower orders of this class early in the century but in the second half of the century, and especially after the 1790s, this movement almost stopped. Thus at the beginning of this century the lairds as a whole must have controlled about 44-45 per cent of the total, and by 1815 about 40-41 per cent.

This class of landowners as a whole owned land in every county, the percentage held varying from 22 to 77.5 per county, the average being

1. Gray 1957, p.17.

47.7 per cent if the cities of Edinburgh and Glasgow are excluded, 48.3 per cent if they are included. In 15 counties the lairds controlled 50 per cent or more of the total, and in another 17 the lairds had the largest single share. The counties in which they had the highest element of control were in the central belt, viz. Kinross, Clackmannan and Stirling, followed by the counties of the west. In the eastern counties, as in some Highland ones, the percentage controlled by the lairds was roughly the same as that controlled by the great landlords.

Fergusson considers that the lairds of Scotland were the 'middle' class of landowners and as such were the grass roots of Scottish society, having in their past the key to much of the history of Scotland from the covenanting movement to agricultural improvement.¹

In spite of the constant replacement of old families there was more unity among the lairds than at first apparent, deriving basically from a common interest in property and family inter-relationships. There was no fissure between old and new landowners until the end of the century, new blood and wealth being integrated and used to maintain the vitality of the class as a whole. The real division lay between those owners of severely limited estates and interests and those more enterprising or fortunate who found advantage in economic expansion and social fluidity.

2.3 Bonnet Lairds

Although little has been written on this class, clearly there was a certain hierarchy of social order here too. The true bonnet laird claimed a social status from an ancient lineage but was in fact no wealthier than his

1. Fergusson 1949, p.1.

neighbours.¹ In fact by the second half of the 18th century there were many capitalistic tenant farmers who were much wealthier, some of whom used the increased income they enjoyed after the 1780s to join the land-owning class, thus helping to reverse the trend towards aggrandisement of estates.

Like other classes of landowners, this class experienced a rise in living standards in the 18th century, but they were still closer in their way of life to the tenant farmer than to the majority of landlords. When it came to improvements and enclosure the smaller landowners were again like the tenants in that they needed to be convinced of the economic viability of the new methods before adopting them, and therefore were not in the vanguard of improvement. They had more to lose than the majority of landlords, as they lived on income derived from their own efforts and had no way of hedging losses like their wealthier neighbours. Once convinced, however, the bonnet laird was an astute and often able improver. He took the new methods and adapted them to local conditions with caution and good sense. Sinclair² noted that this class of owner could turn the land to good advantage if he was willing to work hard and had enough capital to improve (which the growth of branch and country banks increasingly helped to provide).

The levels of income in this class varied tremendously. In some cases the landowner occupied his farm and was able to make a living solely from the land, but in others the landholding was so small that the owner was forced either to work the holdings co-operatively³ or otherwise

1. Strawhorn 1975, p.141.

2. Sinclair 1814, vol.1, chapter 4.

3. Slaven 1975, p.61.

supplement his income, perhaps by leasing more land to farm or by taking a seasonal or part-time job. Other portioners were principally tradesmen or burgesses who owned a small plot of land which they might lease out or use themselves for grazing or growing crops mainly for their own consumption. This latter type of portioner would therefore be found in association with towns and villages such as Ancrum in Roxburgh, where there existed some feuars 'who possess farms of a few acres next to their own property'.¹

The small landowner had no say whatsoever in the running of the country, whether at national or local level. The owners within this class did not have sufficient land to entitle them to vote at national level; and at the parish level authority rested in a balance, not always clearly defined, between kirk session and heritors 'who were the proprietors of land within the parish to the extent of at least £100 Scots of valued rent appearing in the land-tax books'.²

The bonnet lairds were by far the most numerous class of landowners while controlling the smallest percentage of the country, the national average being 5 per cent in 1770. This class saw an almost continuous diminution in its numbers within the 18th century, the tide only being stemmed temporarily late in the century when rising prices coupled with increasing opportunities for additional employment helped the small owner to make an adequate living. The process of aggregation again took control after 1812 when prices began to fall near the end of the Napoleonic wars. As a result the national percentage controlled by this class at the beginning of the 18th century must have been in the region of 6 per cent, and slightly

1. *O.S.A.*, vol. 10, p. 289.

2. Campbell 1965, p. 4.

less than 5 per cent in 1815. The small percentages involved reflect the large number of holdings which would have had to be bought by established owners (as opposed to newcomers) to ensure a shift of the land concerned into the control of another class of landowners.

The distribution of the bonnet lairds and portioners within Scotland varied from region to region. In the West and Central region there were large numbers in the majority of counties while in the Highlands region the opposite was true. In the Borders and the Eastern region their distribution was haphazard. Thus the percentages controlled ranged from nil to 21.3 per cent, the average being 5.5 per cent omitting the cities of Edinburgh and Glasgow, and 6 per cent if they are included.

3 THE WANING POWER OF THE LANDOWNING CLASSES

Landed society as thus described was at the height of its power, politically, socially and economically, in the first three-quarters of the 18th century; but as the century came to an end its position of power began to be eroded away. The deep rooted respect for landed property, together with the strength of the old established political leadership, ensured that no outward signs of this crumbling of power were evident within the 18th century but by 1832 the tide of events could clearly be seen.

The rise of mercantile, industrial and financial wealth towards the end of the 18th century heralded the end of the landowners' position of supremacy. To some extent the more ambitious and successful in all fields were incorporated into the ranks of the landowners, as had been the case in the 17th century. Intermarriage meant that 'class distinctions were

never strong in Scotland'¹ and a web of inter-relationships was built up and remembered by all parties concerned. Indeed many younger sons of landowners in their turn joined the ranks of the merchants, industrialists and professional men. But as the urban middle class grew in numbers and importance it developed a way of life distinct and alien to the landed interest. At first these classes were not much interested in political representation, and indeed in some way felt that government was the proper sphere of landowners, but as the 18th century wore on this attitude changed and the commercial elements in Scotland, as in England, began to seek political power and independence. The landowners felt a mounting dislike and hostility towards the commercial sector of society, blaming it for bringing on wars which had to be fought at the cost of the landowners.² They despised the wealth that these men had acquired, especially if they themselves existed on limited means.

Late in the century a more extreme threat to the landowning classes also made its appearance. A small number of radicals began to question the right of a few to own so much. In themselves these reformers such as William Ogilvie or Thomas Paine were of little moment to the landowners but, coupled with the events of the French Revolution and the growing campaigns for extension of the franchise and constitutional reform, their teachings became regarded as seditious and were banned by the government. Urban riots stirred by national events or local grievances were common in the 16th and 17th centuries as the medium of popular opinion. These had died out to some extent between 1736 and 1790, especially in Scotland, but in the last decades of the century they increased in frequency once

1. Fergusson 1949, p.14.

2. Mingay 1963, p.265.

more due to the social unrest inspired by the radicals. England had many anxious moments, especially after 1812, with events like the Spa Field riots, Peterloo and the machine-breaking activities of the Luddites.

Scotland, although not without some street demonstrations, was remarkably unviolent. There were some radically inspired manifestations, such as the calling of the National Convention in 1793 and the great strike of the Glasgow cotton weavers in 1812, but not generally on the scale found in England. T.C. Smout puts this down in part to the degree of central control which the British government succeeded in impressing upon Scotland in the first half of the 18th century;¹ other factors, such as education of the working classes and a degree of industrialisation, being common to both England and Scotland.

The Scottish landowners, like their English counterparts, weathered the storms of social discontent at the end of the 18th century which engulfed many of their European peer groups. What in the makeup of the British landowning classes made this possible? It is generally accepted that the British landowning classes were less exclusive, more flexible and more closely identified with the life and work of the nation (their members performing unpaid public duties) than the majority of their European counterparts.² They were willing to tax themselves heavily if the need arose and in addition avoided unwarranted privileges such as exemption from general taxation, which made the aristocratic rule of many European countries so onerous to the majority. This latter was exacerbated in Europe by the fact that membership of continental nobilities was often much larger than those of Scotland or England, although valid comparisons

1. Smout 1969, p.228.

2. Mingay 1963, pp.277-8.

are difficult to draw because European aristocracies were not homogeneous. Thus in Britain wealth and social exclusiveness, not legal or fiscal privileges, were the boundaries between classes.

In both Scotland and England the differences between, and the interdependence of the wealthiest landlords in relationship to the lairds or gentry furnished a mechanism whereby the peaceful transformation of society could be accomplished, thus rendering violent revolution unnecessary. Apart from levels of wealth the lairds resembled the great landlords in many ways, but were, however, more fluid in their structure and yet more conservative due to their more provincial way of life.

Although declining families exhibited a hatred of newcomers, lairds were not so narrow minded not to see the advantages of the infusion of new blood and money. The explanation lies partly in the fact that many of the rising merchants, lawyers and industrialists were scions of landed families who had to find their own way in life. Furthermore much industry was still rural and it was natural that successful industrialists should emulate the landowners with whom they had business dealings, and be accepted by them. Thus 'until the 19th century there was no sharp distinction between the successful commercial men and the landowners, since the interests of both were complementary',¹ indeed there was a greater division within the landed classes themselves, between the larger and smaller owners.

Against this fluidity was the underlying conservatism of the great body of lairds or gentry who, although sharing some of the standards and conventions of the great landlords, did not fully share in their cosmopolitan

1. Campbell 1965, p.5.

life. As a result changes in attitude always lagged behind in the county circles in comparison with those at the centre. The stability of this main body of landowners as a whole, despite an especially active turnover in Scotland, gave the ruling classes a secure base from which they could compromise with the forces for industrialisation and change. On the other hand the lairds relied on their social superiors to lead them and any resistance to change would have taken them into the wilderness.

This mechanism for the peaceful transformation of society was further enhanced by the fact that both Scottish and English society, although not identical, stretched downwards in fairly shallow social gradations from the greatest landowners in the country through the merchants and professional classes to the farmers, tradesmen and labourers at the bottom. This had two repercussions. In the first place there was no large gap between the very wealthy magnates and the minor nobility as often occurred in European countries. Scottish and English estates rose gradually in size from a few acres upwards, and in addition the largest estates did not monopolise the land as in some European countries, although Scotland had a greater proportion of her agrarian wealth in the hands of a few hundred families than did England. This structure within the landowning classes helped the flow of ideas and the acceptance of new values. In the second place there was no large gulf between the large privileged noble class and the larger non-privileged majority as existed in much of Europe. On the whole landlords were considerate towards their tenants within the bounds of enlightened self-interest. This was perhaps more true of Scotland than England, because Scottish traditions of celtic feudalism and manrent lingered on far longer than similar paternalistic

attitudes in England. There was also a genuine interest on the part of many in local affairs, and the lairds in particular often undertook arduous unpaid local government work. As heritors they ruled at the parish level in both countries, and in Scotland, where there was no set poor rate, levied sums periodically from among themselves for the use of the poor. In national government the wealthier landowners were not oblivious of the 'national good' and were basically more liberal in their attitudes than the majority of continental aristocracies, passing Acts which they considered for the good of all. They claimed no legal or fiscal privileges and the constitution preserved the freedom and rights of all against the autocratic tendencies of the monarch and the assumption of aristocratic privileges by the magnates.

The majority of European countries were under the tight control of the monarchy, and the majority of magnates were excluded from government except in local affairs. In Britain the landlords dominated government at both national and local levels, and gave to government an essential sense of permanence and stability. They saw to it that agriculture was well protected, it is true, but as the vast majority of people relied on this sector of the economy this was to the benefit of the community as a whole. They also ensured that no serious obstacles stood in the path of industrial and commercial interests and that these were not sacrificed to agriculture. If the need arose they were prepared to tax themselves heavily and in general tried to uphold what they considered to be the principles of good government.

On the debit side, however, there is no doubt that corruption existed on a large scale, central government being regarded as a means of

obtaining wealth and power, although local government was a field for unpaid public service. Indeed it was the acceptance and discharge of this authority and responsibility, in their hands through the absence of any apparatus of centralised administration, which was a distinguishing mark of the British ruling elite.¹ Although the electoral systems of Scotland and England differed, both were marked to varying degrees by small electorates and corruption, government office rarely being awarded on merit alone. Such corruption as existed was much less than in many contemporary European countries, but is difficult to judge by modern standards as each age has its own particular vices which are accepted as part of the system.

There is one more major characteristic common to the Scottish and English landowners which gave their class a wider and more balanced outlook, and that was an ability to grasp the opportunities of the age. Through widening markets and price rises the expanding economies of both countries invited increased productivity in agriculture, which was fulfilled by the landowning classes in adopting an attitude of enterprise and liberality towards change. By feeding a growing urban population with a diminishing labour force, the landowners allowed industrialism to expand at its own rate, unhampered by shortages of labour or basic foodstuffs. As a class they did not adopt an obstructive attitude towards trade and industry, which could have proved disastrous, but indeed frequently participated in their development especially in the early stages by fostering transport improvements, mining enterprises and rural industries. In Scotland especially any failure by the landowners to encourage

1. Thompson 1963, p.14.

economic development could not easily have been made good as for much of the 18th century the urban middle class was small, with insufficient wealth or power to promote economic growth effectively.¹

Although the landowning classes failed to meet the challenge of many of the new social problems arising towards the end of the 18th century, they had a measure of enterprise, liberality of attitude and enlightened self-interest which enabled reform to be achieved within the existing system. True this class, as any other, had its share of fools and incompetents as well as of high-principled men, but the majority were between the two extremes, being moderate in opinion, tolerably honest and reasonably fair. Power did encourage a certain contempt for inferiors and an expectation of respect from those lower in the social scale, although this latter became less of a reality towards the end of the century. There was also a great deal of pride in national achievements in both Scotland and England which encouraged the landowning classes to enhance the reputation of their respective countries in everything from agricultural improvement to the encouragement of the arts. The 19th century was to see changes of a fundamental nature in the government, economy and society of Britain which ended the age of the landowner; but it is to the everlasting credit of the 18th century landowners that they themselves dismantled their edifice of power brick by brick and did not wait for reactionary forces to lay siege with all the consequences that would have had to the country as a whole.

1. Campbell 1965, p.4, and Lythe and Butt 1975, p.109.

4 THE LANDOWNERS OF SCOTLAND AND ENGLAND COMPARED

As the preceding indirectly shows, in many essential characteristics the landowning classes of Scotland and England were similar. For most of the 18th century they were ruled by the same government in which they took the major part, although not to exclusion of the mercantile and industrial sectors, especially in England. There were, however, differences between the landowning classes of the two countries which were a result of their separate histories and economic development within the 18th century itself.

It is difficult to compare the available statistics regarding the structure of the landowning classes in Scotland and England, not because of constant change between the various classes within each country, but because of varying levels of wealth to be found in each as well as a somewhat differently structured landowning class due to variations in the history and the geography of the two countries. In terms of the Land Tax assessed at the Union in 1707, Scotland paid only £48,000 a year compared to a total of nearly £2 million paid by England. Similarly the poverty of Scotland in 1707 can be estimated by the revenue from the customs and excise, which yielded only £60-65,000 compared to England's £2,300,000. Scotland's relative position improved within the 18th century, as a study of rent increases shows,¹ but even by 1790 Scotland was still the somewhat poorer nation. This is underlined by comparing the statistics quoted by Mingay, which were based on contemporary estimates

1. See Chapter 4, pp.137-44.

for 1790 showing the structure of English landownership.¹ Mingay estimates that there were some 400 families in England, whom he classed as great landlords, who enjoyed a minimum income of between £5,000 and £6,000 sterling a year. In Scotland, if one accepts that the real rent between 1656 and 1793 had increased approximately eight times,² and that for the sake of comparison the number of great landlords had not altered between 1770 and 1790, then only about 50 Scottish landowners qualified to be classed as great landlords under Mingay's minimum level of income. Similarly, at the other end of the scale, the English owner occupier in general was far better off than the Scottish bonnet laird. This has meant that different income levels have been used to delineate the various classes of landowners in Scotland as compared to England, although the basic tripartite division is similar. Because of this and the time differential between the Scottish and English statistics detailed comparisons cannot be made. Despite these problems two general statements can be made by comparing the statistics quoted by Mingay and those in preceding chapters. Firstly in terms of absolute numbers England had 13 to 14 times the number of landowners in 1790 than Scotland had in 1770, and secondly it is clear that fewer people controlled a larger percentage of the agrarian wealth of Scotland compared with England. These few were in general less wealthy than their English counterparts but had a more absolute rule. The remaining landowners in both countries fell in shallow social gradations to the smallest.

When the land market within both countries is considered, however, much more striking contrasts emerge. In the first half of the 18th century

1. Mingay 1963, p.26.

2. See Chapter 4, p.148.

up to about 1740 there appears to have been a much more active land market in England due mainly to a healthier economy. There was in England an influx of newcomers from commerce, government and the professions at a level not found in Scotland. Habakkuk estimates that of the land changing hands between 1680 and 1740, only half was purchased by established landowners.¹ Figures are not available for Scotland, but all indicators point to a much larger proportion of a smaller turnover being purchased by established landowners. In the second half of the century the position was reversed and Scotland shows a much higher level of activity than England. In England, although demand remained high, the number of estates on the market fell as more estates became tied by entail and family settlement. Rising prices increased family incomes and there was an increasing use of mortgages at reasonable rates of interest to facilitate the carrying of debts. In Scotland supply did not dry up as in England, partly because of differences in the economic climate of the two countries, partly because, although entail was used, strict family settlements resulting from increased dowries and jointures did not reach such proportions as in England, and partly because the turnover due to debt was higher. Demand increased as the economy in general picked up and men who had made their fortunes in trade, industry or the professions wanted to buy estates. The price of land increased in both countries towards the end of the century, which was not only a reflection of its economic value but also of the social and political power the ownership of land conferred.

Despite these variations in the activity of the land market both

1. Habakkuk 1940, p.5.

countries experienced a similar long term trend towards the larger estate, and a corresponding decline of the small owner, especially in the first half of the century.¹ In England the decline of the small owner was possibly more marked than in Scotland, as there were more potential buyers and more alternative occupations to which a former owner might turn, although in both countries low prices and heavy taxation had to be coped with. It has to be remembered, however, that in both Scotland and England swings from one class of landowner to another were very slow over the century as a whole, as a great deal of land had to change from one class to another to effect even a 1 per cent swing.

A legacy of the differences in the histories of the two nations can be seen in the fact that there was no discernible pattern in the distribution of landholdings in England,² whereas in Scotland a pattern related to fundamental geographical regions can be discerned, although modified by social and economic history. Variations in history also account for several anomalies to be found in the 18th century Scottish economy which worked in favour of the Scottish landowner. Unlike in England, teinds were fixed in Scotland and could be purchased for a reasonable sum, which was a great advantage given the levels of inflation. In addition the Scottish landowner had no fixed poor rate to pay, just local levies fixed by the landowners themselves. Costs of enclosure were much less in Scotland as there was no need for separate Acts of enclosure, one general Act having been passed at the end of the 17th century. This was made possible by the legal position of the landowner in Scotland, who was acknowledged as the most absolute in Great Britain, and the lack of rights on the part of the tenant.

1. Mingay 1968, p.32.

2. Thompson 1963, p.27.

5 FURTHER WORK

This study is essentially a general appraisal of the structure of the landowning classes and the pattern of landholdings in 18th century Scotland. Little work has been done for Scotland in this field previously, and it would be of value to extend this research in two basic ways, that is, chronologically into the adjacent centuries and locally into particular areas or counties. The first is possible for the 19th and 20th centuries, as material does exist; however, it is doubtful whether a national picture could be obtained for the 17th century. Studies in depth at the local level are also feasible, as much valuable information lies in the register of sasines, parish and family histories and various other manuscript sources. There are also very few detailed studies on the land market in Scotland and on the incomes and way of life of the various landowning classes, and further work on these aspects could yield much of interest.

GLOSSARY

The following glossary covers the more specialised, especially legal, terms used in this thesis. A general survey of the terminology of historical geography may be found in I.H. Adams, Agrarian Landscape Terms: a glossary for historical geography, London 1976.

Sources

Bell	<u>Dictionary and Digest of the Law of Scotland</u> , ed. George Watson, Edinburgh 1890.
Gibb	<u>Student's Glossary of Scottish Legal Terms</u> , by Andrew Gibb, Edinburgh 1946.
Jamieson	<u>Jamieson's Dictionary of the Scottish Language</u> , abridged by John Johnstone, Edinburgh 1867.
Laws of Scotland	<u>Encyclopedia of the Laws of Scotland</u> , by Viscount Dunedin, J.L. Wark and A.C. Black, 17 vols. 1926-49
SND	<u>The Scottish National Dictionary</u> , ed. by W. Grant and David Murison, Edinburgh 1956.
SRO E106	Introduction to the inventory of the E106 series in the Scottish Record Office, Edinburgh.

ADJUDICATE To seize, or convey a debtor's estate as security, or in satisfaction of a debt (SND).

ALIENATION The act of transferring property; and, in the Scotch law, it signifies the transference of heritable property (Bell).

ALLOCATE To assign, to set apart for a special purpose, used especially of the fixing of the proportion due towards a minister's stipend by each landowner (SND).

ALLODIAL Non-feudal as applied to the tenure of land, as in the case of 'udal tenure' and church property (Gibb).

BENEFICE A church living, based on land; it consisted either of the spirituality or tiend, or the temporality, the land itself (Gibb).

BLANCH-HOLDING One of the tenures of the law of Scotland. The duty payable to the superior in blanch-holding is generally a trifling amount, such as a penny Scots; or merely elusory, as a peppercorn. It may be of greater value, however, where it is of yearly growth, failure to exact it in any one year will result in its loss; whereas, if it be not of yearly growth, it founds a claim at any time within the years of prescription.

In exchequer the blanch-duty is always extracted. The casualties common to this and to feu-holding are non-entry, relief, disclamation, purpresture and liferent escheat. This manner of holding was anciently in use; and many estates were held both of the crown and of the subjects superior in blanch. On the abolition of ward-holding, by 20 Geo. II c. 50, all the lands which held formerly of the crown were converted into blanch-holding; and by 25 Geo. II 11 c. 20, and the royal warrant under the Privy Seal, January 1753, all lands held ward of the crown were declared in future to be held blanch; whereby the extent of land held by this tenure was much increased. But the tenure is now seldom adopted in the constitution of what is termed an original right. (Bell)

CASUALTIES OF SUPERIORITY The casualties of superiority are certain emoluments arising to the superior which, as they depend on uncertain events, are termed 'casualties'. The casualties proper to ward-holding while it subsisted were 'ward', 'recognition' and 'marriage'. The casualties common to all holdings are 'non-entry', 'relief', 'disclamation', 'purpresture', and 'liferent escheat', The 'composition' due to the superior by a single successor, though in a strict sense not a proper feudal casualty, is commonly reckoned among the number. Disclamation and purpresture have long been obsolete, and non-entry has been practically abolished by the Conveyancing Act of 1874. Formerly the superior's right to casualties was enforced by means of an action of declarator of non-entry, decree in which entitled the superior not only to point the ground as a real creditor, but to enter into possession of the lands and draw the rents, until the vassal should enter and pay the casualties due (Bell).

Casualty of ward The superior was entitled to the full rent of the ward-lands after the vassal's death and during the heir's minority as the heir was incapable of performing military service. Ward was burdened with the charge of upholding the houses, enclosures etc. in good condition during the heir's minority, and with an alimony to the heir if he had no separate means of subsistence; had other burdens relating to widow of vassal. Act abolished in 1747. (Bell)

Recognition Under Scots law, the feudal casualty whereby in ward tenure, a vassal was liable to forfeit his land to his superior if he alienated half or more of it without his superior's consent; abolished by the Heritable Jurisdiction Act of 1746 (SND).

Non-entry The casualty, now virtually abolished, which fell to a superior where the heir of a deceased vassal neglected to obtain himself entered with the superior, i. e. failed to renew the investiture; abolished virtually with the Conveyancing Act of 1874 which enacts that no lands shall in future be deemed to be in non-entry. (Bell)

Relief A payment made by an heir of a deceased vassal to the feudal superior for his recognition as lawful successor, generally a sum equal to one year's feu-duty over and above the feu-duty for that year. (SND)

Disclamation signifies a vassal's disavowal or disclamation of a person as a superior, whether the person so disclaimed is the superior or not. If this is done on frivolous grounds the vassal incurs a forfeiture of the fee. This is a rule applicable to all feudal tenures; and, according to our more ancient law, disclamation even as to a part of the fee subjected the vassal to the loss of the whole. (Bell)

Purpresture A feudal delinquency now obsolete inferring a total forfeiture of the fee. It was incurred by the vassal encroaching on the streets, highways or commonies of the superior. According to Skene it was the wrongful occupation of another man's lands. There were three kinds: (a) affecting the king, unjustly occupying any part of his domains, stopping the highway, diverting the course of a stream etc.; (b) affecting the offender's superior; (c) any others. (Bell)

Escheat Forfeiture or confiscation of a man's estate, whether heritable or moveable, part or whole. Single escheat: forfeiture to crown of one's moveable estate on conviction for certain crimes. Liferent escheat: forfeiture to the superior of the annual profits of the land during vassal's life (for crime). Total forfeiture to crown of heritable and moveable goods is peculiar to the crime of high treason. (Bell)

Composition to a superior The name given to the entry-money paid to the superior by a singular successor. Though not strictly a feudal casualty it is commonly understood and spoken of as such. The amount is sometimes fixed in the original charter, but if not, the superior is entitled to a year's rent from the subject. (Bell)

CHARTER A charter is the written evidence of a grant of heritable property, made under the condition that the grantee shall pay annually a sum of money, or perform certain services to the granter; and by our law it must be in the form of a written deed. The granter of a charter is termed the superior, the grantee the vassal; the vassal is said to hold the subject of the superior; and the annual sum or service stipulated is termed the duty. Charters are called blench or feu, from the nature of the stipulated prestation, and original or by progress, from being first or renewed grants of the same subjects.

Blench and feu charters In former times, the duty which superiors almost always required from their vassals was military service, and the vassal was then said to hold ward. This holding was abolished by 20 Geo. II c. 50 and since then only lawful duties inserted in a charter are blench and feu duties (a blench-feu being a nominal payment, while a feu-duty is a consideration of some value). Original blench charters are not common in modern practice.

Original charters and charters by progress The former is one by which the first grant of the subject is made; the latter is one renewing the grant in favour of the heir or singular successor of the first or succeeding vassals (gives clauses in these charters and definition of further charters concerning changes in ownership).

Charter from the crown Prior to the Crown Charter Act of 1847 certain previous warrants were necessary, to authorise the issuing of a crown charter in favour of a singular successor. (Bell)

CONVEYANCING Conveyancing not only includes the preparation of all voluntary deeds, constituting, transmitting or extinguishing rights or obligations, but extends to those forms prescribed by law, for accomplishing the same objects when the party is either unwilling or unable to do so by a voluntary act. In Scotland the forms of deeds which relate to land rights have been much affected by the feudal system, and the feudal forms in this country have been combined with a system of records remarkable for completeness and utility. Thus deeds have obtained a high degree of security. (Bell)

DISPOSITION A unilateral deed of alienation by which a right to property, either heritable or moveable, is conveyed. The disposition most frequently used in practice is that by which heritable property is conveyed to a purchaser, but a disposition of moveables is also well known; and where a person wishes to regulate his whole succession, heritable as well as moveable, he may do so by a general disposition and settlement.

Disposition of a heritage The modern disposition is a deed of alienation, by which heritable property is conveyed to a purchaser, or to an heir, for onerous causes or gratuitously. To distinguish it from a charter, a disposition may be said to be the deed by which the feudal right or fee constituted by the charter is transmitted to a purchaser or new proprietor; until 1868 essential word in any valid conveyance of land. (Bell, Gibb)

ENTAIL Every owner has the right to dispose of his land as he wishes. A 'simple destination' of the property is possible, and prohibitory clauses can be added. These are effectual at common law to prevent gratuitous alienation and to constitute obligations 'inter hoeredes' but not against third parties nor to prevent alienation for onerous causes for adjudication for debt.

1685 Act of Entail A man can tailzie his lands listing any heirs he wishes under any conditions and 'to affect the said tailzies with irritant and resolute clauses', making it impossible for an heir to sell, anailzie or dispone the lands; cannot use land as security for loan. These rules apply: (a) the restrictive clause must be inserted in all the title-deeds of the estate; (b) the entail shall be presented to the Court of Session, and have the judicial authority of that court interponed to it; (c) the entail must be recorded in the Register of Entails; (d) that being so recorded it shall be real and effectual against creditors and purchasers, whether by legal or conventional titles; (e) where (a) is not adhered to, the omission shall infer a forfeiture against the heir to whom it is to be attributed, but shall not militate against his creditors or purchasers from him; (f) statute shall not prejudice the rights of the king as to confiscations or fines for crimes, or the rights of superiors for their casualties of superiority.

The usual form is for the maker of the deed to dispone to himself and his heirs as he names them, the lands intended to be entailed, under certain provisions, conditions and limitations. Sometimes the owner will dispone to another in the first instance and reserve a liferent for himself. In either case the first disponee is called the institute and the subsequent heirs the substitutes. The entailed destination terminates when the succession opens to heirs-portioners, for the exclusion of such cannot be inferred. The line of destination must be different from that of legal succession; hence when the destination terminates in 'heirs whatsoever', the entail is closed, and the substitute previously called takes in fee-simple. Where money or other property has been invested in trust to purchase lands to be entailed, or where lands are directed to be so entailed but the direction never carried out, then all lands or trust funds are to be treated as if the destination were in fee-simple. (Bell)

Excambion A clause giving power to excamb is competent in a deed of entail, but must be exercised within such limits as are consistent with the substance of the entail over the total estate. Independently of such a special clause this was impossible until after the Montgomery Act of 1770. (Bell)

Modifications The law of entail has been modified by the Montgomery Act of 1770; the Aberdeen Act of 1824; the Rosebery Act of 1836; the Rutherford Act of 1848; as well as Acts in 1853, 1868, 1875, 1878, 1882.

ENTRY OF AN HEIR In feudal law this term is applied to the entry of the heir of the vassal with the superior. In theory when a vassal dies the property returns to the superior, but he cannot refuse a warrant for infefting the heir to the 'dominium utile' to which he has succeeded (laid down by original charter). (Bell)

ENTRY OF A PURCHASER This entry, as for entry of an heir, is completed by an infeftment, either proceeding on the warrant of the seller's superior, or recognised and confirmed by him.

EXCAMBION The legal name of the contract whereby one piece of land is exchanged for another. (Bell)

EXTENT, OLD and NEW Extent is an old Scots law term which refers to the annual value once put on lands for the purpose of assessing public burdens and fixing the size of non-entry and relief duties. There were two such values or extents, known as the old and new extent or retour (from the retour or verdict returned by the jury to the old brieve of inquest). In early times taxes were not part of any feudal system, the king being supported by rents from his property-land and by the occasional income of superiority passing, as in casualties of ward, marriage or non-entry, which arose from feudal tenure. Beyond this the vassal was not liable to taxation unless for extraordinary expenditure. (Laws of Scotland) (For a history of the land tax in Scotland see Appendix 2.)

FORFEITURE The loss of property consequent either upon the contravention of some condition on which the property is held, or upon the commission of a crime to which forfeiture has been annexed by law as the penalty. Thus forfeiture can be either civil or criminal.

Civil forfeiture Either from statutory regulation, from the rules of common law, or by private agreement.

Criminal forfeiture A forfeiture of moveable follows upon the sentence of death being pronounced. Also on conviction for perjury, bigamy, of deforcement, of breach of arrestment and usury. Also took place when a debtor was denounced rebel on letters of horning, but this was abrogated by the Act abolishing ward-holding. Also forfeiture could follow conviction for treason, which may affect:

(a) Claimants under a preferable title: If the attainted person had held the estate for five years it was held to be his under an Act of 1584. This was mitigated under an Act of 1690 whereby forfeited estates were subjected to all real actions and claims even although these were outside the five years.

(b) Heirs at law: Deprived of all the attainer's lands and any other successions which they can claim through him alone.

(c) Creditors and single successors: Originally debtors had no security in Scotland but in 1690 their rights were preserved entirely. After the Union the English law was adopted in this matter, i.e. debts heritably secured on the estate were not affected by the attainer but personal debts could not be made grounds for attaching the estate. Statutes were passed, however, in 1715 and 1745, extending the rule to all creditors.

(d) Heirs of entail: No rights of succession. (Bell)

HEIR A flexible term which is to be taken in the context used.

Heir-at-law The person who succeeds to the property of a deceased person, including moveables as well as heritage.

Heir by destination The person who is called upon to succeed, failing the person to whom an estate is disposed. An heir then gains all rights and burdens of his ancestor.

Heir by conquest One who succeeds to the deceased in conquest, i.e. lands or heritable rights acquired (not succeeded to) by his immediate predecessor.

Heir of entail See entail.

Heir of inventory An heir, who by virtue of the Act of 1695 registered an inventory of his ancestor's estate in cases where the debts were very heavy, and thus limited his liability for those debts to the value of the estate.

Heir of line The person succeeding by force of law to the property of a dead person.

Heir of provision One who succeeds in virtue of express provisions, as in a settlement.

Heirs in mobiliis Those entitled to succeed to moveables.

Heirs-portioners If there were no male heirs the heritage did not go to eldest female alone, but to all the females in the same degree of relationship, who inherited equally and 'pro indiviso'. (Bell, SND)

HERITABLE Capable of being inherited, applied in Scots law to that form of property, houses, lands and rights pertaining to these, which goes by inheritance to the heir at law (as opposed to moveable property which descends to next of kin). (SND).

HERITABLE BOND A bond for a sum of money, to which is joined, for the creditor's further security, a conveyance of land or of heritage, to be held in case of default. (Bell)

HERITABLE JURISDICTION Collective term for various ancient rights attaching to certain lands entitling their owners to hold local courts of justice, which were abolished by the Heritable Jurisdictions (Scotland) Act 1746. Includes courts of heritable sheriffs, lords of regality and of barons.

HERITABLE SECURITIES The various ways in which heritable estates may be used as security for a loan. A heritable security can be constituted by infeftment in favour of the creditor, e.g. (a) wadset; (b) infeftment of annualrent; (c) heritable bond; (d) disposition in security; (e) absolute disposition with back-bond. It can also depend on the force of a condition qualifying the right of property, with reserved burdens and facilities to burden. (Bell)

HERITOR Originally the proprietor of an heritable subject but in connection with parochial law the term is confined to such proprietors of lands or houses as are liable in payment of public burdens. Term includes corporations such as railway companies but excludes liferenters or tenants on long leases. (Bell)

LEASE Originally a grant from the lessor, the lease evolved into a mutual contract. To give some security to tenure in event of the purchaser or other singular successor trying to dispossess the tenant, the Act of 1449 was passed which secured leases during their currency against singular successors. To be thus protected a lease must (a) be written; (b) must

have a stipulated rent; (c) possession must have followed on the lease. But against the grantor and his heirs a perpetual lease, or a lease where no rent is stipulated or where the accruing rents are appropriated prospectively to the payment of a debt due to the tenant, will be effectual. Constitution of the contract of lease (a) by whom the lease is granted; (b) powers reserved by the grantor (including mines and minerals, with power to work them or payment of surface damage; trees and woods, tenant having right only to annual crop of the farm; hunting on farm; right, independent of stipulation, to hypothec in security for rent); (c) to whom it may be given; (d) conditions of the lease; (e) forms necessary for a binding lease; (f) stamp duty.

Meliorations under a lease When a tenant improves a farm it is presumed to be for his own use and at common law he is not entitled to any recompense for such improvement (this holds even if the lease is prematurely terminated and the landlord is clearly benefiting). It is usual to make repairs and meliorations the subject of express agreement within the lease. (Bell, SND).

LIFERENT A liferent right entitles the liferenter to use and enjoy the subject of the liferent during life, without destroying or wasting its substance. The proprietor of the subject, which is either a sum of money or an heritable subject, is called a fiar. Liferents of heritage are of two types:

Simple liferents Constituted by a grant which is completed by infeftment in order to render the right effectual against creditors and singular successors of the grantor.

Liferents by reservation The liferenter in this case is more like a limited fiar than a mere liferenter. He must have originally possessed the property under his own sasine and therefore when he conveys the fee, reserving his own liferent, that reserved right rests on his original sasine and requires no new infeftment for its constitution. He is permitted to enter vassals, which a liferenter by constitution, or by reservation whose right was merely personal, cannot do unless so stipulated by deed of constitution.

The liferenter has right to annual crop, but not timber unless it is underwood and ordinary windfalls, timber required for maintenance of estate, or coppice wood which has reached maturity. He has no right to mines or minerals, and where a right to coal is given he cannot increase production. These and other clauses can be modified by stipulation by the grantor. Most maintain property and are liable to certain burdens such as feu-duties, ministers' stipends and taxations, but not to occasional burdens such as the repair of manse etc. (Bell)

MORTGAGE This is not a Scots law term, the corresponding term being 'wadset', and the right of an heritable creditor by bond and disposition in security, or by heritable bond, is in some respects analogous to that of a mortgagee. (Bell)

MORTIFY In Scots legal usage, to bequeath or allocate lands, property or money in perpetuity to a corporation or public body for specified religious, charitable or social purposes, corresponding to English 'to grant in mortmain' (now only history). (SND)

PAPER-BARON Before the Reformation Act of 1832, one who acquired a qualification to vote in a parliamentary election by becoming a lesser

baron or freeholder of land of the annual value of £400 Scots through the legal device of obtaining a charter. A rich proprietor who wants to increase his influence can divide up his estate and create additional votes. To do this he surrenders his charter to the crown; and then obtains charters for his friends for the several parcels of his estate in lots of £400 Scots valued rental; he then himself obtains a charter from these friends of the real property at a mere nominal rent per annum. These friends are in the eyes of the law the proprietors of the land for which they have charters and are entered on the roll of barons accordingly and can vote. (Bell, SND)

PARSONAGE TEINDS Teinds of corn due to the parson. (Gibb)

PENDICLE Something dependent on or subordinate to something else. Specifically a small piece of ground forming part of a larger farm or holding and frequently let to a sub-tenant. Often applied as a place-name to small pieces of ground, originally pendicles but now detached and independent. Can also be used simply of a strip of ground, hence,

Pendicler Tenant of a pendicle, a smallholder.

PORTIONER Strictly, the proprietor of a small estate or piece of land resulting from the division of an original 40-merkland among co-heirs or otherwise; generally an owner of a small piece of land. (SND)

PUBLIC BURDENS All taxations or assessments imposed in respect of the property or possession of land, including the land tax or cess, minister's stipend, manse and glebe assessments, school-rates, poor-rates, road and bridge assessments, and other such public and county burdens; not feu and blench duties. Sometimes a lease will stipulate that tenant has to pay burdens.

RECORDS Generally, the contents of any register. In Scots law language the term is usually applied to the public register for deeds, instruments and probative writings of all kinds.

Decrees of court All court proceedings are recorded and these become the warrants of the decrees which are issued, and which contain a warrant for the diligence or execution of the law to enforce the decree of the judge.

Deeds All deeds may be recorded in virtue of the clause of registration. Even if this clause is missing, the deed may be recorded as a probative writ.

Diligence The diligence of the law may be directed against the heritage or the person of the debtor. In the former case it is necessary to show the burdens affecting the land, and accordingly the diligences affecting that species of property are carefully recorded and the validity of the diligence made to depend on the regularity of the registration. The adjudication is recorded in the Register of Abbreviates.

Heritable rights The registration of heritable rights was after several unsuccessful attempts at last established in 1617, which Act provides for the registration of 'reversions, sasines and other writs'.

Entails By Act of 1685 the deed must be recorded; if not, it has not the privilege of entail. (Bell)

SASINE The term may signify either the act of giving legal possession of feudal property or the instrument by which that fact is proved. Until 1845 the former required the symbolic delivery of earth and stones or similar appropriate objects on the property itself, at which time the

charter or warrant was signed and witnessed; the instrument had to be registered within 60 days or it was null. Where lands were discontinuous or had descended from different authors, or from the same author by different titles, or were held by different tenures, different acts of infeftment, a delivery of sasine was required to take place on each separate or discontinuous part. Symbolic delivery has been obsolete since 1865 and all sasines merely registered in the General Register of Sasines in Edinburgh. (Bell, SND)

SCOTS Where money is mentioned in the acts of the Scots parliaments, or in public or judicial proceedings prior to the Union, and even a considerable time afterwards, Scots money is meant. Sterling money is 12 times the value of the same denomination of Scots money, thus:

<u>Scots</u>	<u>Sterling</u>
a doyt, or penny	£0 0 0 1/12
a bodle, or twopence	0 0 0 1/6
a plack, groat, or fourpence	0 0 0 1/3
a shilling	0 0 1
a merk, or 13s 4d	0 1 1 1/3
a pound	0 1 8
100 pounds	8 6 8 (Bell)

SERVITUDE

Predial servitude is one constituted over one subject or tenement in favour of the proprietor of another subject or tenement. It is only in virtue of his property that the owner enjoys this and it transfers with the property.

Personal servitude In Scotland the only ones come under different kinds of usufruct: liferent, by reservation, or constitution, terce and courtesy (this could be thought of as limited property rather than servitude).

Predial servitudes are either rural or urban. Where rural, houses etc. are not affected, but merely fields, enclosures etc. even though in a town. To this class belong the servitudes of passage, road, way, pasture, feal and divot, aqueduct, watering and thirlage. Where urban, it is connected with houses in some way, e.g. light and prospect. Predial servitudes are either positive or negative. The former (positive) is where a dominant proprietor is entitled to do something which otherwise the servient proprietor would be entitled to prohibit. The latter (negative) is where the servient proprietor is prevented from doing something he would otherwise be able to do. A positive servitude is constituted either by grant or by prescription, and a negative one only by grant.

Servitudes are extinguished (a) if the dominant and servient tenements become the property of one man; (b) by renunciation; (c) by the extinction of either the dominant or servient tenement or by change of circumstance whereby the servitude is no longer available; (d) by prescription in both positive and negative servitudes. (Bell)

STENT (a) a valuation of property in order to tax it; (b) a taxation; (c) a task. (Jamieson)

SUBINFEUDATION The granting of a feu by an owner of land other than the crown. (Gibb)

SUPERIOR One who has made an original grant of heritable property, under the condition that the grantee shall annually pay to him a certain sum of money, or perform certain services. The grantee is termed the vassal. The

interest of the grantor is termed the 'dominium directum', that of the vassal 'dominium utile'. The superior has right to the feu-duties and other services stipulated in the grant, with the casualties which are by law given to a superior while the vassal enjoys, in the absence of any limitation in the grant, all rights attaching to the subjects, such as fruit, woods, mines and minerals and the rights of alteration and disposal at pleasure. The superior not being a heritor in the sense of the 1663 Act is not liable in ordinary parochial burdens. (Bell)

VASSAL Holds the land in some sort of feudal tenure of his lord, not as out-and-out owner but conditionally, on his paying an annual payment i.e. feu-duty. (Gibb)

WADSET A conveyance of land in pledge for, or in satisfaction of a debt or obligation, with a reserved power to the debtor to recover his lands on payment or performance. The tender is called the wadsetter, and the borrower the reverser. Formerly the reverser never parted with more than the bare possession of his lands, regularly pledged until payment; but afterwards a wadset assumed the form of an absolute conveyance, and the debtor got separate letters of reversion from the creditor, which, as conveying a right merely personal in common law, were by 1469 c.27, made effectual against the singular successors of the wadsetter. (The right of the purchaser thus insecure until 1617 when all reversions had to be registered within 60 days, under pain of nullity. After this wadset prepared in form of a mutual contract.)

Proper wadset The wadsetter enjoys the yearly profits of the wadset lands in satisfaction of his interest during the non-redemption.

Improper wadset No more than a right in security, and wadsetter is accountable to the reverser for the excess of rents or interest due; but equally he can demand any deficit thus undertaking no part of the hazard of the rents (any excess in rent went towards paying off capital). (Bell)

WRITERS TO THE SIGNET Members of the Society of Writers to the Signet are exclusively concerned with the preparation of signatures for charters and other grants affecting the revenues of the crown. (SRO E106).

MANUSCRIPT SOURCES

The major sources which form the basis of the Directory are referenced in that work. The following additional records, all housed in the Scottish Record Office, have been consulted for the preparation of this thesis.

Gifts and Deposits

GD1	Miscellaneous Accessions
GD2	British Records Association
GD36	Rose of Montcoffer (Kinharrachie)
GD44	Richmond and Gordon (Gordon Castle)
GD45	Dalhousie
GD75	Dundas of Dundas
GD113	Innes of Stow
GD121	Stewart-Fotheringham of Murthly
GD126	Balfour-Melville
GD248	Seafield

Exchequer and Treasury

E106	Records of the Presenter of Signatures Office 1704-1874, and Valuation Rolls 1643-1853
E202	Records of the Pipe Office: Crown Rents 1699-1834
E203	Records of the Pipe Office: Land Tax 1708-1833
E219	Records of the Auditors Office: Rentals 1612-1834
E254	Records of the Presenter of Signatures Office: Certificates, vols.1-4, 1739-1825
E306	Records of the King's Remembrancer's Office, Treasury Department: Register of Orders 1710-1859
E706	Records of the Forfeited Estates Commission: Lists of Estates 1747-1763
E714	Records of the Forfeited Estates Commission: Miscellaneous Papers 1746-1813

Heritors Records : HR series

County Council Records : CO series

Register House Groups : RH9 Miscellaneous Papers

Valuation Rolls, 1855-1975 : VR series

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APPENDIX 2

THE LAND TAX IN SCOTLANDITS HISTORY AND 18th CENTURY ADMINISTRATION1 HISTORY

As in England, this tax was at first an extraordinary way of raising money for the crown, invoked only in emergencies. The taxes or aids of 1189 and 1211 granted by legislative authority to the crown are examples of such expedient measures. In 1189 in return for an acquittance granted by Richard I of all obligation extorted from William the Lion during his captivity, a sum of 10,000 merks was to be paid by Scotland, for which an aid was granted. Similarly in 1211 an aid was granted to discharge a debt of 15,000 merks incurred in 1209 in a treaty with King John.

The existence of such taxes infers that they must have been levied according to some general valuation or extent of all the lands subject to such payments. Although allusion is made to such valuations it was not until the reign of Alexander II and after his death that there existed records of an extent of lands according to which 'aids' had been levied by the crown and to which later records appeal as the groundwork.

The method of compilation of these earlier rolls is not completely known, but they were probably the result of inquisitions or assizes held by sheriffs or other officials in different counties and districts. There were, however, two separate extents at this time for 'temporal' and 'spiritual' lands. The first known valuation of church lands is dated 1275, but there must have been earlier ones to cover payment of national

taxes to the crown and various taxes levied by the pope. In 1275 Pope Gregory X demanded one-tenth of the ecclesiastical revenues of the church's lands in Scotland for six years for the relief of the Holy Land. To expedite payment a man named Balamundus de Viccie, known thereafter as Bagimont, was sent to draw up an extent of the revenues of church lands. As the tax was not a set sum but a percentage of revenues, old valuations were useless and although the church prevaricated the so-called 'Bagimont Roll' was framed. Although subject to minor alterations it continued to be the base of taxation both from pope and crown even after the Reformation, until the system of valued rental was revised in the reign of Charles II.

In levying the tax of 1275 the reason for a new valuation is obvious. The old extents were not fair or accurate but they sufficed to share out the burden each benefice was to bear of a set sum. The resistance to a new valuation shows this to be true. This was probably true also of temporal lands as the relatively tranquil state of the country for nearly a century must have led to some improvement. However, in that the barons were only given a sum to be collected it was of no consequence that the valuation in use fell short of actual value as long as the relative position of one landowner to another was maintained. From the end of Alexander III's reign until the end of David II's reign there was intermittent warfare in Scotland, however, and this relative position was disturbed. The country suffered so much that the extent of the previous century was 'an extravagant expression of the present value',¹ but some areas were affected more than others.

1. Mackie 1946, p.146.

By the treaty of his liberation in 1357 David II agreed to pay England the sum of 100,000 merks over ten years. In the effort to meet this large sum parliament adopted vigorous measures. Inquisitors were appointed to ascertain, by the use of assizes, the true value of rents and profits of lands, both temporal and spiritual, as well as of all other property and possessions. It was ordained that the rents and profits of the land should be taxed according to their true value, and that this valuation should be renewed annually.

From the reign of Robert I to that of James V a series of new extents or valuations based on actual value were therefore framed for the purpose of levying taxes. In the reign of Queen Mary, however, these 'new extents' were set aside and a different system was adopted using an 'old extent' as the rule of assessment. During the minority of Mary the country was at war with England and various heavy taxes were imposed but in them all an 'old extent' was used, as in other matters analogous to taxation. Which old extent was used is not clear, and it could have dated from the reign of David II, Alexander III or perhaps even earlier.¹

Spiritual lands were still assessed using Bagimont's Roll.

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1. Great confusion is caused by the term 'old extent' which was used from the 14th century onwards in retours as conveyancers did not want to alter the style of the brief. Until the 1832 Reform Act electors in Scotland had to have 'a 40s land old extent' or, if this was not provable, £400 Scots valued rent. Thomas Thomson in his Memo-rial on Old Extent (see Mackie 1946) after carefully studying the problem comes to the conclusion that there were three types of 'old extent':
 - a. In reference to lands held of the crown as ward or blench feu which is legally held to coincide with a genuine extent of land dating to the 14th century.
 - b. In reference to lands held of the crown in ward or blench feu which no matter where they come from could have no relation to a proper public old extent. Return is fictitious, framed on a certain equitable analogy for sake of form.
 - c. Old extent relating to feu lands.

In 1548 there was an attempt to make a new valuation for all types of land on the basis of real value, but the lack of records makes it clear that this measure miscarried. The clergy and laity continued as before to divide the general burden of taxation between themselves in fixed proportions, and to assess their respective shares of the burden according to their own peculiar and independent systems of taxation.

It was in 1554 that the division of the land tax among the temporal lands, spiritual lands and royal burghs, in the fixed proportions of one-third, one-half and one-sixth respectively, was first noted. This division was used until 1643, when the former two were united, and thereafter the counties paid five-sixths of the total tax and the royal burghs one-sixth. These proportions were maintained throughout the 18th century.

Adjustments to the tax rolls were frequent, as various aids were granted by parliament, but even with the annexation of church lands in 1587 no new valuation was made. Although the system was thereafter chaotic it was not until 1643 that a new system was evolved, dissolving the distinction between temporal and spiritual lands. Certain general sums were laid on each shire and commissioners appointed to frame detailed tax rolls for each parish on current values, i.e. 'thair present yeares rent of this crope and yeir 1643 to landward as well as of landis and teinds as of any uther thing whereby yearly proffeit and commoditie aryseth'.¹ Thereafter several reassessments were made according to changes in real rent.

This system was used with little change until 1661, just after the Restoration, when it was announced that there was to be no more

1. Mackie 1946, p.205.

'cess' or land tax. However, another tax was levied in 1665. The previous system of valuation was used, although the advocates of the older system in use before 1643 tried to have it retained. In 1667 the assessment in force in 1660, i.e. the actual rental of 1656, was again used for taxation purposes, subject to adjustments. In that year commissioners of supply were first appointed to rectify the rolls while keeping the same basic rental of 1656. Between 1662 and 1707 new valuations were made up for a small number of sheriffdoms on the instructions of parliament or the privy council. Thereafter, however, only Argyll was revalued, in 1751.

Thus the valuation rolls became merely a means of proportioning the land tax among the heritors or landowners of a parish or county, rather than being an accurate picture of the rental of the country.

Table 1 shows the amounts laid on each county from 1656 onwards based on valuation rolls of 1674,¹ 1733,² c.1770³ and 1811,⁴ rounded to the nearest £100 Scots.⁵ Although the original assessments made for English counties appear heavily weighted to the northern counties⁶ there seems to be no obvious bias in the Scottish figures, remembering that royal burghs were assessed separately.

From 1667 onwards the imposition of the land tax became more frequent until it became an annual occurrence after 1707. Civil

1. Sinclair 1814, I, p.17.

2. SRO E.254.8.

3. Directory, Appendix 1.

4. Sinclair 1814, I, p.122.

5. Valued rents for the years 1674, 1733, c.1770 and 1811 were checked to ensure that the valued rent of each county did not alter. Although figures did occasionally vary a few pounds, no significant changes took place.

6. Chambers & Mingay 1966, p.43.

TABLE 1 The valued rent of individual counties post 1656

Aberdeen	£235,700	Lanark	£162,100
Angus	171,200	Midlothian	191,100
Argyll	149,600	Moray	65,600
Ayr	191,600	Nairn	15,200
Banff	79,200	Orkney	57,800
Berwick	178,400	Peebles	52,000
Bute	15,000	Perth	339,900
Caithness	37,300	Renfrew	69,200
Clackmannan	26,500	Ross and Cromarty	87,900
Dumfries	158,500	Cromarty	£12,900
Dunbarton	33,300	Ross	75,000
East Lothian	168,900	Roxburgh	314,700
Fife	363,200	Selkirk	80,300
Inverness	73,200	Stirling	108,500
Kincardine	74,900	Sutherland	26,100
Kinross	20,300	West Lothian	75,000
Kirkcudbright	114,600	Wigtown	67,600
		Zetland	unknown

administrative costs were met by standing taxes voted for the sovereign's life at the beginning of each reign. The interest and the sinking fund of the national debt (after 1707) were also covered by standing taxes.

Supply or land tax resolved itself into providing for the need from year to year.¹ In 1798 the land tax was legally made an annual tax but subject to redemption.

After the Union of Parliaments the land taxes of Scotland and England were merged but the Treaty of Union's ninth clause stated that Scotland's quota of any land tax was to be 'raised and collected in the same manner as the cess now is in Scotland; but subject to such regulations in the manner of collecting as shall be made by the parliament of Great Britain'.² As a result the inherently different histories of the tax in Scotland and England gave rise to various differences although the tax office in London tried hard to superimpose the English system upon the older system of cess collection of Scotland.

In England and Wales the quota to be paid by a county or burgh was fixed in the Land Tax Acts, whereas in Scotland the royal burghs had, since the middle of the 16th century, paid one-sixth of the quota of Scotland as a whole and the convention of royal burghs jealously guarded its privilege of apportioning this among the burghs.

In the Scottish counties the quotas fixed in the Acts of Supply were raised under the supervision of the commissioners of supply who, like their English counterparts, also appointed the collectors and clerks. In Scotland, however, these officials presided over a county whereas in

1. Sedgwick 1970, pp.4-5.

2. Ward 1954, p.288; see also Sedgwick 1970.

England each parish had its own commissioners. Similarly Scotland had one receiver-general stationed at Edinburgh who was responsible for the transmission of the tax money to London, whereas each county in England had such an official.

This relative position of inferiority, although superficially due to the continuation of the old system of cess collection, had much to do with the poverty of Scotland in 1707. No more officials were needed, at least at the top levels, to collect the quota of £48,000 sterling fixed on the whole of Scotland in 1707, which was less than paid by some English counties. According to the scottish commissioners at the negotiations for union, it was all the country could bear and was about one-fortieth of the English contribution.

In practical terms the £48,000 sterling amounted to eight months of the old cess which Scotland paid when the rate in England was 4s in the pound. Throughout the 18th century the land tax levied annually under the Acts of Supply varied, as Table 2 shows.

The amounts involved were £11,988 10s 3d sterling for a two months cess, £23,977 0s 7d for a four months cess, £35,965 10s 10d for a six months cess and £47,954 1s 2d for an eight months cess. Thus there were no recurrences of the large aids sometimes granted before the Union of Parliaments which were spread over several years. For example in 1690 a cess of 25 months was granted, five months cess being due annually from 1690 to 1694. However, in May 1693 a further $10\frac{1}{2}$ months cess was granted over and above the $7\frac{1}{2}$ months cess still to come from this. These were duly completed in 1694 and yet another tax, this time equivalent to six months cess, was granted in 1695.¹

1. See SRO GD.113.v.79.

TABLE 2 The rate of land tax levied each year from 1708 to the end of the 18th century

<u>Year</u>	<u>Cess or aid granted by Parliament</u>
1708-1812	8 months cess or 4s aid granted
1713-1715	4 months cess or 2s aid granted
1716	8 months cess or 4s aid granted
1717-1721	6 months cess or 3s aid granted
1722-1726	4 months cess or 2s aid granted
1727	8 months cess or 4s aid granted
1728-1729	6 months cess or 3s aid granted
1730-1731	4 months cess or 2s aid granted
1732-1733	2 months cess or 1s aid granted
1734-1739	4 months cess or 2s aid granted
1740-1749	8 months cess or 4s aid granted
1750-1752	6 months cess or 3s aid granted
1753-1755	4 months cess or 2s aid granted
1756-1766	8 months cess or 4s aid granted
1767-1770	6 months cess or 3s aid granted
1771 onwards	8 months cess or 4s aid granted

(Information from SRO GD113/5/79 and G.E. Mingay, 'The land tax assessments and the small landowner' in Econ.Hist.Rev. 17 (1964), pp.381-8)

The system of assessing the land tax remained unaltered until 1802 when a scheme introduced by Pitt in 1798 came to fruition, whereby the land tax was made perpetual, but with power of redemption. It is interesting to note that heirs of entail were enabled to sell or burden part of an estate for the purpose of redeeming the tax.

2 18th CENTURY ADMINISTRATION

Local administration of the land tax of Scotland was divided basically into two parts, one relating to the royal burghs and the other to the counties. Although this study is not directly interested in the economic and social structure of the burgh of 18th century Scotland, a general summary is essential to give a balanced picture. The receiver-general received payment directly from the royal burghs (although the convention of royal burghs set the sum each had to pay) as he did from the counties. Thus the problems concerned with the collection of the land tax dealt with later in this appendix are partly due to the situation in the royal burghs.

As stated earlier, the royal burghs habitually paid one-sixth of the total tax asked of Scotland, i.e. £8,000 sterling when there was a 4s aid in England. The tax in the burghs was levied not only on rents of heritable subjects but also, under the name of trade stent, on trade profits and personal estate. After much squabbling in the early 18th century it was agreed that three-quarters of the quota imposed on each royal burgh by the convention should be raised on 'lands, burrow-roods, tenements, houses and fishings'¹ traditionally rated within the burgh,

1. Ward 1954, p.291.

leaving one-quarter to be assessed on trade.

The fundamental problem of land tax administration within the royal burghs in the 18th century arose from the decaying prosperity of many smaller burghs. Wastage of municipal assets went on steadily and the convention received numerous petitions for tax relief. In such cases the convention would appoint a small committee of representatives of other burghs to investigate and make recommendations, in the light of which the whole tax roll was periodically revised. Increasingly, however, the larger royal burghs such as Edinburgh and Glasgow, which already bore a high percentage of the total assessment, were unwilling to take on a further burden.

Attempts were made to shift some of this tax on to the unfree traders who were eroding the wealth of the burghs. In the reign of William III an act was passed by the convention by which the burghs of barony or regality might accept 'communications of trade' and in return shoulder part of the tax burden. Not many accepted the offer, however, and even these few were quick to renounce it when it was seen that the convention had scant legal powers to compel them to pay the trifling part of the land tax they had undertaken. Only a change in the law would have made the scheme work, but despite pressure from the 1730s onwards nothing was done.

Burgh quotas therefore became fixed after 1737 with the exception of a minor adjustment in 1768. Table 3 shows the contributions paid by each royal burgh from 1683 until 1737, when the amount became fixed, and the small amounts contributed by the 'agent for unfree trade'.¹

1. SRO GD.113/79.

TABLE 3 The land tax paid by the royal burghs between 1683 and 1737

Tax Roll of The Royal Burrows for the Years following 1737

Burgh	1683	1690	1692	1697	1705	1712	1713	1714	1718	1726	1728	1730	1735	1737
Aberdeen	33.68	33.68	32.68	40	35	35	35	40	36	36	34.10	34.10	34.10	34.10
Perth	317	317	3	28	4	2173	4	214	38	38	38	38	38	38
Dumdee	5	5.68	4134	4	4	3.89	4	4	410	410	410	418	418	418
Aberdeen	6	6.10	6.1	410	418	8.13	510	6	6	619	6.1	518	518	518
Stirling	116	116	188	12	15	15	15	15	18	18	18	1.8	116	18
Glasgow	110	110	16	110	17	17	13	13	13	13	13	1.2	12	12
Leith	14	188	12	7	7	7	7	7	7	7	7	7	7	7
Glasgow	15	15	15	15	20	14.12	19	16.14	18.10	18.10	21.10	19.10	18.10	18.10
Edinburgh	114.8	114.8	114	114	114	114	18	18	18	15	15	15	15	15
Haddington	112	112	112	12	116	116	116	116	14	18	16	16	15	15
Dunfermline	10	10	5	3	3	3	3	3	3	3	3	3	2	2
Wick	33	211.4	28	112.8	110.2	110.2	16	16	16	1	1	1	18	18
Montrose	218	218	2	168	113.8	113.8	113.8	113.8	24	24	24	212	212	212
Comrie	1	1	18	15	15	15	12	12	10	10	10	10	10	10
Arbroath	4	4	3	2	2	2	4	4	5	5	5	5	5	5
Dumfries	113.4	118.4	118.4	118.4	118.4	118.4	118.4	118.4	2	2	2	2.6	2	2
Inverness	116	116	110	12	186	186	110	110	118	111	111	111	111	111
Burntisland	13	16	12	6	6	6	6	6	6	6	5	4	4	4
Forfar	8	8	5	5	5	5	5	5	5	5	5	5	5	5
Kinghorn	9	9	7	7	7	7	7	7	7	7	9	9	13	9
Brechin	11	11	9	7	10	10	9	9	9	9	9	9	11	9
Livingston	18	18	10	10	10.6	10.6	12	12	14	1	1	1	18	18
Leith	18	18	17	16	19	19	19	19	17	17	17	17	16	16
Perth	16	16	6	6	6	6	6	6	6	6	6	6	9	6
Wigton	8	8	6	6	6	6	6	6	6	5	5	5	5	5
Pittenweem	7	7	5	3	3	3	4	4	4	5	4	4	5	4
Dumfries	16	17	15	14	14	14	15	15	17	15	16	16	1	16
Arbroath	5	1	1	1	1	1	1	1	1	1	1	1	1	1
Selkirk	13.4	13.4	12	10	10	10	10	10	10	9	9	9	9	9
Dunbarton	10	10	5	5	6	6	6	6	6	6	6	6	6	6
Perth	8	8	6	4	4	4	6	6	6	5	6	5	5	5
Dunbar	12	12	10	8	8.4	8	8	8	8	1	10	10	10	10
Lanark	12	12	10	9	12	12	12	12	12	10	10	10	10	10
Aberbroath	9	10	9	7	10	17.3	12	10	10	10	10	10	10	10
Elgin	13	17	13	18	18	14	15	15	1	17	17	17	15	15
Peebles	12	12	11	10	9	9	9	9	9	8	8	8	8	8
Grain	8	8	6	4	4	4	6	6	8	9	8	6	4	4
Tain	7	7	5	4	4	4	4	4	4	3	3	3	3	3
Salross	8	5	4	3	3	3	3	3	3	2	3	2	2	2
Perth	8	8	7	6	4	4	4	4	6	6	7	7	7	7
Wick	2	2	1.4	1	1	1	1	1	1	2	1	1	2	1
Forfar	4	7	4	3	6	6	6	6	6	4	4	4	4	4
Perth	7	6	5	5	4	4	4	4	4	4	4	3	2	2
Nairn	3	3	1.6	1	3	3	3	3	3	3	3	3	3	3
Perth									6	6	6	6	6	6
Rutherglen	3	3	2	2	4	4	5	5	5	4	7	4	4	4
Northberwick	1	1	1	1	1	1	1	1	1	1	1	1	1	1
Kiln	2	2	1.4	1	1	1	1	1	2	2	2	2	2	2
Lander	6	6		5	5	5	5	5	5	5	5	5	9	5
Hilrenny	2	2		1	1	1	2	2	2	2	2	2	2	2
Annan	2	2	2	2	2	2	2	2	2	2	2	2	2	2
Lochnagar	2	3	3	1	1	1	1	1	1	1	1	1	1	1
Langmuir	1	1	1	1	1	1	1	1	1	1	1	1	1	1
Newgalloway	1	1	1	1	1	1	1	1	1	1	1	1	1	1
Dunquhall	2	2	1.4	1	2	2	4	4	2	2	2	2	2	2
Dornoch	3	3	3	3	3	3	3	3	3	3	3	3	3	3
Queensferry	10	10	9	7	8	8	8	8	6	5	4	4	4	4
Forfar	5	5	3	2	3	3	4	4	6	7	4	2	2	2
Perth	2	2	1	6	1	1	1	1	1	1	1	1	1	1
Perth		3	2	1	1	1	1.6	1.6	1.6	1	1	1	1	1
Perth	3	4	4	1	2	2	2	2	1	1	1	1	1	1
Wick	3.4	3.4	3.4	3	4	4	5	5	3	2	2	2	2	2
Perth	10	13	12	12	12	12	14	14	12	12	12	15	12	12
Perth	1	1	1	1	1	1	1	1	1	1	1	1	1	1
Perth	2	2	2	2	2.1	2	4	4	3	3	3	3	4	3
Campbellton					1.6	1.6	3	3	2	2	2	2	2	2
Perth			10	10	6	2			2	2	2	3.9	4.2	5.10
Perth									2	2	2	2	2	2

Thus the burgh quotas in Scotland became in practice as rigid as the assessment fixed by act of parliament in England, and were indeed fixed by law in 1798.

One result of the freezing of the system was that by the 1770s the convention was itself meeting part of the quota of several of the poorer towns. Financial strain was also put on the convention indirectly by the law of quartering. The incidence of the tax was settled by the magistrates, assisted by stent masters, but it was not clear just who was to be held responsible for non-payment after 1707. The receiver-general therefore used the law of quartering whereby a recalcitrant burgh could be made to pay its debt by feeding a given number of troops until the debt was cleared. However, it was often the smaller, decayed and remote burghs which, through poverty and difficulty in collection and remittance, were at fault. Quartering in such cases was difficult. The receiver-general could, however, quarter troops on large burghs for debts due by small. In such a case the convention would try to get the offender to pay, but sometimes had to borrow money to avoid the quartering.

By the end of the 18th century the cry for reform was becoming more insistent. In the 1780s a claim was made that land tax money had been misapplied in Scottish burghs. It was proved only that some burghs levied local rates on the basis of the land tax assessments, a practice which had continued for years and which had been invited by the provision of the Act of Union requiring the Scottish quota to be raised 'free of all charges'. In 1798 Pitt recommended a bill 'for the more speedy collection and remittance of the land tax and assessed taxes in Scotland'¹ but it was

1. Ward 1954, p.307.

not proceeded with. Although Pitt had brought a new broom into the English administration he did not tackle the problems of royal burghs in Scotland, especially the position of the convention of royal burghs.

The situation continued unchanged for another sixty years until an Act was passed providing that any surplus on a burgh assessment was to be used for the redemption of the burgh quota. How artificial the situation had become was shown in 1896 when by the Agricultural Rates Act burghs were freed from their land tax quota. The Act provided that those burghs which had partially redeemed their land tax should receive an annual sum equivalent to the yearly value of the tax redeemed! A fitting end to an inept system of legislation.

The system of administration within the counties was different, but was also fraught with difficulties. In 1667 the post of commissioner of supply had been created in order to give the more important landowners of a county responsibility for the allocation and collection of the land tax. Any alteration in the valuation roll caused by amalgamations or disjointures had to be verified by them, and hence the valuation roll of Kinross-shire¹ was 'settled and adjusted by a general meeting of the commissioners of supply'.

The number of commissioners varied from county to county, there being for example 13 in Argyll in 1751² and seven in Kinross in 1771.³ Although detailed information is not available for the whole of Scotland it can be assumed that the number of commissioners grew in the 18th century, judging by the evidence of Ayrshire, which had 13 in 1667 and 70 in the 18th century. Eventually all landowners of substance were

1. Ward 1954, p.307. 2. SRO E106/3/2. 3. SRO E106/19/1.

officially accepted as commissioners.¹

The commissioners of supply were not only responsible for the land tax of a county. From 1686 onwards, in conjunction with the justices of the peace, they had the responsibility of supervising the roads, bridges and ferries within their county, and from 1696 that of obliging their fellow heritors to provide a school for each parish.² The commissioners were also responsible for the collection of the window tax until 1747 when an Act, passed to quicken the collection of this tax, virtually bypassed the commissioners except for hearing appeals.

The commissioners were given additional powers in the 19th century and ultimately became the central authority for the county until superseded in 1890 by the new county councils; even then they survived with vestigial functions until 1929.³

The attitude of the Scottish commissioners of supply was the cause of much anguish to the tax office in London in the 18th century. Ward⁴ makes it clear that the receiver-general in Scotland had a much harder task in controlling the commissioners than had his English counterparts. The 18th century landowner in Scotland was very independent and self-sufficient, and retained many overtones of feudal superiority even after the abolition of heritable jurisdictions in 1747. The idea of an all-powerful beaurocracy based in London often meant little. The law regarding the commissioners of supply assumed rather than required that they

1. Strawhorn 1975, p.67.

2. For details of the day to administration see the minutes of the meetings of the commissioners of supply in the Scottish Record Office, e.g. those of Midlothian (SRO CO.2.1.2).

3. Strawhorn 1975, p.67.

4. Ward 1954, pp.299-306.

would exercise their powers in a public-spirited manner, and by 1734 the receiver-general was reporting to London that this was no longer true. The term 'public-spirited' is, however, open to many interpretations. There is no doubt that the commissioners used their power to appoint their friends as collectors and clerks, but this was a common practice in the 18th century. There is also no doubt that some of these collectors used the money they received to their own advantage, but this was almost expected of them as the land tax was to be collected 'free of all charges'.

As the system of payment by poundage, used in England, was prohibited, it appears that two methods, both in theory illegal, were used to pay the officials of the local administration. Many valuation rolls, for example those of Aberdeenshire and Peeblesshire, actually state that a certain amount was paid to the collector. In the case of Aberdeenshire¹ the amount payable on an eight months cess was £2,715 4s 0d Scots, to which was added: clerk's salary £27 15s 7d, printer's salary £8 6s 8d, collector's salary £100, highway money to collector for ingathering £88 3s 10d, making a total of £2,949 10s 1d Scots to be levied. It was also noted that any balance due to rounding up went to the collector. In the case of Peebles² an eight months cess totalled £8,319 10s 0d Scots, and the additions were: collector's salary £180, clerk's salary £48, officer's salary £24, and also added was rogue money which was assessed at $\frac{1}{2}\%$ of the valued rental.

1. See SRO E106/36/5.

2. See Edinburgh University Library LA III, item 333.

3. Rogue money was collected to defray expenses incurred in the apprehension, custody and prosecution of criminals.

In the counties where no such additions were made commissioners must have been forced to turn surplus land tax funds to unofficial purposes in order to pay their servants, or merely turn a blind eye to the use of the tax for unofficial purposes.

How much the commissioners were themselves involved, and the extent to which the collectors nationally benefited from the land tax returns, is as yet unknown. That local administration could be obstructive is clearly shown in the case of the window tax of 1747, when commissioners claimed that the poundages offered to collectors were too small. Collectors, unwilling to offend neighbours and taxpayers, and led by the clergy, refused to collect the tax. It was this 'strike' by local administration which enabled Newcastle to get the Act of 1747 passed whereby commissioners of supply were bypassed and two surveyors-general with 20 surveyors were appointed to give assessments for the window tax.

Table 4 shows the delays common in the 18th century in remitting money collected to Edinburgh. The money involved was collected in response to 'An Act for granting an Aid to His Majesty by a Land Tax to be raised in Great Britain for the Service of the Year 1763'.¹ Payments were spread over almost two years, from September 1763 to April 1765, for this one 'aid' and it must be remembered that Acts of Supply were passed annually after 1707.

There is no doubt that the collectors had a difficult task, especially in the more remote counties, for each was responsible for a county as opposed to the parish for which his English counterpart was responsible.

1. SRO GD113/5/38.

TABLE 4 The time taken by each county to pay in full the land tax levied in 1763

<u>Amount due</u>	<u>County</u>	<u>Debt discharged between these dates (month and year)</u>	<u>Number of pay- ments made to discharge debt</u>
£ s d			
2715 4 0	Aberdeen	12.1763 - 10.1764	14
2177 9 4	Angus	12.1763 - 5.1764	6
1295 7 4	Argyll	4.1764 - 4.1765	6
2574 3 4	Ayr	11.1763 - 5.1764	5
765 0 8	Banff	12.1763 - 11.1764	9
1870 19 8	Berwick	11.1763 - 8.1764	24
204 7 0	Bute	3.1764 - 11.1764	4
398 11 8	Caithness	7.1764 - 10.1764	9
258 7 8	Clackmannan	11.1763 - 11.1764	4
1804 6 4	Dumfries	9.1763 - 10.1764	13
508 9 4	Dunbarton	10.1763 - 6.1764	6
1850 10 8	East Lothian	12.1763 - 10.1764	12
3275 19 4	Fife	10.1763 - 10.1764	18
824 1 4	Inverness	1.1764 - 3.1765	5
654 9 4	Kincardine	11.1763 - 5.1764	5
181 1 8	Kinross	11.1763 - 1.1765	4
1113 14 4	Kirkcudbright	11.1763 - 11.1764	7
2056 5 0	Lanark	2.1764 - 8.1764	10
1058 13 0	Midlothian	12.1763 - 4.1764	3
704 10 0	Moray	9.1763 - 7.1764	12
167 9 4	Nairn	10.1763 - 7.1764	4
482 13 4	Orkney	6.1764 - 4.1765	-
693 6 0	Peebles	10.1863 - 10.1864	12
2534 5 8	Perth	12.1763 - 8.1764	4
900 1 8	Renfrew	1.1764 - 10.1764	6
815 10 8	Ross	11.1763 - 8.1764	7
142 6 8	Cromarty	11.1763 - 1.1765	7
2452 3 8	Roxburgh	11.1763 - 9.1764	23
601 11 0	Selkirk	11.1763 - 11.1764	12
1166 15 8	Stirling	10.1763 - 11.1764	7
223 9 8	Sutherland	5.1764	1
778 2 0	West Lothian	11.1763 - 10.1764	11
668 5 4	Wigtown	1.1764 - 1.1765	4
241 6 8	Zetland	6.1764 - 4.1765	-

Remittance of the money collected to Edinburgh was also a slow process, especially in the earlier part of the century, and so it is difficult to judge just what opportunity a given collector would have had of profiting from his returns.

That local administration was inefficient is clear, but local administration alone cannot be blamed for the delays in remittance of tax monies to London which made the Lord Chancellor state in 1752 that 'some method to be sure should be taken to make Scotland pay her taxes, but could any ministry ever hit upon that method?'¹ Throughout the 18th century there was progressive administrative decay associated with the office of the receiver-general. In the 1790s it was normal for much less to be remitted to London within two years of a land tax coming into force than Douglas, the receiver-general in 1708, had remitted in one year. After 1775 nothing ever came in during the financial year to which the money was voted.

As the tax office in London was both distant and ignorant of Scotland's special problems, and as under law the Scottish receiver-general had authority over the local commissioners denied to his English counterparts, he assumed many of the functions of oversight exercised in England by central office. Although appointed and dismissed by the Treasury, the receiver-general was mainly concerned with his masters close at hand, the barons of the Scottish court of exchequer. This court, consisting partly of Scottish and partly of English barons, was designed to accommodate Scottish to English exchequer practice, but 'for the most part, however, the court pursued a course of glorious inefficiency'.¹

1. Ward 1954, p.297.

The receivers-general in England were paid, as were the collectors and clerks, by poundage; but no so in Scotland. The receiver derived his salary from the office of receiver of crown rents and casualties to which he had been appointed before the Union of Parliaments. This salary was, however, derisory as shown by the accounts of John Fordyce, who was receiver-general between 1763 and 1783. He estimated that his annual expenses were £750 on public accounts and £650 on treasury accounts. His total official salary was £650 per annum, subject to tax!

The work of the Scottish receiver, though similar, was more responsible and far-reaching than that of his English equivalent, as shown by the case of Alan Whiteford, receiver-general from 1729 to 1766. He managed not only the land tax but also funds arising from crown lands, forfeited estates, window and house duties, and held positions as cashier to the commissioners and trustee for the improvement of manufactures and fisheries, receiver-general of rents and casualties of the principality of Scotland and paymaster of the civil establishment in Scotland.¹ Abuse of funds and delay in remittance was inevitable and indeed 'the Treasury Board could hardly state more clearly the view that the Receiver must make his living through the use of the balances'.²

The receiver-general also had problems in sending the money to London. The journey was long and hazardous and the cost of a sufficient guard prohibitive. Remittance by bills of exchange was also difficult and commonly expensive. Just after the Union much was sent south in the form of English banknotes, but Archibald Douglas started the practice of

1. See SRO GD113/152-168.

2. Ward 1954, p.303.

remitting largely through James Douglas, a London merchant whose firm was to handle this business for over seventy years.¹

One obvious solution seemed to be for the receiver to supply the Scottish garrisons with money for pay and subsistence, taking in return bills on the paymaster in London. The receiver-general's office already had some indirect connections with the military establishment in Scotland, since it paid out money for the apprehension of deserters² and the signing up of recruits.³ Despite the apparent logic of the scheme and the support given by the Treasury, the system never worked well. Sometimes there were too few troops stationed in Scotland, but more often the problem lay with the colonels of the regiments who were tempted by favourable exchange rates to profit by selling their bills to private individuals. This led the paymaster-general to refuse to honour bills other than those payable to the receiver. In 1750 Pitt made an agreement with the Royal Bank of Scotland whereby the bank was to pay subsistence to Scottish troops up to £10,000 and furnish the receiver with bills on the Bank of England at par.⁴ Within a decade, however, this system was being abused, this time by the paymasters of the Scottish regiments who wished to profit by high rates of exchange.

Commissioners made sport of the quartering parties of troops,

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1. See SRO GD113/86 for a 'Copy Book of Letters from Geo. Innes, Deputy Receiver of the Land Tax, to Jas. Douglas Esq., Merchant in London, relating to remittances for the Land Tax, Sep. 1747-April 1753' which shows the mechanics of the system.
 2. See SRO GD113/180, 'Account of the moneys paid out for apprehending deserters, which have been allowed at passing the Receiver-General's accompts, for the Land Tax, for the years 1746 and 1747' and SRO GD1/32/19 for working of the system at county level.
 3. See SRO GD113/183.
 4. See SRO GD113/267, account book relating to payments made between 1750 and 1756 under this agreement.

hindering them with legal quibbles, and, as the size of the party was legally proportioned to the size of arrear and small units were often roughly treated, commanders became unwilling to release them. As for remoter parts of the country, they were often inaccessible for long periods and quartering was almost impossible. Even worse was the fact that the law did not make clear who the deficients were. Under older Scots law the sheriffs and stewards in the counties, and the provosts and bailies in the royal burghs, were liable to penalty. Although one might interpret that the references backwards in the Acts meant that, in the counties at least, the commissioners had inherited this responsibility, the law was so complex that quartering parties were hindered by legal technicalities every time they set out. By the middle of the 18th century a stalemate had been reached. The receiver persuaded the barons of exchequer to grant horning against some of the northern counties, but this ancient method of seizing movable property for non-payment of a debt was also unsuccessful as the receiver had no legal way of recovering the expenses incurred, being once more subject to the clause 'free of all charges'.

To make the system more efficient, basic changes in the law were required to fix the precise duties of the various officials, with effective penalties for lapses in performance, but these were not forthcoming.¹ The Scottish barons of exchequer rebuffed all attempts at interference in Scottish affairs by the tax office in London, and so reform by direct administrative pressure was also impossible. The Finance Committee of

1. In 1798 Pitt put forward a bill to speed up the collection and remittance of the land tax, but it was never passed.

1797, which had been so scathing of the Scottish system, wished to solve the problem by assimilating the Scottish administration into that of England, but clearly this was also unacceptable to the Scottish barons of exchequer. Thus during the 18th century land tax administration pursued its own devious course, hampered by confusion in the law, rivalry within the beurocracy, an inept system of legislation and the laissez faire attitude of the commissioners of supply.

Blame in such a situation is hard to apportion. Clearly, as Ward strongly advocates, the commissioners of supply could have been more effective at the local level. They had powers of oversight which, if properly used, could have made the system more efficient. This was a sin of omission rather than an active desire to hamper the system. There is no evidence to suggest that the land tax was not collected in the first place and this is the only way that the commissioners, being landowners, could have personally profited from slowing down the system. The collectors, indeed, did have opportunity and sometimes the motive to delay transmittance to Edinburgh of the money collected, but the receiver-general was the chief culprit. John Fordyce, receiver-general from 1766 to 1783, lost a lot of money in 1781 when two agents both failed with large sums of money in hand which Fordyce thought had been paid into the exchequer. As a result his accounts were £100,000 in arrears. To counteract the obvious precariousness of his position he accelerated the percentage of Scotland's quota paid within two years from 21% in 1778 and 1779 and nothing in 1780 to 68.7% in 1781, 75.1% in 1782 and 72.7% in 1783.¹ He thus managed to weather this storm but

1. Ward 1954, p.306.

then a third agent failed. In the end the public had to pay, for Fordyce's land tax account of 1780 was not cleared until 1818. This clearly indicates the absurdity of the situation, where a top government official was paid less than he used for the day to day running of his office.

Clearly the alliance of the old system of cess collection with English oversight just did not work. London seemed remote and the barons of the exchequer were jealous of their powers, perhaps as a reaction against the loss of so much power to Westminster after 1707. The Treasury and Parliament failed to bring new life to a system which could only have proved viable if major changes had been undertaken.

APPENDIX 3

THE STATE OF LANDHOLDINGIN THE COUNTIES OF SCOTLAND IN 1770

The following gives two sets of statistics for each county. The first is derived from the Directory and includes the number and valued rent of the various classes of landowning individuals,¹ corporate bodies, institutions and groups of heritors, feuars and portioners. The valued rent of the gaps in information is then added to give the total for the county.

The second gives the picture of landholding as it must have existed in 1770 when all gaps and changes over time are taken into account. The amendments, discussed in Chapter 3, relate to individuals only unless otherwise stated, and thus the number and valued rent belonging to the corporate bodies and institutions remain the same as in the first table. Entries relating to groups have all been amalgamated with class six of the individual owners.

Finally the percentage of the total number of individual landowners in each class is given and also the percentage of the total valued rent held by each type of landowner.

1. For the range of valued rent controlled by each of the six classes see p.151.

ABERDEENSHIRESTATISTICS FROM THE DIRECTORY

<u>Class of owner</u>	<u>Number</u>	<u>Valued rent (£ Scots)</u>
<u>INDIVIDUALS</u>		
1	9	72,869 14 3
2	17	47,513 3 4
3	30	40,828 4 9
4	54	37,953 16 0
5	92	27,575 18 3
6	<u>49</u>	<u>3,036 14 1</u>
<u>Total individuals</u>	<u>251</u>	<u>£229,777 10 8</u>
<u>OTHER OWNERS</u>		
Corporate Bodies	6	6,140 16 4
Institutions	6	4,434 4 4
Groups	<u>1</u>	<u>100 0 0</u>
<u>Total other owners</u>	<u>13</u>	<u>£10,675 0 8</u>
<u>ALL OWNERS</u>		
Individuals		229,777 10 8
Other owners		10,675 0 8
Gaps		<u>2,720 13 4</u>
<u>Total valued rent of county</u>		<u>£243,173 4 8</u>

AMENDED STATISTICS

<u>Class of owner</u>	<u>No. of individuals</u>	<u>Valued rent (£ Scots)</u>
1	9	73,919 14 3
2	17	47,513 3 4
3	30	40,828 4 9
4	55	38,953 16 0
5	93	27,709 4 11
6	<u>51*</u>	<u>3,274 0 9</u>
<u>Total individuals</u>	<u>255</u>	<u>£232,199 4 0</u>
<u>Class of owner</u>	<u>% of individuals</u>	<u>% valued rent of county</u>
1	3.5	30.5
2	6.7	19.5
3	11.8	16.8
4	21.5	16.0
5	36.5	11.4
6	20.0*	1.3
Corporate Bodies		2.5
Institutions		2.0**

* The valued rental of this class includes that of one 'group' for which numbers of owners are unknown.

** This figure includes the valued rental of the parsonages of Auchterless and Turriff (a total of £400 Scots valued rent) which under the amendments come under the ownership of an institution.

ANGUSSTATISTICS FROM THE DIRECTORY

<u>Class of owner</u>	<u>Number</u>	<u>Valued rent (£ Scots)</u>
<u>INDIVIDUALS</u>		
1	5	47,659 11 8
2	15	37,755 2 1
3	19	27,783 7 11
4	37	27,692 6 1
5	83	21,360 5 7
6	<u>58</u>	<u>2,590 4 3</u>
<u>Total individuals</u>	<u>217</u>	<u>£164,840 17 7</u>
<u>OTHER OWNERS</u>		
Corporate Bodies	4	803 13 2
Institutions	5	1,151 13 6
Groups	<u>3</u>	<u>2,130 0 0</u>
<u>Total other owners</u>	<u>12</u>	<u>£4,085 6 8</u>
<u>ALL OWNERS</u>		
Individuals		164,840 17 7
Other owners		4,085 6 8
Gaps		<u>2,976 2 0</u>
<u>Total valued rent of county</u>		<u>£171,902 6 3</u>

AMENDED STATISTICS

<u>Class of owner</u>	<u>No. of individuals</u>	<u>Valued rent (£ Scots)</u>
1	5	47,659 11 8
2	15	37,755 2 1
3	19	27,783 7 11
4	37	27,692 6 1
5	94	23,949 14 3
6	<u>64*</u>	<u>5,106 17 7</u>
<u>Total individuals</u>	<u>234</u>	<u>£169,946 19 7</u>

<u>Class of owner</u>	<u>% of individuals</u>	<u>% valued rent of county</u>
1	2.1	27.7
2	6.4	22.0
3	8.1	16.2
4	15.8	16.1
5	40.2	13.9
6	27.4*	3.0
Corporate Bodies		0.45
Institutions		0.65

* The valued rent of this class includes that of three 'groups' for which numbers of owners are unknown.

ARGYLLSTATISTICS FROM THE DIRECTORY

<u>Class of owner</u>	<u>Number</u>	<u>Valued rent (£ Scots)</u>
<u>INDIVIDUALS</u>		
1	5	49,060 19 0
2	5	13,537 15 0
3	25	34,442 15 0
4	27	17,438 15 0
5	123	27,780 11 0
6	64	3,328 15 2
<u>Total individuals</u>	<u>249</u>	<u>£145,589 10 2</u>
<u>OTHER OWNERS</u>		
Corporate Bodies	0	0
Institutions	1	1,300 0 0
Groups	2	207 16 0
<u>Total other owners</u>	<u>3</u>	<u>1,507 16 0</u>
<u>ALL OWNERS</u>		
Individuals		145,589 10 2
Other owners		1,507 16 0
Gaps		0
<u>Total valued rent of county</u>		<u>£147,097 6 2</u>

AMENDED STATISTICS

<u>Class of owner</u>	<u>No. of individuals</u>	<u>Valued rent (£ Scots)</u>
1	5	52,840 6 6
2	5	14,899 16 6
3	25	35,804 16 6
4	27	18,800 16 6
5	89	20,743 8 0
6	49*	2,708 2 2
<u>Total individuals</u>	<u>200</u>	<u>£145,797 6 2</u>

<u>Class of owner</u>	<u>% of individuals</u>	<u>% valued rent of county</u>
1	2.5	35.9
2	2.5	10.1
3	12.5	24.3
4	13.5	12.8
5	44.5	14.1
6	24.5*	1.9
Corporate Bodies		0
Institutions		0.9

* The valued rent of this class includes that of two 'groups' for which numbers of owners are unknown.

AYRSHIRESTATISTICS FROM THE DIRECTORY

<u>Class of owner</u>	<u>Number</u>	<u>Valued rent (£ Scots)</u>
<u>INDIVIDUALS</u>		
1	5	38,999 19 2
2	9	26,176 5 3
3	16	23,328 1 9
4	41	27,293 0 8
5	121	30,131 19 9
6	<u>182</u>	<u>6,233 11 4</u>
Total individuals	374	£152,162 17 11
<u>OTHER OWNERS</u>		
Corporate Bodies	3	1,725 5 0
Institutions	0	0
Groups	<u>3</u>	<u>255 10 2</u>
Total other owners	6	£1,980 15 2
<u>ALL OWNERS</u>		
Individuals		152,162 17 11
Other owners		1,980 15 2
Gaps		<u>37,536 4 0</u>
Total valued rent of county		£191,679 17 1

AMENDED STATISTICS

<u>Class of owner</u>	<u>No. of individuals</u>	<u>Valued rent (£ Scots)</u>
1	5	38,999 19 2
2	9	26,176 5 3
3	16	23,328 1 9
4	49	32,152 3 8
5	222	49,711 3 7
6	<u>458*</u>	<u>19,586 18 8</u>
Total individuals	759	£189,954 12 1

<u>Class of owner</u>	<u>% of individuals</u>	<u>% valued rent of county</u>
1	0.7	20.4
2	1.2	13.7
3	2.1	12.2
4	6.5	16.8
5	29.2	25.9
6	60.3*	10.2
Corporate Bodies		0.8
Institutions		0

* The valued rent of this class includes that of three 'groups' for which numbers of owners are unknown.

BANFFSHIRESTATISTICS FROM THE DIRECTORY

<u>Class of owner</u>	<u>Number</u>	<u>Valued rent (£ Scots)</u>
<u>INDIVIDUALS</u>		
1	1	8,788 0 0
2	3	9,770 0 0
3	14	18,258 9 10
4	11	8,130 13 4
5	74	20,166 14 10
6	74	4,152 0 0
<u>Total individuals</u>	<u>177</u>	<u>£69,265 18 0</u>
<u>OTHER OWNERS</u>		
Corporate Bodies	0	0
Institutions	2	2,210 0 0
Groups	3	230 0 0
<u>Total other owners</u>	<u>5</u>	<u>2,440 0 0</u>
<u>ALL OWNERS</u>		
Individuals		69,265 18 0
Other owners		2,440 0 0
Gaps		1,606 0 0
<u>Total valued rent of county</u>		<u>£73,311 18 0</u>

AMENDED STATISTICS

<u>Class of owner</u>	<u>No. of individuals</u>	<u>Valued rent (£ Scots)</u>
1	1	9,109 4 0
2	3	10,091 4 0
3	14	18,579 13 10
4	11	8,451 17 4
5	74	20,487 18 10
6	74*	4,382 0 0
<u>Total individuals</u>	<u>177</u>	<u>£71,101 18 0</u>

<u>Class of owner</u>	<u>% of individuals</u>	<u>% valued rent of county</u>
1	0.6	12.4
2	1.7	13.8
3	7.9	25.3
4	6.2	11.5
5	41.8	28.0
6	41.8*	6.0
Corporate Bodies		0
Institutions		3.0

* The valued rent of this class includes that of three 'groups' for which numbers of owners are unknown.

BERWICKSHIRESTATISTICS FROM THE DIRECTORY

<u>Class of owner</u>	<u>Number</u>	<u>Valued rent (£ Scots)</u>		
<u>INDIVIDUALS</u>				
1	8	49,476	2	0
2	13	37,008	1	2
3	22	31,189	6	4
4	45	30,912	13	3
5	79	21,063	1	8
6	30	1,727	6	6
<u>Total individuals</u>	<u>197</u>	<u>£171,376</u>	<u>10</u>	<u>11</u>
<u>OTHER OWNERS</u>				
Corporate Bodies	1	411	19	7
Institutions	1	368	9	9
Groups	12	4,279	3	8
<u>Total other owners</u>	<u>14</u>	<u>5,059</u>	<u>13</u>	<u>0</u>
<u>ALL OWNERS</u>				
Individuals		171,376	10	11
Other owners		5,059	13	0
Gaps		0		
<u>Total valued rent of county</u>		<u>£176,436</u>	<u>3</u>	<u>11</u>

AMENDED STATISTICS

<u>Class of owner</u>	<u>No. of individuals</u>	<u>Valued rent (£ Scots)</u>		
1	8	49,476	2	0
2	13	37,008	1	2
3	22	31,189	6	4
4	45	30,912	13	3
5	79	21,063	1	8
6	30*	6,006	10	2
<u>Total individuals</u>	<u>197</u>	<u>£75,655</u>	<u>14</u>	<u>7</u>

<u>Class of owner</u>	<u>% of individuals</u>	<u>% valued rent of county</u>
1	4.1	28.0
2	6.6	21.0
3	11.2	17.7
4	22.8	17.5
5	40.1	12.0
6	15.2*	3.4
Corporate Bodies		0.2
Institutions		0.2

* The valued rent of this class includes that of 12 'groups' for which numbers of owners are unknown.

BUTESHIRESTATISTICS FROM THE DIRECTORY

<u>Class of owner</u>	<u>Number</u>	<u>Valued rent (£ Scots)</u>
<u>INDIVIDUALS</u>		
1	0	0
2	2	7,710 13 2
3	1	1,215 6 8
4	2	1,898 6 8
5	11	2,227 13 4
6	<u>28</u>	<u>1,344 10 8</u>
<u>Total individuals</u>	<u>44</u>	<u>£14,396 10 6</u>
<u>OTHER OWNERS</u>		
Corporate Bodies	0	0
Institutions	0	0
Groups	<u>0</u>	<u>0</u>
<u>Total other owners</u>	<u>0</u>	<u>0</u>
<u>ALL OWNERS</u>		
Individuals		14,396 10 6
Other owners		0
Gaps		<u>370 12 0</u>
<u>Total valued rent of county</u>		<u>£14,767 2 6</u>

AMENDED STATISTICS

<u>Class of owner</u>	<u>No. of individuals</u>	<u>Valued rent (£ Scots)</u>
1	0	0
2	2	7,803 6 2
3	1	1,307 19 8
4	2	1,990 19 8
5	11	2,320 6 4
6	<u>28</u>	<u>1,344 10 8</u>
<u>Total individuals</u>	<u>44</u>	<u>£14,767 2 6</u>

<u>Class of owner</u>	<u>% of individuals</u>	<u>% valued rent of county</u>
1	0	0
2	4.5	52.8
3	2.3	8.9
4	4.5	13.5
5	25.0	15.7
6	63.7	9.1
Corporate Bodies		0
Institutions		0

CAITHNESSSTATISTICS FROM THE DIRECTORY

<u>Class of owner</u>	<u>Number</u>	<u>Valued rent (£ Scots)</u>		
<u>INDIVIDUALS</u>				
1	1	5,977	4	6
2	4	10,498	10	6
3	3	4,243	11	0
4	10	7,388	11	10
5	20	5,477	16	7
6	7	431	1	7
<u>Total individuals</u>	<u>45</u>	<u>£34,016</u>	<u>16</u>	<u>0</u>
<u>OTHER OWNERS</u>				
Corporate Bodies	1	666	13	4
Institutions	1	1,800	6	8
Groups	0	0		
<u>Total other owners</u>	<u>2</u>	<u>£2,467</u>	<u>0</u>	<u>0</u>
<u>ALL OWNERS</u>				
Individuals		34,016	16	0
Other owners		2,467	0	0
Gaps		663	4	6
<u>Total valued rent of county</u>		<u>£37,147</u>	<u>0</u>	<u>6</u>

AMENDED STATISTICS

<u>Class of owner</u>	<u>No. of individuals</u>	<u>Valued rent (£ Scots)</u>		
1	1	5,977	4	6
2	4	10,498	10	6
3	3	4,243	11	0
4	10	7,543	9	10
5	22	5,808	3	3
6	10	586	1	5
<u>Total individuals</u>	<u>50</u>	<u>£34,680</u>	<u>0</u>	<u>6</u>

<u>Class of owner</u>	<u>% of Individuals</u>	<u>% valued rent of county</u>
1	2.0	16.1
2	8.0	28.3
3	6.0	11.4
4	20.0	20.3
5	44.0	15.6
6	20.0	1.6
Corporate Bodies		1.8
Institutions		4.9

CLACKMANNANSHIRESTATISTICS FROM THE DIRECTORY

<u>Class of owner</u>	<u>Number</u>	<u>Valued rent (£ Scots)</u>
<u>INDIVIDUALS</u>		
1	0	0
2	2	5,701 3 7
3	4	6,393 9 11
4	4	3,217 0 4
5	1	407 19 7
6	<u>2</u>	<u>109 4 9</u>
<u>Total individuals</u>	<u>13</u>	<u>£15,828 18 2</u>
<u>OTHER OWNERS</u>		
Corporate Bodies	0	0
Institutions	0	0
Groups	<u>4</u>	<u>2,870 1 3</u>
<u>Total other owners</u>	<u>4</u>	<u>2,870 1 3</u>
<u>ALL OWNERS</u>		
Individuals		15,828 18 2
Other owners		2,870 1 3
Gaps		<u>7,088 16 3</u>
<u>Total valued rent of county</u>		<u>£25,787 15 8</u>

AMENDED STATISTICS

<u>Class of owner</u>	<u>No. of individuals</u>	<u>Valued rent (£ Scots)</u>
1	0	0
2	2	5,701 3 7
3	6	9,037 9 11
4	5	3,818 2 2
5	14	3,795 1 5
6	<u>10*</u>	<u>3,435 18 7</u>
<u>Total individuals</u>	<u>37</u>	<u>£25,787 15 8</u>

<u>Class of owner</u>	<u>% of individuals</u>	<u>% valued rent of county</u>
1	0	0
2	5.4	22.1
3	16.2	35.1
4	13.5	14.8
5	37.9	14.7
6	27.0*	13.3
Corporate Bodies		0
Institutions		0

* The valued rent of this class includes that of four 'groups' for which numbers of owners are unknown.

DUMFRIESSHIRESTATISTICS FROM THE DIRECTORY

<u>Class of owner</u>	<u>Number</u>	<u>Valued rent (£ Scots)</u>		
<u>INDIVIDUALS</u>				
1	4	148,521	10	9
2	0	0		
3	12	15,663	13	4
4	9	5,696	19	0
5	58	14,995	17	3
6	20	1,037	11	3
<u>Total individuals</u>	<u>103</u>	<u>£185,615</u>	<u>11</u>	<u>7</u>
<u>OTHER OWNERS</u>				
Corporate Bodies	1	165	0	0
Institutions	0	0		
Groups	4	2,117	13	4
<u>Total other owners</u>	<u>5</u>	<u>£2,282</u>	<u>13</u>	<u>4</u>
<u>ALL OWNERS</u>				
Individuals		185,615	11	7
Other owners		2,282	13	4
Gaps		37,974	4	2
<u>Total valued rent of county</u>		<u>£225,872</u>	<u>9</u>	<u>1</u>

AMENDED STATISTICS

<u>Class of owner</u>	<u>No. of individuals</u>	<u>Valued rent (£ Scots)</u>		
1	4	148,521	10	9
2	0	0		
3	15	19,092	6	8
4	16	9,920	9	1
5	147	33,415	19	11
6	231*	15,057	2	8
<u>Total individuals</u>	<u>413</u>	<u>£225,707</u>	<u>9</u>	<u>1</u>

<u>Class of owner</u>	<u>% of individuals</u>	<u>% valued rent of county</u>
1	1.0	65.7
2	0	0
3	3.6	8.4
4	3.9	4.4
5	35.6	14.8
6	55.9*	6.7
Corporate Bodies		negble
Institutions		0

* The valued rent of this class includes that of four 'groups' for which numbers of owners are unknown.

DUNBARTONSHIRESTATISTICS FROM THE DIRECTORY

<u>Class of owner</u>	<u>Number</u>	<u>Valued rent (£ Scots)</u>
<u>INDIVIDUALS</u>		
1	0	0
2	3	6,811 11 11
3	2	2,724 13 4
4	10	7,174 10 0
5	26	5,559 10 2
6	<u>31</u>	<u>1,481 6 4</u>
Total individuals	72	£23,751 11 9
<u>OTHER OWNERS</u>		
Corporate Bodies	3	1,508 4 10
Institutions	0	0
Groups	<u>0</u>	<u>0</u>
Total other owners	3	£1,508 4 10
<u>ALL OWNERS</u>		
Individuals		23,751 11 9
Other owners		1,508 4 10
Gaps		<u>9,602 14 10</u>
Total valued rent of county		£34,862 11 5

AMENDED STATISTICS

<u>Class of owner</u>	<u>No. of individuals</u>	<u>Valued rent (£ Scots)</u>
1	0	0
2	3	6,811 11 11
3	2	2,724 13 4
4	11	8,049 10 0
5	49	10,313 4 10
6	<u>113</u>	<u>5,455 6 6</u>
Total individuals	178	£33,354 6 7

<u>Class of owner</u>	<u>% of individuals</u>	<u>% valued rent of county</u>
1	0	0
2	1.7	19.5
3	1.1	7.8
4	6.2	23.1
5	27.5	29.6
6	63.5	15.7
Corporate Bodies		4.3
Institutions		0

EAST LOTHIANSTATISTICS FROM THE DIRECTORY

<u>Class of owner</u>	<u>Number</u>	<u>Valued rent (£ Scots)</u>		
<u>INDIVIDUALS</u>				
1	9	84,416	14	5
2	13	40,861	19	0
3	17	24,722	17	10
4	20	12,959	11	9
5	33	8,746	1	7
6	95	2,290	7	0
<u>Total individuals</u>	<u>187</u>	<u>£173,997</u>	<u>11</u>	<u>7</u>
<u>OTHER OWNERS</u>				
Corporate Bodies	2	3,255	14	2
Institutions	2	674	5	1
Groups	0	0		
<u>Total other owners</u>	<u>4</u>	<u>£3,929</u>	<u>19</u>	<u>3</u>
<u>ALL OWNERS</u>				
Individuals		173,997	11	7
Other owners		3,929	19	3
Gaps		1,661	1	3
<u>Total valued rent of county</u>		<u>£179,588</u>	<u>12</u>	<u>1</u>

AMENDED STATISTICS

<u>Class of owner</u>	<u>No. of individuals</u>	<u>Valued rent (£ Scots)</u>		
1	9	84,416	14	5
2	13	40,861	19	0
3	17	24,722	17	10
4	20	12,959	11	9
5	40	10,236	12	2
6	98	2,460	17	8
<u>Total individuals</u>	<u>197</u>	<u>£175,658</u>	<u>12</u>	<u>10</u>

<u>Class of owner</u>	<u>% of individuals</u>	<u>% valued rent of county</u>
1	4.6	47.0
2	6.6	22.7
3	8.6	13.8
4	10.2	7.2
5	20.3	5.7
6	49.7	1.4
Corporate Bodies		1.8
Institutions		0.4

CITY OF EDINBURGH

STATISTICS FROM THE DIRECTORY

<u>Class of owner</u>	<u>Number</u>	<u>Valued rent (£ Scots)</u>		
<u>INDIVIDUALS</u>				
1	0	0		
2	5	11,765	0	11
3	13	19,285	18	11
4	20	14,159	17	1
5	63	16,775	3	8
6	173	5,316	10	0
<u>Total individuals</u>	<u>274</u>	<u>£67,302</u>	<u>11</u>	<u>7</u>
<u>OTHER OWNERS</u>				
Corporate Bodies	8	1,206	13	9
Institutions	8	8,582	4	8
Groups	1	36	13	4
<u>Total other owners</u>	<u>17</u>	<u>£9,825</u>	<u>11</u>	<u>9</u>
<u>ALL OWNERS</u>				
Individuals		67,302	11	7
Other owners		9,825	11	9
Gaps		336	0	0
<u>Total valued rent of county</u>		<u>£77,464</u>	<u>3</u>	<u>4</u>

AMENDED STATISTICS

<u>Class of owner</u>	<u>No. of individuals</u>	<u>Valued rent (£ Scots)</u>		
1	0	0		
2	5	11,765	0	11
3	13	19,285	18	11
4	20	14,159	17	1
5	64	17,111	3	8
6	173*	5,353	3	4
<u>Total individuals</u>	<u>275</u>	<u>£67,339</u>	<u>4</u>	<u>11</u>

<u>Class of owner</u>	<u>% of individuals</u>	<u>% valued rent of county</u>
1	0	0
2	1.8	15.2
3	4.7	24.9
4	7.3	18.3
5	23.3	22.1
6	62.9*	6.9
Corporate Bodies		1.5
Institutions		11.1

* The valued rent of this class includes one 'group' for which numbers of owners are unknown.

FIFESTATISTICS FROM THE DIRECTORY

<u>Class of owner</u>	<u>Number</u>	<u>Valued rent (£ Scots)</u>		
<u>INDIVIDUALS</u>				
1	13	99,287	11	3
2	21	59,796	19	4
3	31	44,188	2	9
4	51	37,063	8	10
5	153	37,677	14	2
6	149	8,009	3	3
<u>Total individuals</u>	<u>418</u>	<u>£286,022</u>	<u>19</u>	<u>7</u>
<u>OTHER OWNERS</u>				
Corporate Bodies	10	2,304	4	3
Institutions	20	9,104	17	0
Groups	<u>10</u>	<u>2,577</u>	<u>2</u>	<u>4</u>
<u>Total other owners</u>	<u>40</u>	<u>£13,986</u>	<u>3</u>	<u>7</u>
<u>ALL OWNERS</u>				
Individuals		286,022	19	7
Other owners		13,986	3	7
Gaps		58,184	14	3
<u>Total valued rent of county</u>		<u>£358,193</u>	<u>17</u>	<u>5</u>

AMENDED STATISTICS

<u>Class of owner</u>	<u>No. of individuals</u>	<u>Valued rent (£ Scots)</u>		
1	13	99,287	11	3
2	21	59,796	19	4
3	36	50,212	7	3
4	72	51,288	15	0
5	301	73,080	12	6
6	196*	13,118	10	10
<u>Total individuals</u>	<u>639</u>	<u>£346,784</u>	<u>16</u>	<u>2</u>

<u>Class of owner</u>	<u>% of individuals</u>	<u>% valued rent of county</u>
1	2.0	27.7
2	3.3	16.7
3	5.6	14.0
4	11.3	14.3
5	47.1	20.4
6	30.7*	3.7
Corporate Bodies		0.6
Institutions		2.6

* the valued rent of this class includes that of 10 'groups' for which numbers of owners are unknown.

CITY OF GLASGOWSTATISTICS FROM THE DIRECTORY

<u>Class of owner</u>	<u>Number</u>	<u>Valued rent (£ Scots)</u>		
<u>INDIVIDUALS</u>				
1	0	0		
2	0	0		
3	1	1,127	0	0
4	2	1,447	16	8
5	30	6,736	11	7
6	88	2,994	9	3
<u>Total individuals</u>	<u>121</u>	<u>£12,305</u>	<u>17</u>	<u>6</u>
<u>OTHER OWNERS</u>				
Corporate Bodies	5	1,435	14	2
Institutions	2	4,500	0	0
Groups	1	1,100	0	0
<u>Total other owners</u>	<u>8</u>	<u>£7,035</u>	<u>14</u>	<u>2</u>
<u>ALL OWNERS</u>				
Individuals		12,305	17	6
Other owners		7,035	14	2
Gaps		221	2	2
<u>Total valued rent of county</u>		<u>£19,562</u>	<u>13</u>	<u>10</u>

AMENDED STATISTICS

<u>Class of owner</u>	<u>No. of individuals</u>	<u>Valued rent (£ Scots)</u>		
1	0	0		
2	0	0		
3	1	1,127	0	0
4	2	1,447	16	8
5	31	6,880	16	7
6	89*	4,171	6	5
<u>Total individuals</u>	<u>123</u>	<u>£13,626</u>	<u>19</u>	<u>8</u>
<u>Class of owner</u>	<u>% of individuals</u>	<u>% valued rent of county</u>		
1	0	0		
2	0	0		
3	0.8	5.8		
4	1.6	7.4		
5	25.2	35.2		
6	72.4*	21.3		
Corporate Bodies		7.3		
Institutions		23.0		

* The valued rent of this class includes that of one 'group' for which numbers of owners are unknown.

INVERNESS-SHIRESTATISTICS FROM THE DIRECTORY

<u>Class of owner</u>	<u>Number</u>	<u>Valued rent (£ Scots)</u>		
<u>INDIVIDUALS</u>				
1	6	33,596	5	9
2	2	4,603	10	0
3	4	5,203	15	10
4	14	10,163	14	3
5	45	13,051	9	0
6	<u>18</u>	<u>1,104</u>	<u>12</u>	<u>2</u>
Total individuals	89	£67,723	7	0
<u>OTHER OWNERS</u>				
Corporate Bodies	0	0		
Institutions	1	350	0	0
Groups	<u>0</u>	<u>0</u>		
Total other owners	1	£350	0	0
<u>ALL OWNERS</u>				
Individuals		67,723	7	0
Other owners		350	0	0
Gaps		<u>7,234</u>	<u>8</u>	<u>0</u>
Total valued rent of county		£75,307	15	0

AMENDED STATISTICS

<u>Class of owner</u>	<u>No. of individuals</u>	<u>Valued rent (£ Scots)</u>		
1	5	28,792	2	1
2	1	1,915	5	0
3	3	3,330	5	2
4	14	9,501	16	11
5	64	17,212	15	0
6	<u>43</u>	<u>2,870</u>	<u>12</u>	<u>6</u>
Total individuals	130	£63,292	7	8

<u>Class of owner</u>	<u>% of individuals</u>	<u>% valued rent of county</u>
1	3.8	38.2
2	0.8	2.6
3	2.3	4.4
4	10.8	12.6
5	49.2	22.9
6	33.1	3.8
Corporate Bodies		0
Institutions		15.5*

* There were in 1770 estates valued at a total of £11,334 18s 4d under the control of the Forfeited Estates Commission, which had by 1788 been returned to the ownership of individual families.

KINCARDINESHIRESTATISTICS FROM THE DIRECTORY

<u>Class of owner</u>	<u>Number</u>	<u>Valued rent (£ Scots)</u>
<u>INDIVIDUALS</u>		
1	2	15,569 19 10
2	5	13,612 2 7
3	10	14,262 11 7
4	22	15,296 18 4
5	27	7,179 18 4
6	<u>8</u>	<u>412 13 6</u>
<u>Total individuals</u>	<u>74</u>	<u>£66,334 4 2</u>
<u>OTHER OWNERS</u>		
Corporate Bodies	2	7,213 16 6
Institutions	0	0
Groups	<u>0</u>	<u>0</u>
<u>Total other owners</u>	<u>2</u>	<u>£7,213 16 6</u>
<u>ALL OWNERS</u>		
Individuals		66,334 4 2
Other owners		7,213 16 6
Gaps		0
<u>Total valued rent of county</u>		<u>£73,548 0 8</u>

NO AMENDMENTS

<u>Class of owner</u>	<u>% of individuals</u>	<u>% valued rent of county</u>
1	2.7	21.2
2	6.8	18.5
3	13.5	19.4
4	29.7	20.8
5	36.5	9.8
6	10.8	0.5
Corporate Bodies		9.8
Institutions		0

KINROSS-SHIRESTATISTICS FROM THE DIRECTORY

<u>Class of owner</u>	<u>Number</u>	<u>Valued rent (£ Scots)</u>		
<u>INDIVIDUALS</u>				
1	0	0		
2	0	0		
3	2	2,697	13	4
4	4	2,781	7	2
5	48	9,675	4	7
6	76	3,445	17	3
<u>Total individuals</u>	<u>130</u>	<u>£18,600</u>	<u>2</u>	<u>4</u>
<u>OTHER OWNERS</u>				
Corporate Bodies	1	490	0	0
Institutions	0	0		
Groups	0	0		
<u>Total other owners</u>	<u>1</u>	<u>£490</u>	<u>0</u>	<u>0</u>
<u>ALL OWNERS</u>				
Individuals		18,600	2	4
Other owners		490	0	0
Gaps		2,796	13	4
<u>Total valued rent of county</u>		<u>£21,886</u>	<u>15</u>	<u>8</u>

AMENDED STATISTICS

<u>Class of owner</u>	<u>No. of individuals</u>	<u>Valued rent (£ Scots)</u>		
1	0	0		
2	0	0		
3	2	2,697	13	4
4	4	2,781	7	2
5	57	11,487	17	11
6	97	4,429	17	3
<u>Total individuals</u>	<u>160</u>	<u>£21,396</u>	<u>15</u>	<u>8</u>

<u>Class of owner</u>	<u>% of individuals</u>	<u>% valued rent of county</u>		
1	0	0		
2	0	0		
3	1.3	12.3		
4	2.5	12.7		
5	35.6	52.5		
6	60.6	20.3		
Corporate Bodies		2.2		
Institutions		0		

KIRKCUDBRIGHTSHIRESTATISTICS FROM THE DIRECTORY

<u>Class of owner</u>	<u>Number</u>	<u>Valued rent (£ Scots)</u>		
<u>INDIVIDUALS</u>				
1	5	34,732	3	3
2	4	10,116	16	5
3	13	16,741	10	0
4	24	16,589	9	0
5	131	27,729	18	5
6	<u>186</u>	<u>6,810</u>	<u>18</u>	<u>10</u>
<u>Total individuals</u>	<u>363</u>	<u>£112,720</u>	<u>15</u>	<u>11</u>
<u>OTHER OWNERS</u>				
Corporate Bodies	1		4	0 0
Institutions	4	1,561	16	8
Groups	<u>0</u>	<u>0</u>		
<u>Total other owners</u>	<u>5</u>	<u>£1,565</u>	<u>16</u>	<u>8</u>
<u>ALL OWNERS</u>				
Individuals		112,720	15	11
Other owners		1,565	16	8
Gaps		379	0	0
<u>Total valued rent of county</u>		<u>£114,664</u>	<u>11</u>	<u>7</u>

AMENDED STATISTICS

<u>Class of owner</u>	<u>No. of individuals</u>	<u>Valued rent (£ Scots)</u>		
1	5	35,347	4	11
2	4	10,731	18	1
3	13	17,356	10	8
4	24	17,204	10	8
5	131	28,345	0	1
6	<u>107</u>	<u>4,113</u>	<u>10</u>	<u>6</u>
<u>Total individuals</u>	<u>284</u>	<u>£113,098</u>	<u>14</u>	<u>11</u>

<u>Class of owner</u>	<u>% of individuals</u>	<u>% valued rent of county</u>
1	1.8	30.8
2	1.4	9.3
3	4.6	15.1
4	8.4	15.1
5	46.1	24.7
6	37.7	3.6
Corporate Bodies		negble
Institutions		1.4

LANARKSHIRESTATISTICS FROM THE DIRECTORY

<u>Class of owner</u>	<u>Number</u>	<u>Valued rent (£ Scots)</u>		
<u>INDIVIDUALS</u>				
1	4	37,535	4	5
2	3	7,284	3	9
3	20	27,201	6	3
4	22	14,959	0	9
5	161	44,750	2	5
6	507	19,264	17	3
<u>Total individuals</u>	<u>717</u>	<u>£150,994</u>	<u>14</u>	<u>10</u>
<u>OTHER OWNERS</u>				
Corporate Bodies	5	3,021	11	5
Institutions	3	4,515	7	8
Groups	5	2,527	11	9
<u>Total other owners</u>	<u>13</u>	<u>£10,064</u>	<u>10</u>	<u>10</u>
<u>ALL OWNERS</u>				
Individuals		150,994	14	10
Other owners		10,064	10	10
Gaps		0		
<u>Total valued rent of county</u>		<u>£161,059</u>	<u>5</u>	<u>8</u>

AMENDED STATISTICS

<u>Class of owner</u>	<u>No. of individuals</u>	<u>Valued rent (£ Scots)</u>		
1	4	37,535	4	5
2	3	7,284	3	9
3	20	27,201	6	3
4	22	14,959	0	9
5	161	44,750	2	5
6	507*	21,792	9	0
<u>Total individuals</u>	<u>717</u>	<u>£153,522</u>	<u>6</u>	<u>7</u>

<u>Class of owner</u>	<u>% of individuals</u>	<u>% valued rent of county</u>
1	0.6	23.3
2	0.4	4.5
3	2.8	16.9
4	3.1	9.3
5	22.4	27.8
6	70.7*	13.5
Corporate Bodies		1.9
Institutions		2.8

* The valued rent of this class includes that of five 'groups' for which numbers of owners are unknown.

MIDLOTHIANSTATISTICS FROM THE DIRECTORY

<u>Class of owner</u>	<u>Number</u>	<u>Valued rent (£ Scots)</u>		
<u>INDIVIDUALS</u>				
1	4	22,578	3	3
2	8	23,061	19	9
3	17	23,690	11	4
4	17	12,575	13	0
5	95	23,630	18	7
6	89	4,120	9	3
<u>Total individuals</u>	<u>230</u>	<u>£109,657</u>	<u>15</u>	<u>2</u>
<u>OTHER OWNERS</u>				
Corporate Bodies	1	1,467	0	6
Institutions	3	328	16	8
Groups	0	0		
<u>Total other owners</u>	<u>4</u>	<u>£1,795</u>	<u>17</u>	<u>2</u>
<u>ALL OWNERS</u>				
Individuals		109,657	15	2
Other owners		1,795	17	2
Gaps		426	0	0
<u>Total valued rent of county</u>		<u>£111,879</u>	<u>12</u>	<u>4</u>

AMENDED STATISTICS

<u>Class of owner</u>	<u>No. of individuals</u>	<u>Valued rent (£ Scots)</u>		
1	4	22,578	3	3
2	8	23,061	19	9
3	17	23,690	11	4
4	17	12,575	13	0
5	97	24,056	18	7
6	89	4,120	9	3
<u>Total individuals</u>	<u>232</u>	<u>£110,083</u>	<u>15</u>	<u>2</u>

<u>Class of owner</u>	<u>% of individuals</u>	<u>% valued rent of county</u>
1	1.7	20.2
2	3.5	20.6
3	7.3	21.2
4	7.3	11.2
5	41.8	21.5
6	38.4	3.7
Corporate Bodies		1.3
Institutions		0.3

MORAYSTATISTICS FROM THE DIRECTORY

<u>Class of owner</u>	<u>Number</u>	<u>Valued rent (£ Scots)</u>		
<u>INDIVIDUALS</u>				
1	3	20,830	2	3
2	5	16,123	3	11
3	9	11,555	10	10
4	10	6,251	14	0
5	25	7,212	3	7
6	<u>20</u>	<u>770</u>	<u>2</u>	<u>7</u>
Total individuals	72	£62,741	17	2
<u>OTHER OWNERS</u>				
Corporate Bodies	0	0		
Institutions	1	1,400	0	0
Groups	<u>0</u>	<u>0</u>		
Total other owners	1	£1,400	0	0
<u>ALL OWNERS</u>				
Individuals		62,741	17	2
Other owners		1,400	0	0
Gaps		0		
Total valued rent of county		£64,141	17	2

NO AMENDMENTS

<u>Class of owner</u>	<u>% of individuals</u>	<u>% valued rent of county</u>
1	4.2	32.5
2	6.9	25.1
3	12.5	18.0
4	13.9	9.8
5	34.7	11.2
6	27.8	1.2
Corporate Bodies		0
Institutions		2.2

N A I R NSTATISTICS FROM THE DIRECTORY

<u>Class of owner</u>	<u>Number</u>	<u>Valued rent (£ Scots)</u>
<u>INDIVIDUALS</u>		
1	0	0
2	3	8,157 14 7
3	2	2,674 16 4
4	3	2,327 9 4
5	4	948 18 8
6	0	0
<u>Total individuals</u>	<u>12</u>	<u>£14,108 18 11</u>
<u>OTHER OWNERS</u>		
Corporate Bodies	0	0
Institutions	1	100 0 0
Groups	0	0
<u>Total other owners</u>	<u>1</u>	<u>£100 0 0</u>
<u>ALL OWNERS</u>		
Individuals		14,108 18 11
Other owners		100 0 0
Gaps		411 0 0
<u>Total valued rent of county</u>		<u>£14,619 18 11</u>

AMENDED STATISTICS

<u>Class of owner</u>	<u>No. of individuals</u>	<u>Valued rent (£ Scots)</u>
1	0	0
2	3	8,157 14 7
3	2	2,674 16 4
4	3	2,327 9 4
5	5	1,188 18 8
6	3	171 0 0
<u>Total individuals</u>	<u>16</u>	<u>£14,519 18 11</u>

<u>Class of owner</u>	<u>% of individuals</u>	<u>% valued rent of county</u>
1	0	0
2	18.7	55.8
3	12.6	18.3
4	18.7	15.9
5	31.3	8.1
6	18.7	1.2
Corporate Bodies		0
Institutions		0.7

ORKNEYSTATISTICS FROM THE DIRECTORY

<u>Class of owner</u>	<u>Number</u>	<u>Valued rent (£ Scots)</u>
<u>INDIVIDUALS</u>		
1	1	26,601 18 5
2	2	4,505 8 0
3	8	10,847 13 0
4	5	3,507 12 0
5	31	7,654 8 0
6	<u>271</u>	<u>4,050 14 0</u>
<u>Total individuals</u>	<u>318</u>	<u>£57,167 13 5</u>
<u>OTHER OWNERS</u>		
Corporate Bodies	0	0
Institutions	2	53 8 0
Groups	<u>0</u>	<u>0</u>
<u>Total other owners</u>	<u>2</u>	<u>£53 8 0</u>
<u>ALL OWNERS</u>		
Individuals		57,167 13 5
Other owners		53 8 0
Gaps		<u>246 0 0</u>
<u>Total valued rent of county</u>		<u>£57,467 1 5</u>

AMENDED STATISTICS

<u>Class of owner</u>	<u>No. of individuals</u>	<u>Valued rent (£ Scots)</u>
1	1	26,601 18 5
2	2	4,505 8 0
3	8	10,847 13 0
4	5	3,507 12 0
5	32	7,889 15 0
6	<u>272</u>	<u>4,061 7 0</u>
<u>Total individuals</u>	<u>320</u>	<u>£57,413 13 5</u>

<u>Class of owner</u>	<u>% of individuals</u>	<u>% valued rent of county</u>
1	0.3	46.3
2	0.6	7.8
3	2.5	18.9
4	1.6	6.1
5	10.0	13.7
6	85.0	7.1
Corporate Bodies		0
Institutions		0.1

PEEBLESSHIRESTATISTICS FROM THE DIRECTORY

<u>Class of owner</u>	<u>Number</u>	<u>Valued rent (£ Scots)</u>		
<u>INDIVIDUALS</u>				
1	2	11,797	11	7
2	3	9,379	7	7
3	9	12,748	3	2
4	10	7,364	5	8
5	27	6,963	14	4
6	45	1,658	14	0
<u>Total individuals</u>	<u>96</u>	<u>£49,912</u>	<u>3</u>	<u>2</u>
<u>OTHER OWNERS</u>				
Corporate Bodies	2	2,920	10	6
Institutions	0	0		
Groups	0	0		
<u>Total other owners</u>	<u>2</u>	<u>£2,920</u>	<u>10</u>	<u>6</u>
<u>ALL OWNERS</u>				
Individuals		49,912	3	2
Other owners		2,920	10	6
Gaps		6	13	4
<u>Total valued rent of county</u>		<u>£52,839</u>	<u>7</u>	<u>0</u>

AMENDED STATISTICS

<u>Class of owner</u>	<u>No. of individuals</u>	<u>Valued rent (£ Scots)</u>		
1	2	12,037	6	10
2	3	9,619	2	10
3	9	12,987	18	4
4	10	7,604	0	10
5	24	6,190	0	4
6	41	1,480	7	4
<u>Total individuals</u>	<u>89</u>	<u>£49,918</u>	<u>16</u>	<u>6</u>

<u>Class of owner</u>	<u>% of individuals</u>	<u>% valued rent of county</u>
1	2.2	22.8
2	3.4	18.2
3	10.0	24.6
4	11.1	14.4
5	26.7	11.7
6	45.6	2.8
Corporate Bodies		5.5
Institutions		0

PERTHSHIRESTATISTICS FROM THE DIRECTORY

<u>Class of owner</u>	<u>Number</u>	<u>Valued rent (£ Scots)</u>		
<u>INDIVIDUALS</u>				
1	9	65,793	3	4
2	21	64,350	2	8
3	36	47,887	19	3
4	49	33,107	12	3
5	112	25,848	19	0
6	<u>246</u>	<u>7,975</u>	<u>0</u>	<u>11</u>
Total individuals	473	£244,962	17	5
<u>OTHER OWNERS</u>				
Corporate Bodies	6	1,849	15	8
Institutions	12	16,579	7	0
Groups	<u>1</u>	<u>201</u>	<u>13</u>	<u>4</u>
Total other owners	19	£18,630	16	0
<u>ALL OWNERS</u>				
Individuals		244,962	17	5
Other owners		18,630	16	0
Gaps		<u>56,606</u>	<u>4</u>	<u>5</u>
Total valued rent of county		£320,199	17	10

AMENDED STATISTICS

<u>Class of owner</u>	<u>No. of individuals</u>	<u>Valued rent (£ Scots)</u>		
1	9	65,793	3	4
2	22	66,869	2	8
3	40	52,778	18	1
4	60	40,209	18	11
5	277	59,913	5	2
6	<u>385*</u>	<u>16,206</u>	<u>7</u>	<u>0</u>
Total individuals	793	£301,770	15	2

<u>Class of owner</u>	<u>% of individuals</u>	<u>% valued rent of county</u>
1	1.1	20.5
2	2.8	20.9
3	5.0	16.5
4	7.6	12.5
5	34.9	18.7
6	48.6*	5.1
Corporate Bodies		0.6
Institutions		5.2

* The valued rent of this class includes that of one 'group' for which numbers of owners are unknown.

RENFREWSHIRESTATISTICS FROM THE DIRECTORY

<u>Class of owner</u>	<u>Number</u>	<u>Valued rent (£ Scots)</u>
<u>INDIVIDUALS</u>		
1	1	4,014 16 0
2	5	13,967 11 6
3	9	14,485 9 8
4	14	10,007 6 0
5	42	11,299 12 8
6	86	3,245 7 0
<u>Total individuals</u>	<u>157</u>	<u>£57,020 12 10</u>
<u>OTHER OWNERS</u>		
Corporate Bodies	3	1,570 0 0
Institutions	1	40 0 0
Groups	5	894 16 8
<u>Total other owners</u>	<u>9</u>	<u>£2,504 16 8</u>
<u>ALL OWNERS</u>		
Individuals		57,020 12 10
Other owners		2,504 16 8
Gaps		7,724 5 8
<u>Total valued rent of county</u>		<u>£67,249 15 2</u>

AMENDED STATISTICS

<u>Class of owner</u>	<u>No. of individuals</u>	<u>Valued rent (£ Scots)</u>
1	1	4,014 16 0
2	5	13,967 11 6
3	10	16,272 8 0
4	15	10,740 12 8
5	58	15,141 4 8
6	115*	5,499 12 4
<u>Total individuals</u>	<u>204</u>	<u>£65,665 9 6</u>

<u>Class of owner</u>	<u>% of individuals</u>	<u>% valued rent of county</u>
1	0.5	6.0
2	2.5	20.8
3	4.9	24.2
4	7.4	16.0
5	28.4	22.5
6	56.3*	8.2
Corporate Bodies		2.3
Institutions		negle

* The valued rent of this class includes that of five 'groups' for which number of owners are unknown.

ROSS AND CROMARTYSTATISTICS FROM THE DIRECTORY

<u>Class of owner</u>	<u>Number</u>	<u>Valued rent (£ Scots)</u>		
<u>INDIVIDUALS</u>				
1	2	18,611	8	4
2	6	15,986	5	7
3	12	16,053	2	10
4	19	13,942	6	9
5	55	14,874	6	11
6	26	1,125	9	2
<u>Total individuals</u>	<u>120</u>	<u>£80,592</u>	<u>19</u>	<u>7</u>
<u>OTHER OWNERS</u>				
Corporate Bodies	2	496	8	6
Institutions	3	7,469	18	4
Groups	0	0		
<u>Total other owners</u>	<u>5</u>	<u>£7,966</u>	<u>6</u>	<u>10</u>
<u>ALL OWNERS</u>				
Individuals		80,592	19	7
Other owners		7,966	6	10
Gaps		3	4	0
<u>Total valued rent of county</u>		<u>£88,562</u>	<u>10</u>	<u>5</u>

AMENDED STATISTICS

<u>Class of owner</u>	<u>No. of individuals</u>	<u>Valued rent (£ Scots)</u>		
1	2	19,022	8	4
2	6	16,397	5	7
3	12	16,464	2	10
4	19	14,353	6	9
5	50	13,522	6	11
6	19	836	13	2
<u>Total individuals</u>	<u>108</u>	<u>£80,596</u>	<u>3</u>	<u>7</u>

<u>Class of owner</u>	<u>% of individuals</u>	<u>% valued rent of county</u>
1	1.8	21.5
2	5.6	18.5
3	11.1	18.6
4	17.6	16.2
5	46.3	15.3
6	17.6	0.9
Corporate Bodies		0.6
Institutions		8.4

ROXBURGHSHIRESTATISTICS FROM THE DIRECTORY

<u>Class of owner</u>	<u>Number</u>	<u>Valued rent (£ Scots)</u>		
<u>INDIVIDUALS</u>				
1	15	191,281	19	7
2	14	34,375	17	6
3	13	18,271	13	4
4	29	20,778	7	3
5	81	23,200	16	1
6	<u>56</u>	<u>2,584</u>	<u>0</u>	<u>1</u>
Total individuals	208	£285,491	13	1
<u>OTHER OWNERS</u>				
Corporate Bodies	0	0		
Institutions	3	1,884	6	8
Groups	<u>19</u>	<u>13,857</u>	<u>15</u>	<u>6</u>
Total other owners	22	£15,742	2	2
<u>ALL OWNERS</u>				
Individuals		285,491	13	1
Other owners		15,742	2	2
Gaps		<u>5,441</u>	<u>5</u>	<u>10</u>
Total valued rent of county		£306,675	1	1

AMENDED STATISTICS

<u>Class of owner</u>	<u>No. of individuals</u>	<u>Valued rent (£ Scots)</u>		
1	15	191,281	19	7
2	14	34,375	17	6
3	13	18,271	13	4
4	35	25,080	3	1
5	86	24,288	6	1
6	<u>57*</u>	<u>16,493</u>	<u>15</u>	<u>7</u>
Total individuals	220	£304,790	14	5

<u>Class of owner</u>	<u>% of individuals</u>	<u>% valued rent of county</u>
1	6.8	62.4
2	6.4	11.2
3	5.9	5.9
4	15.9	8.2
5	39.1	7.9
6	25.9*	5.4
Corporate Bodies		0.1**
Institutions		0.9***

* The valued rent of this class includes that of 19 'groups' for which numbers of owners are unknown.

** The amendments for this county are detailed enough to allow the addition of £333 6s 8d to be made to this category.

*** As with ** above, £2,760 13s 4d can be added to this category.

SELKIRKSHIRESTATISTICS FROM THE DIRECTORY

<u>Class of owner</u>	<u>Number</u>	<u>Valued rent (£ Scots)</u>
<u>INDIVIDUALS</u>		
1	3	37,933 17 8
2	6	14,277 11 6
3	11	16,886 5 8
4	9	6,445 4 0
5	13	4,128 14 8
6	<u>1</u>	<u>10 13 4</u>
<u>Total individuals</u>	<u>43</u>	<u>£79,682 6 10</u>
<u>OTHER OWNERS</u>		
Corporate Bodies	1	1,053 3 4
Institutions	1	18 5 0
Groups	<u>0</u>	<u>0</u>
<u>Total other owners</u>	<u>2</u>	<u>£1,071 8 4</u>
<u>ALL OWNERS</u>		
Individuals		79,682 6 10
Other owners		1,071 8 4
Gaps		<u>0</u>
<u>Total valued rent of county</u>		<u>£80,753 15 2</u>

AMENDED STATISTICS

<u>Class of owner</u>	<u>No. of individuals</u>	<u>Valued rent (£ Scots)</u>
1	3	38,092 12 8
2	6	14,436 6 6
3	11	17,045 0 8
4	9	6,603 19 0
5	11	3,493 14 8
6	<u>1</u>	<u>10 13 4</u>
<u>Total individuals</u>	<u>41</u>	<u>£79,682 6 10</u>

<u>Class of owner</u>	<u>% of individuals</u>	<u>% valued rent of county</u>
1	7.3	47.2
2	14.6	17.9
3	26.8	21.1
4	22.0	8.2
5	26.8	4.3
6	2.5	negble
Corporate Bodies		1.3
Institutions		negble

STIRLINGSHIRESTATISTICS FROM THE DIRECTORY

<u>Class of owner</u>	<u>Number</u>	<u>Valued rent (£ Scots)</u>		
<u>INDIVIDUALS</u>				
1	1	4,367	7	2
2	2	5,893	6	3
3	10	13,183	16	3
4	23	17,550	17	7
5	84	17,264	1	5
6	249	9,009	12	0
<u>Total individuals</u>	<u>369</u>	<u>£67,269</u>	<u>0</u>	<u>8</u>
<u>OTHER OWNERS</u>				
Corporate Bodies	2	8,981	8	3
Institutions	1	276	13	4
Groups	3	933	4	9
<u>Total other owners</u>	<u>6</u>	<u>£10,191</u>	<u>6</u>	<u>4</u>
<u>ALL OWNERS</u>				
Individuals		67,269	0	8
Other owners		10,191	6	4
Gaps		31,316	9	10
<u>Total valued rent of county</u>		<u>£108,776</u>	<u>16</u>	<u>10</u>

AMENDED STATISTICS

<u>Class of owner</u>	<u>No. of individuals</u>	<u>Valued rent (£ Scots)</u>		
1	1	4,367	7	2
2	2	5,893	6	3
3	12	15,538	12	3
4	28	21,681	9	7
5	177	37,169	14	8
6	345*	14,868	5	4
<u>Total individuals</u>	<u>565</u>	<u>£99,518</u>	<u>15</u>	<u>3</u>

<u>Class of owner</u>	<u>% of individuals</u>	<u>% valued rent of county</u>
1	0.2	4.0
2	0.4	5.4
3	2.1	14.3
4	5.0	19.9
5	31.3	34.2
6	61.0*	13.7
Corporate Bodies		8.3
Institutions		0.2

* The valued rent of this class includes that of three 'groups' for which numbers of owners are unknown.

SUTHERLANDSTATISTICS FROM THE DIRECTORY

<u>Class of owner</u>	<u>Number</u>	<u>Valued rent (£ Scots)</u>
<u>INDIVIDUALS</u>		
1	1	12,333 6 8
2	2	5,325 14 9
3	1	1,168 4 10
4	3	2,379 13 6
5	17	4,683 15 9
6	<u>2</u>	<u>171 13 4</u>
<u>Total individuals</u>	<u>26</u>	<u>£26,062 8 10</u>
<u>OTHER OWNERS</u>		
Corporate Bodies	0	0
Institutions	0	0
Groups	<u>0</u>	<u>0</u>
<u>Total other owners</u>	<u>0</u>	<u>£0</u>
<u>ALL OWNERS</u>		
Individuals		26,062 8 10
Other owners		0
Gaps		<u>0</u>
<u>Total valued rent of county</u>		<u>£26,062 8 10</u>

NO AMENDMENTS

<u>Class of owner</u>	<u>% of individuals</u>	<u>% valued rent of county</u>
1	3.8	47.3
2	7.7	20.4
3	3.8	4.5
4	11.6	9.1
5	65.4	18.0
6	7.7	0.7
Corporate Bodies		0
Institutions		0

WEST LOTHIANSTATISTICS FROM THE DIRECTORY

<u>Class of owner</u>	<u>Number</u>	<u>Valued rent (£ Scots)</u>
<u>INDIVIDUALS</u>		
1	3	25,475 1 4
2	5	14,307 11 2
3	7	9,539 10 0
4	12	8,661 9 8
5	33	8,769 12 9
6	<u>72</u>	<u>1,698 14 10</u>
Total individuals	132	£68,451 19 9
<u>OTHER OWNERS</u>		
Corporate Bodies	0	0
Institutions	0	0
Groups	<u>2</u>	<u>733 13 0</u>
Total other owners	2	£733 13 0
<u>ALL OWNERS</u>		
Individuals		68,451 19 9
Other owners		733 13 0
Gaps		<u>5,639 14 0</u>
Total valued rent of county		£74,825 6 9

AMENDED STATISTICS

<u>Class of owner</u>	<u>No. of individuals</u>	<u>Valued rent (£ Scots)</u>
1	3	25,475 1 4
2	5	14,307 11 2
3	7	9,539 10 0
4	13	9,237 9 8
5	54	12,964 16 9
6	<u>85*</u>	<u>3,300 17 10</u>
Total individuals	167	£74,825 6 9

<u>Class of owner</u>	<u>% of individuals</u>	<u>% valued rent of county</u>
1	1.8	34.1
2	3.0	19.1
3	4.2	12.8
4	7.8	12.3
5	32.3	17.3
6	50.9*	4.4
Corporate Bodies		0
Institutions		0

* The valued rent of this class includes that of two 'groups' for which numbers of owners are unknown.

WIGTOWNSHIRESTATISTICS FROM THE DIRECTORY

<u>Class of owner</u>	<u>Number</u>	<u>Valued rent (£ Scots)</u>		
<u>INDIVIDUALS</u>				
1	3	16,316	18	0
2	4	15,139	1	8
3	8	10,207	13	4
4	7	5,395	11	0
5	40	9,650	9	2
6	<u>15</u>	<u>637</u>	<u>9</u>	<u>4</u>
Total individuals	77	£57,347	2	6
<u>OTHER OWNERS</u>				
Corporate Bodies	0	0		
Institutions	1	1,048	0	0
Groups	<u>0</u>	<u>0</u>		
Total other owners	1	£1,048	0	0
<u>ALL OWNERS</u>				
Individuals		57,347	2	6
Other owners		1,048	0	0
Gaps		<u>7,779</u>	<u>19</u>	<u>8</u>
Total valued rent of county		£66,175	2	2

AMENDED STATISTICS

<u>Class of owner</u>	<u>No. of individuals</u>	<u>Valued rent (£ Scots)</u>		
1	3	20,623	14	8
2	4	12,122	5	0
3	8	10,207	13	4
4	9	6,404	11	0
5	60	13,532	2	2
6	<u>45</u>	<u>2,526</u>	<u>16</u>	<u>0</u>
Total individuals	129	£65,127	2	2

<u>Class of owner</u>	<u>% of individuals</u>	<u>% valued rent of county</u>
1	1.5	31.1
2	3.9	18.3
3	6.2	15.4
4	7.0	9.6
5	46.5	20.3
6	34.9	3.8
Corporate Bodies		0
Institutions		1.5