The Crown Estate
An Historical Essay

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The 'Crown Estate' is an accumulation of landed property belonging to Her Majesty dispersed over the whole kingdom. Its name goes back no further than 1956 and many of the lands that make it up were only recently acquired. But as an institution, it is very old, perhaps as old as the monarchy itself. The estate is held by the Queen 'in right of the Crown' and not otherwise. The Queen, of course, has a private life as well as a public one and in her private capacity can own land like any subject. It is thus that she owns Sandringham and Balmoral, which she does not therefore enjoy 'in right of the Crown'. Besides being Queen, she is also Duke of Lancaster and as Duke she also holds lands. These she holds, however, not in right of the Crown but of the duchy. There are also lands that belong to the heir apparent to the throne from birth or from the accession to the throne of his father or mother. These are the Duchy of Cornwall lands and if there were no heir, they would be vested in the Sovereign. In no circumstances, however, could they become part of the Crown Estate, for they would be held in suspense until there was another Duke of Cornwall. The Crown Estate in fact is only that estate which is vested in the Queen personally in her public capacity.

Yet even this definition is too wide. As head of the state the Queen is the nominal possessor of many other properties. Some of them are military training grounds or airfields; others are government offices, royal residences, public parks, or even ruins. This is all Crown property, some of it of very great antiquity. It is not however administered as part of the 'Crown Estate'. Generally speaking, that estate is maintained as a source of national revenue and that fact differentiates it from those lands that are held in trust for the Crown for specific government uses. In more distant times no such distinction could be drawn. But it is valid today.

The Saxons, Normans and Plantagenets

The Saxon kings were landlords from the outset and on a substantial scale. No doubt they first acquired their lands by the processes of conquest and partly used them as a reservoir from which to reward their followers. When they became Christians they bestowed them also upon churches and convents. For an instance of the gift of royal lands to a church we need not look further than to Westminster. Edward the Confessor or perhaps some earlier king gave to the great church upon the isle of Thorney much of the land that now forms the city of Westminster. It was land around his own front door and he kept back only just enough for his own dwelling. Thus we may look upon the

Palace of Westminster as the lesser part of a large Saxon royal manor of which the larger part had been assigned to pious uses.

The Saxon kings, however, did not give all their lands away. We know, for example, that on the eve of the Norman Conquest they had very large estates, particularly in the south and south-west of England. These south-westerly estates were often places of considerable importance, the centres of local administration, equipped with mints' and prisons, but royal manors were confined to no single English region and this is borne out by the evidence of place-names. Throughout England there still abound places in which the element 'king' is present. Often the element is combined with another, as in 'Kingston' or 'Kingsbury', sometimes it is a genitival addition to another place name as in King's Langley or Lyme Regis. Wherever it is found there is a strong presumption that the place was once royal. Of all the 'Kingstons' none perhaps is better known than Kingston-upon-Thames, where several Saxon kings were crowned.

Until the very end of William the Conqueror's reign we have no register of royal lands. We have to identify them from records of the gifts of kings, or draw from later evidence the conclusion that particular places had once been royal. In 1086, however, or thereabouts, there was compiled that incomparable 'Description of England' called Domesday Book. That 'description' takes the form of lists of landowners with details about the property they held. It is divided up by counties and at the head of each county section we have an inventory of the king's land in that county – the 'terra regis', to use the Latin phrase. After the 'terra regis' come the lands of the other great landholders. These lists also aim at showing not only who owned the various estates when the Survey was drawn up but also who had owned them at the Conquest and in the days of the Confessor. By careful analysis we can thus decide how much land the Confessor held and how much was in the hands of William.

By conquering England, William acquired the power to redistribute the land. In many instances he substituted Norman for native landowners. Besides this, however, he often took away a piece of land from an Englishman and kept it in his own hand, thus adding to the stock of royal lands – to what is technically called 'the royal demesne'. He did this particularly in counties where King Edward's manors had been few and where in consequence it seemed wise to augment the kingly power. But he did not confine himself to such counties. In Wiltshire, for example, Edward had held six very large manors and one smaller one. To these William added over 13 more, which may represent an enlargement of the original demesne by more than 50 per cent. No landowner in that shire could show an estate nearly so large as William's. Next door, in Dorset, the state of things was much the same. King Edward had held about 23 manors and to them William added about as many more, an addition that in acreage might represent about two-fifths of the original 'terra regis'. The result was that here, as in Wiltshire, the king was the largest landowner, with an estate which has been calculated at over 108,000 acres in today's measurements. Taking England as a whole it has been reckoned that the royal demesne on the Conqueror's death was twice as valuable as it had been at his accession and represented between a quarter and a third of the landed wealth of the kingdom.

There is reason to believe that in pre-Conquest days, though to a diminishing extent as time went on, there was a distinction drawn between the lands of the Crown and the lands of the king. The former were those that belonged to the king by virtue of his office, the latter were his private property. It was once believed that this distinction was perpetuated by William and that what may be called the 'Crown' lands were kept apart by him and later kings. According to that view they were the 'ancient demesne of the Crown' that could not be (or, at least, ought not to be) permanently separated from it and whose tenants enjoyed for ever a special status. It cannot be disputed that in later times tenants sitting upon some of the Confessor's former lands successfully claimed peculiar privileges. The view, however, that all those lands were treated continuously from his time as perpetually inalienable, because 'the Crown' and not 'the king' owned them, is no longer held. The feudal kingship that the Normans imported did not differentiate between 'public' rights and 'private' ones, and could not therefore differentiate between 'public' land and 'private' land. English

feudalism, in the sense in which we must here understand it, is a concatenation of tenures from base to apex of a pyramid. At the top stands the king. He conveys his land to his 'vassals', called tenants-in-chief, who in return do service to him. This service usually took the form of following him to the wars. When the tenant-in-chief died, the king resumed the land. In earlier days, no doubt, the king might thereupon have given the land to some new tenant not connected with the former one. By degrees, however, it became the custom, verging into the law, that the new tenant should be next heir to the last. The heir, however, did not succeed instantly and automatically. If he were a minor, the king would hold the land in 'wardship' during the minority and take the profit from it. Moreover whether the new tenant were of age or not, the king would only release the land to him on payment of a 'relief' or entry fee. If there should be a total failure of the line or if the tenant were convicted of felony or treason, the land 'escheated' or was 'forfeit' to the Crown. By means of these wardships, reliefs, escheats, and forfeitures the Crown enlarged its store of cash and for a shorter or a longer period extended its demesnes.

We have seen that when the Conqueror died the royal lands were of great extent. On his death alienations began at once and continued on a substantial scale for the next 70 years. Nineteenth century historians tended to attribute these alienations to the profligacy of William II and Stephen and in doing so could claim support from those kings' contemporaries. Without necessarily denying that the kings were spendthrifts, it is anachronistic to view their alienations as a wastage of capital. Had the Conqueror himself lived on he would hardly have retained such a mass of lands in hand. It is much more likely that the 'terra regis' of 1086 was as large as it was because the Conquest was not then complete. When the Conqueror felt that stability had been reached, he would probably have endowed or placated his hired militia by settling them upon the land. There would have been at least two reasons for so doing. In a feudal monarchy the multiplication of tenants-in-chief resulted in a multiplication of vassals. In an age of frequent warfare these vassals, holding by military tenures, strengthened the Crown rather than weakened it. Secondly in that age and for generations to come many administrative responsibilities inhered in the land and passed with it from hand to hand. By alienating land the Crown conveyed to others some of the responsibilities that it must else have borne itself, and so cheapened the processes of royal government.

But even if these constitutional and political arguments for alienation had been lacking there were other objections to retaining so much land in hand. In the later eleventh and earlier twelfth centuries the royal demesne throughout England was normally under the superintendence of the sheriffs, who were the king's agents in the counties for collecting the king's revenues and defraying his expenses. Reliable sheriffs were in short supply, and all sheriffs alike, whether good or bad, had too much to do to act as effective stewards of a multitude of manors. Accordingly it was a legitimate conclusion that the retention of a large estate was, even on purely economic grounds, of no benefit to the Crown.

To motives of prudence must be added the dictates of piety. The well-being of the Church was the aim of Crown and baronage alike, and an obvious way to foster it was to grant land to the clergy. Both cathedrals and monasteries benefited from this bounty. Thus William II gave Bath to Wells. Winchester, which was both episcopal and monastic, received from Henry I Weymouth and the isle of Portland which the Conqueror had held himself. Wells and Winchester were old foundations, but the earlier twelfth century saw the establishment all over England of many new religious houses of a variety of orders. The greatest spate of new foundations coincided with the reigns of the first three Norman kings, but many lesser houses were added under Henry II and indeed in later times. Naturally, not all these houses were founded by kings, but royal foundation and endowment played a large part in the post-Conquest movement as they had done in Saxon times. Thus William II gave Bermondsey manor to the abbey of that name and his successor added Rotherhithe and Dulwich, while Reading abbey received from Henry I Reading and Leominster.

While it cannot be disputed that alienations, whether to Churchmen or the laity, were carried out lavishly, it is much less easy to measure them. It helps, however, to picture their extent when we

learn that by Henry I's reign just under a half of the Domesday royal demesne in Northamptonshire had been granted away, in every case to laymen, or that in the parts of Lindsey (Lincolnshire) no single place that William I had held survived to the Crown by 1118. In Stephen's reign the losses were certainly no smaller, for both he and his antagonist, the Empress Maud, were forced to win support by grants of land. Thus Rannulf, Earl of Chester, received many lands from Stephen, among them Lincoln city. Not all such grants were perpetual, but when in the next reign we are able to compare Henry II's royal manors with those of the Conqueror we see how great the losses were and may conclude that they had often taken place in the preceding' Anarchy'. It has been said that the more primitive scheme of management had been to leave the sheriffs to look after the royal lands and account for their revenues. Henceforth, to a growing extent, the sheriffs were replaced either by specially appointed royal 'keepers' or by 'farmers' who held either 'in fee' or for a fixed term. Neither of these alternative methods was invented by Henry II. To him, however, is due their increasing popularity. The word 'farmer', in this context, does not denote a cultivator but a person who paid a fixed sum or 'farm' in return for holding and managing a defined territory. Counties themselves were often 'farmed' by sheriffs, and so were areas detached from counties. Once the 'farmer' had paid his 'farm' into the Exchequer he could take what profit from the land he pleased, but he must also meet every expense. If his 'farm' was a perpetual one he was said to hold in 'fee farm'. If the king entrusted a township or a group of townships to a 'farmer' he could be sure of revenue from that source; that revenue, however, was fixed for a longer or shorter term and if land was improved it was the 'farmer' and not the king who profited. If he entrusted it to a keeper he had to find the man an annual salary and to meet all other outgoings; any profit, however, was his own. Faithless keepers were easily dismissed but their replacement might be problematic. Such were the respective merits of the rival systems.

Perhaps the best-known application of 'farming' was the 'farm' of the borough. Most boroughs were urban and therefore attained a modest degree of wealth and sophistication at a relatively early stage. These characteristics led the Crown to entrust to the inhabitants of those boroughs that lay on its demesne the right or privilege of transmitting what they owed to the Crown directly into the Exchequer instead of channelling it through the sheriff;

Among the royal boroughs – and not all boroughs were royal – were many places which have now become great cities. Thus Lincoln had already been let to farm by 1130 and Gloucester by 1165. At first these leases were revocable and the sums rendered bore a real relationship to the net profits of the borough to the Crown. As time advanced their farms were 'frozen' at a fixed rate. As inflation supervened and the Crown scrupled to make new bargains with such powerful communities, the annual rent degenerated into a tiny acquittance – the only surviving token of the Crown's original superiority – and the Crown found other methods of tapping civic wealth. The gradual substitution of keepers or 'farmers' for sheriffs was one means of increasing the profit from the demesnes or at any rate of ensuring that they brought in a regular income. It also helped to beget the idea that the king's lands were not a mere fortuitous assemblage of disconnected fragments but formed an 'estate', suited to some form of centralised management. Other ways of protecting the demesnes were thought of too. Thus the travelling justices began to report upon encroachments, and also to re-assess the value of the lands at 'farm' and recommend new 'farms' where circumstances demanded it. In fact in the 50 years that followed Henry II's death the demesnes were 'farmed' increasingly and the 'farms' themselves rose in value. The practice began of leasing out rural manors to the tenants living on them in imitation of the borough 'farms'. Moreover the need to draw the greatest profit from the lands, hitherto a royal ambition, began to be a baronial one as well, and in Magna Carta the king was expressly authorised to raise the level of the 'farms'.

Henry III continued to detach demesne lands from the sheriffs' management, so that by 1236 the sheriffs had for the time being lost them all. Of the escheats and other casual additions to the royal lands better care was taken by appointing special officers, called escheators, to look after them. The first escheators were chosen in 1232. In the beginning there were two of them for the whole

kingdom, with local subordinates. Later on they multiplied, and from 1377 until the Interregnum there was a separate one for almost every county.

Ten years after the first escheators were appointed the great council of the kingdom was asserting that the escheats alone were of such worth that the king could live unaided on the proceeds. Extraordinary grants of money, they said, ought not to be required. Here, it has been argued, is the first declaration of the doctrine that was to become increasingly familiar, that 'the king must live of his own'. The main constituent of the king's 'own' was the king's lands, primarily the permanent or 'ancient' demesne, secondarily the escheats. In 1257, on the eve of the civil war between the king and barons, the king's councillors swore that the 'ancient' demesne should not be alienated, and at its close it was laid down that any lands lost should be restored. Restoration was in the interest alike of Crown and baronage. The reign of Henry III, then, was a time when concern was shown for retaining a permanent demesne and exploiting casual additions to it to the best advantage. It also inaugurated an age of augmentations. The earldom of Chester came back to the Crown in 1237. In Wales an area west of Chester was annexed in 1247. Though subsequently lost, this Welsh land was recovered by Edward I and many additions made to it. Henry's protective measures were continued by his son. Besides conquering Wales, Edward took some care to conserve lands in England that fell in through the ordinary processes of feudal law and criminal justice. Typical of these were the estates in Berkshire and north Wiltshire that Adam de Stratton, one of Edward's civil servants, forfeited. Some at least of such accessions were not alienated, as in earlier times they might have been, but were set aside for the endowment of the queen consort and the heir apparent to the throne. It is plain enough that the queen and the other members of the king's family needed support. Today that need would probably be met by some form of fixed annuity, but in the thirteenth and fourteenth centuries it was more natural to reserve a block of lands. Eleanor of Provence, Henry Ill's wife, had received such an endowment, and when, before his accession, Edward I married Eleanor of Castile, he settled certain lands upon her. She enjoyed these, and more than these, after his accession and when Edward married again in 1299 he at once set about providing his new queen with a dowry or 'jointure'. Though the story has never been worked out, it is likely that the continuous history of the queen's jointure dates from Edward's day. No estate was ever permanently reserved for the queen of England's benefit. certain royal lands, however, drawn from the common stock, tended to be assigned to the queen time and again as one consort died and was succeeded by another. The augmentations that began with Henry III and Edward I continued through the fourteenth century. Thus, early in Edward II's reign, the extensive lands of the Templars were forfeited. They were destined to pass to the sister order of the Hospitallers, but, before passing, some of them were kept in hand for several years and the profits applied to the king's purposes. In other cases the Hospitallers surrendered pieces of their prospective property as a means of inducing the Crown to hand over the remainder. Again, the defeat in 1321-2 of Edward II's baronial opponents – the 'contrariants' – led to confiscations of the lands of nearly all the great families of England and of many smaller ones. At the end of the century there occurred similar confiscations, of which we need mention only one. Following upon the state trials of 1397, Richard II deprived his opponents – Arundel, Gloucester and Warwick – of very large estates, and their retinues suffered similarly. One consequence of this was the enlargement of the king's earldom of Chester by the annexation to it of some of Arundel's lands on the Welsh border.

Perhaps a special word should here be spared for one of the earlier acquisitions of the fourteenth century. In 1305 Anthony Bek, Bishop of Durham, gave Edward of Carnarvon, subject to his own life interest, his manor of Eltham. The manor fell into the common pool after Edward became King Edward II, and, thanks to the presence of the palace that later rose within its bounds, became a much valued royal possession. Upon part of it the Crown still keeps its grip.

Edward of Carnarvon's intrusion on the scene compels us to turn back for a moment to notice the arrangements, completed in the fourteenth century, for the support of the heir apparent to the throne. In 1254 Henry III bestowed the earldom of Chester, then but recently acquired, upon the

future Edward I. In 1301 Edward himself created Edward of Carnarvon Prince of Wales, and gave him with the title the lands of the earldom of Chester and several parts of Wales itself. The Welsh lands included those which had been annexed in 1247 together with what is now Flintshire – that is the lands that had first been conquered in 1247 – Anglesey, the counties of Carmarthen and Cardigan, and various castles. It was a broad domain, though some of it was, as it still is, barren moorland. When the Prince became Edward II these lands fell back into the common pool of royal demesnes. His son Edward was given the Chester earldom in 1312, but the Welsh lands, apart from Flintshire which had been added to Chester, were kept in hand. When Edward III succeeded, he made the Black Prince Earl of Chester, and gave him the Chester lands, and 10 years later, in 1343, invested him in addition with the same group of lands that Edward of Carnarvon had enjoyed. Thereafter, until the accession of Henry VIII, it was customary for the heirs apparent, when such existed, to acquire, soon after their fathers' accession, the lands of the principate and earldom in support of those dignities. When they succeeded their fathers, the lands merged in the Crown. This arrangement was resumed under the first two Stuarts and seems to have continued until George II's time.

Besides Chester and Wales the Black Prince received a third endowment. This was the earldom of Cornwall, which, for his benefit, was erected into a dukedom. The old earldom, or parts of it, had been from time to time in royal hands before, but in 1337 certain lands, mainly in Cornwall and Devon, were permanently annexed to it, and they, with it, were bestowed upon the Black Prince. The lands were granted to him and to the firstborn sons of himself and his heirs, being Sovereigns of England, and since that time the heirs apparent to the throne are deemed to have enjoyed the lands from birth or from their father's or mother's accession. When there has been no heir apparent or the heir has died in the sovereign's life time, the lands of the duchy have been vested in the sovereign and the revenues held in suspense. Thus since 1337 the heir apparent has drawn support from a guaranteed patrimony and the claims upon the land revenues of the Crown have been proportionately reduced.

Measures were thus taken to set some blocks of land aside for the benefit of the royal family. Other measures, less lasting and successful, were directed towards conserving other lands for the normal expenses of government. To understand them we must remember the constant desire throughout much of English history for the Crown to develop new agencies to manage the revenues more efficiently than the sheriffs and the Exchequer could do, and for the sheriffs and the Exchequer to resist tendencies in that direction. As additions to the royal demesne were accumulated in the earlier fourteenth century, the king tried to keep them out of the Exchequer's hands by 'assigning' them to his Chamber, a distinct and more amenable department. Had they fallen to the Exchequer they would have been 'farmed' by the sheriffs, but the 'farms' tended to be low and inflexible sums, the sheriffs to be bad administrators, and the receipts to be lost in the whirlpool of the conservative Exchequer. Accordingly between 1314 and 1321 and again between 1333 and 1355 royal lands, whether ancient possessions, new forfeitures, escheats, or wardships were withdrawn from the Exchequer. Typical of these Chamber estates in the earlier of the two periods were the 'honors' of Carisbrooke in the south and of Holderness in the north – groups of lands centred administratively upon the places from which they took their names. It has been asserted that if the system of 'reservation', as practised in the earlier of these two periods, had survived, a substantial and profitable demesne for the Crown might have been permanently established. The motive for these 'reservations' was to realise the ambition which kings and their critics shared alike that the king should 'live of his own'. This idea, which we were able to recognise in Henry III's time, is first put into words in 1311. The barons who drafted the 'ordinances' of that year strove to give meaning to the phrase by controlling royal grants. With a somewhat similar aim the Commons demanded in 1340 that the more ancient royal lands that had been alienated should be resumed. The Crown, however, no matter how hard it tried, never succeeded in raising enough revenue out of its lands to dispense with the need for taxation. The Exchequer proved too strong and so did the continuing need to reward supporters.

Henry IV to Oliver Cromwell

In 1399 Henry of Lancaster ascended the throne as Henry IV and brought with him the duchy that bore his name. He also held in right of his queen the extensive lands of the Bohun family, wide estates in south Wales, and the lordship of Richmond which extended well outside Yorkshire. All this had the temporary effect of enriching the sovereign. The duchy of Lancaster, with property in almost every county, was kept quite distinct from the rest of the king's lands and has never been merged with them. Its tenure by the king in a period when king and state were barely separable, had the effect of relieving the Crown lands proper of some of the strains that they had previously endured. It might thus be supposed that some of the troubles of the fourteenth century would now end for good. But there was a vigorous party in Parliament which, observing this apparent wealth, insisted that better use should be made of it and that attempts to raise revenue from taxation should await that improvement. Accordingly there were demands in 1404 and 1406 for the resumption of all grants of Crown land, whether in fee or for a term, that had occurred since 1366. Though the first demand took shape in a statute, it was an ineffective one and the demands were dropped. After that Henry V's military successes turned people's minds, for the time being, in other directions.

Nevertheless those campaigns were expensive and compelled Henry VI to imitate his predecessors in granting lands away lavishly. This, in turn, led to fresh demands for resumption, coupled with popular execration of the beneficiaries under the grants. Acts passed in 1450 and 1451 were much more successful than the earlier ones. As a consequence the estates of the Dukes of York and Somerset with those of many others were reduced in size, and parts of the enlarged Crown estate relet to farm on terms more profitable to the lessor.

Edward IV, as founder of the Yorkist dynasty, brought with him the estates of the Duke of York and the Earl of March. It was, it seems, as parcel of the second of these that the manor of Portland returned to the Crown for good. Together with Henry VI's resumptions these large augmentations placed the land revenues upon a better footing. Nor did the augmentations end with Edward IV's accession. Large blocks of land fell in or returned to the Crown on the forfeiture of George Neville, Archbishop of York, in 1472, and the attainder of the Duke of Clarence six years later. The augmentations were not set aside as the Lancaster lands had been but added to the existing Crown estates. Richard III, not content with straightforward forfeitures, set up commissions to search out the lands of rebels and traitors and enquire into concealments. Nor did zeal abate after 1485. A fresh Act of Resumption was passed in that year, which restored all lands alienated during the Wars of the Roses. Further statutes of this sort were passed in 1495, and further lands added under Henry VII by the attainder of more than 120 persons.

Besides these spectacular gains new methods made the gains more profitable. Edward IV managed to detach from the Exchequer large blocks of land, especially those that had but lately come to him by forfeiture or escheat. Imitating the methods already adopted in the duchy of Lancaster and on private estates, he employed professional surveyors, receivers and auditors to tour the country, revalue the lands, lease them on more profitable terms, and collect the rents more efficiently. By such means he was able to realise his own ambition, spontaneously declared in 1467, to 'live of his own'. Gradually the old 'farming' system died away, and we seem to find ourselves again in the age of Chamber 'reservations' which marked the reign of Edward II. On this occasion, however, the changes were more lasting. The leading features. of the new system might be said to be: the division of the Crown lands into a number of groups, each usually taking its name from its former owner, and each furnished with its own staff of servants, often carried over from that owner's employment; the gradual transfer of audit to auditors of the land revenue distinct from the officials of the Exchequer; and a general tightening up of the machinery for securing to the Crown the 'feudal incidents'. Associated by tradition with Henry VII it now seems clear that many of these devices were really the invention of the Yorkists, though it was Henry who himself placed the feudal revenue under a newly-invented 'office of wards'.

The period from 1461 to 1509 is the golden age of the Crown estate. In the present state of knowledge we cannot measure its size, but Sir John Fortescue, the chief justice of that day, said that in Edward IV's reign one-fifth of the land of England was at one time or another held by the king, while its value is known to have more than doubled in the seven years between 1497 and 1504. Had a different man succeeded Henry VII, these gains might have continued and English history have been set upon a different course. In Henry VIII's earlier years steps were taken to maintain the benefits of the administrative revolution. First in 1511 General Surveyors of Crown Lands were appointed, whose offices became statutory in 1515. They formed the nucleus of what eventually became a court. They accounted to the Chamber and not to the Exchequer and are to be looked on as the first distinct organ of government permanently concerned with the profitable management of Crown lands, Secondly, the king continued his father's husbandry of wardships and liveries, and here again a group of distinct officials was ultimately given curial status.

While this machinery reflected a desire to make the most profitable use of the land revenue, the quantity of land available for exploitation fluctuated severely. An Act of Parliament passed at the opening of the new reign restored many estates to their former owners with a consequential fall in revenue. The dangers were perceived and a new Act of Resumption was passed. This redressed the balance and large confiscations such as that of the Duke of Buckingham's lands in 1521 temporarily raised the revenues to an even higher level than they had reached in Henry VII's time. But Henry was fighting a succession of expensive wars with which neither confiscations nor good husbandry could keep pace and national bankruptcy was only averted by the dissolution of the monasteries. Before that operation is described, however, three important preceding additions to the Crown property must be mentioned.

Just before his fall Cardinal Wolsey presented the king with the lease of Hampton Court, and the king obtained the freehold in 1531. The house has ever since remained a royal palace. As such it does not properly concern us, nor does the adjacent parkland. Other neighbouring land, however, has been shorn off from park and palace, and remains strictly a part of the Crown Estate. Secondly, when Wolsey was disgraced, the king took possession of York Place, Westminster, the cardinal's archiepiscopal residence in London, and rebuilt it as his new palace of Whitehall. On its site and within its former precincts now stand not only many government offices but many other buildings of which the Crown is ground landlord. Shortly after Henry began to build Whitehall, he acquired, mainly from certain monasteries, a stretch of fields in Westminster, abutting upon the palace. He needed them, it seems, as a catchment area for the palace water-supply. Some of this land now forms the Crown's very valuable Regent Street and St James' estates. In 1536 the lesser religious houses of England and Wales were suppressed and soon after all the greater ones surrendered. By 1539 over 800 religious institutes, many of them richly endowed with lands, had passed to the Crown. Of their dissolution there were several causes and it would be cynical to argue that the Crown's covetousness of their property was solely or mainly responsible. Conversely, it would be unrealistic to imply that covetousness did not enter in or that the coincidence of their fall with a financial crisis was purely accidental.

It seems to have been the aim of Thomas Cromwell, who played a large part in the dissolution, to conserve this monastic wealth and so build up again the royal demesne. Had his policy been pursued, Henry VIII would have been permanently far richer than his father. But the French wars were exigent and by 1539 alienation of the new property, which had at first been on a modest scale, greatly increased, and continued until Henry's death. Estimates of the rapidity with which the Crown stripped itself of this gigantic new inheritance have varied. Some have said that by the king's death two-thirds had gone, others seven-eighths. A recent and perhaps more cautious calculation, for Devon alone, suggests that in that county the alienated fraction was three-fifths. Contrary to a view once held little of the land was given away. It was sold and let to farm to meet the pressing need for ready cash. How far the terms of sale were favourable to the Crown has been disputed. It has, indeed, been argued that the Crown secured the current market price. On the other hand, it is not

easy to believe that the greatest profit can have been reaped by selling such a mass of land so fast. The rents reserved upon the lands conveyed in fee farm were, of course, perpetual ones, and therefore soon fell a prey to inflation. In Wales a few of these fee farm rents are still being gathered in.

In view of what has been said it is hardly surprising that very little monastic land now remains to the Crown. There are, however, one or two vestiges. The manor of Stapleford Abbots in Essex had belonged of old to the great abbey of Bury St Edmunds. At the Dissolution it was quickly granted away, but returned to the Crown, perhaps by exchange, in 1545. Though the manor has since been lost, a part of the lands, comprising two farms, is still in the Crown's hand. In somewhat similar fashion the Crown disposed of Burwell manor in Cambridgeshire, which Ramsey Abbey had once owned. It recovered it about 1553 and has kept it since. On a part of the lands James I built his 'palace' of Newmarket, beside which the famous racecourse grew up in later days.

The change of sovereign in 1547 did not arrest the alienations. The monarchy was momentarily weakened by the change, and pressure was brought to bear upon it in the young king's early years to give much land away. Sales also continued until the French war of 1549-50 ended, but they then ceased until the end of the reign. The alienations were slightly offset by the addition of the lands of colleges and chantries – institutions that had escaped the net of 1536 – 9. These lands, however, were probably not extensive and were much sub-divided. Their value, therefore, was restricted. Under Mary sales practically ceased and greater care was taken in managing the remaining lands. Moreover forfeitures brought in some augmentations. One set of forfeitures followed the attainder of the Duke of Northumberland after the execution of Lady Jane Grey; others followed Wyatt's Rebellion. Thus Lady Jane's father, who had adhered to Wyatt and like him was executed, lost his lands at Aldingham and Torver, in Furness, and these the Crown still keeps.

To manage the monastic lands a new department, the Court of Augmentations, was set up in 1536. It is a measure of the speed with which the alienations took place that by 1547 a distinct department for this purpose alone was no longer needed. The Court of General Surveyors, which managed the older Crown estates, was, therefore, united with it to form a second Court of Augmentations. In 1554 this second Court was itself swept away and all its work transferred to the Exchequer. The second Court had included among its officers Surveyors of Lands and of Woods and Auditors of the Land Revenues. These offices were incorporated into the Exchequer and there preserved until the time came to reorganise the administration of the Crown lands in the later eighteenth century.

The gains of Mary's reign, which have been recorded, were to a small extent offset by the restoration of their lands to such monasteries as the Catholic queen revived. These small losses to the Crown were, however, quickly made good when those monasteries were again suppressed on Elizabeth's accession. Moreover, during Elizabeth 's early years many rectories and similar pieces of 'spiritual' property which the Crown was holding were exchanged for slices of the estates of bishops. This measure had been contemplated before but not attempted. The vacancy of many sees, due to the displacement of those bishops who rejected the royal supremacy, made its accomplishment much easier. From the laity also property accrued through the forfeiture of the Duke of Norfolk and other rebels implicated in the Rising of the North.

In the queen's earlier years, thanks no doubt to the caution of Sir William Cecil (Lord Burghley from 1571), these gains were held. Thanks to him, too, good care was taken to exploit the lands to best advantage by a number of administrative reforms. In particular the old 'honorial' structure of the Crown estate, the grouping, that is, according to prior ownership, was abandoned in favour of a sevenfold geographical arrangement – six groups of English counties and one group for Wales. Each group was given a receiver general under an auditor of its own. The gain here lay in greater ease of communication, with a consequent reduction in the cost of rent collection and in the risk of overlooking the yield from isolated parcels. Little effort, however, seems to have been made to revalue estates and relet them at higher rents. This is a somewhat unexpected negligence for so

thrifty a government. Perhaps we should attribute it in part to the relative strength of the Court of Wards, which was now collecting the feudal land revenues with an unparalleled efficiency. But even that revenue was not enlarged to the degree that might have been expected. Though it more than doubled in the decade between 1549 and 1559 and increased by 50 per cent in the next two years, it had been reduced to half the level of 156 I ten years later and had not risen by the end of the reign. Though the receipts from the land revenues, both domanial and feudal, did in fact increase, their rise did not keep pace with the steep inflation of the later sixteenth century. Nor, so far as the non-feudal revenue went, did the capital remain intact in the queen's later years. Extensive sales were resumed in 1589 to meet the costs of the defeat of Spain. In addition, the prodigal, if excusable, habit of mortgaging lands to the City of London began.

If Elizabeth failed in fact to preserve her landed inheritance, at least she tried to do so. Her successor did not. James I was personally extravagant and the expenses of government were growing with its growing sophistication. After an abortive effort in 1604 to restrain further alienations by statute, the king embarked upon a lavish distribution. If the first five years of his reign be contrasted with the last five of Elizabeth's we find that the land revenue has fallen by £13,000. It is fair to add that in these early years many of the sales were of small plots of no great value. Thus it was at this time that the ruins of Old Salisbury castle (Old Sarum) were sold to Robert Cecil, Earl of Salisbury, and that the purlieus of York castle passed out of royal hands. When Salisbury became Lord Treasurer in 1609 he tried to check these losses. Thus he moved the king to covenant not to part with a defined list of lands of ancient inheritance; other lands, coming in by forfeiture, escheat or purchase, might be alienated but only in fee farm. He also tried to forbid further alienations by Act of Parliament. Neither of these schemes succeeded, but Salisbury achieved more than Burghley in improving the management of what lands remained. He tried to increase the premiums for renewing leases, and had many estates, especially those of more recent acquisition, revalued and let at enhanced rents.

Various suggestions for the improvement of the revenue were put forward at this time by Crown servants, among them John Norden, one of our earliest surveyors and cartographers. One of the schemes that such men advocated was a better exploitation of the forests. What were these forests? Our early kings had set aside large tracts of land, partly wooded, partly open, and all uncultivated. They used them both for their amusement and as sources for timber, which in a steel-less age was essential for construction. After the Conquest the 'forests' were subject to a special law, which is not our close concern. The bounds of the forests fluctuated in the earlier Middle Ages, but perambulations undertaken in 1279 to fix their limits were confirmed by Parliament in 1330. After this time the forest areas were closely restricted and no doubt contracted further in consequence of unauthorised encroachment. From the late fifteenth century they were being treated like urban and agricultural land belonging to the Crown: some were granted away, subject to the continuation of the Crown rights of vert (timber) and venison (hunting), some were kept in hand. The alienations were particularly frequent under the early Stuarts, when many forest areas were disafforested. Nevertheless proportionately larger areas of forest land remained with the Crown than areas of other kinds.

There were at least two reasons for this. First, since they grew no crops and did not provide the best grazing, the forests were not desirable objects of purchase. Secondly, since they were subject to rights of vert and venison, they were exposed to trespass. It was now suggested that they should be 'improved' by inclosure and tillage, and so to some extent they were. There was perhaps a third reason: the Navy needed the timber that they carried. This need, indeed, was not acknowledged so fully as some wished, for under the early Stuarts much woodland was cut down and many forests alienated despite the protests of the king's advisers. In fact there was a conflict of advice: some thought it better to sell the timber crop for cash and convert the soil beneath to tillage; others urged the preservation of the tree-clad forests in the interests of defence.

As soon as Salisbury's influence was removed and still more when Charles I, succeeded James, the raiding of the Crown estate recurred. In 1625 the lands were again being mortgaged, so that their

rental fell. Further mortgages, called after the leading trustee the 'Ditchfield grants', were made to the City of London a little later. In support of his attempt to conduct a non-parliamentary government Charles I also resumed a policy of selling. What eventually remained, insofar as it was not frozen in the form of the queen consort's jointure, seemed of such little worth that officials ceased to reckon on it as an important source of revenue. On the other hand the lands falling to the Crown in wardship were exploited to the full and it was upon the eve of the Civil War that the Court of Wards enjoyed its maximum prosperity. So much was this the case, and so unpopular did wardship and other feudal incidents become, that the court and its responsibilities expired with Charles I.

The Long Parliament, as it gradually gained supreme control, took possession of the lands of its antagonists. Besides Royalist landowners, these antagonists comprised archbishops and bishops, deans and chapters, whose confiscated property enlarged the property of the state even more abundantly than the monastic lands had done in earlier days. By direction of Parliament these new additions were sold in 1646 and 1649, and yielded, in the values of the day, £3 million. Naturally enough the state also took over by stages the lands of the Crown itself. It used them first to meet current expenses, but in 1649 an Ordinance was passed authorising sale, and a board of trustees, with a paid Surveyor General and other officers, set up. All the land in the actual possession of the royal family in 1635 and all land found on investigation to have rightly belonged to the Crown since 1641 was to be surveyed and after survey to be sold. A few estates, consisting mainly of public buildings, large houses and castles, were excepted from the sales, but, as time went on, some even of these exceptions were dispensed with. Subsequent Ordinances sanctioned the sale of fee farm rents and similar fixed payments. Finally, in 1653, those forests that had belonged to the Crown in 1635 were likewise ordered to be sold.

Working quickly and efficiently, the surveyors drew up the first complete catalogue of Crown lands since 1086. They revised the value of the land and nearly doubled their prospective letting value. At these revised figures the lands were sold. They sold easily. The alienations were momentarily successful. They enabled the Army to be paid and kept the Commonwealth from bankruptcy for a few years. After 1654, however, the new source of wealth was largely dry and much heavier taxation had to be resorted to again. The Interregnum governments initiated several hopeful administrative experiments, and one might have thought that the retention and rack-renting of the Crown estates should not have been beyond their powers. But in a revolutionary age the necessities of government have to be met with urgency, and at the time there seemed no escape from this dissipation of capital more complete than any that had gone before.

The Restoration to the Nineteenth Century

In several ways the restoration of Charles II vitally affected the Crown lands. First, tenure by knight service was abolished, and all casualties arising from that source lost to the Crown without compensation. All that remained of the old system was the Crown's right to lands that escheated in default of heirs. That right, however, was worth preserving, for through it the Crown has had sundry 'windfalls'. For example the village of Poynings in Sussex came to it in this way in 1797, and the Crown still holds it. It may be added that forfeiture, so often a cause of 'windfalls' in remoter times, has not proved so lasting as escheat, for it was abolished in 1870.

A second consequence of the Restoration was that all the confiscated Crown estates, including fee farm rents, were formally resumed and the sales voided. The recovery of these lands, however, was not easy. Their destination could not always be traced, and even where it could, resumption might be inexpedient. Moreover rewards had to be given to supporters of the Restoration settlement. Thus it came about that both in area and value the lands were much reduced in Charles II's earliest years. For these losses there were two partial compensations. First, the improved values, which the Interregnum surveyors had worked out, were maintained, and new sales and leases effected in

accordance with them. Secondly, by Act of Parliament of 1660 the Crown was provided with a fixed income for the first time. Had the provision made by this Act proved adequate, drafts on capital could have been eliminated and further alienations of Crown land prevented. But in fact it was not adequate, particularly in face of the Dutch War of 1667. Accordingly grants continued despite two abortive Bills to stop them. As a further means of providing revenue by selling capital Parliament authorised in 1670 and 1672 the sale of fee farm rents. This in itself was a sound idea, but the sums secured for those rents which were immediately sold were not so high as a later age could have desired. Nor was the process carried very far, and generations later many rents remained unsold.

After William III, triumphant leader of a revolutionary government, had replaced James II, he had, like Charles II, to provide for those who helped to win that triumph. Very considerable grants were made to his Dutch friends and supporters, especially to Bentinck, Earl of Portland, and Keppel, Earl of Albemarle. These evoked popular annoyance and in 1696, when the king was on the point of granting to Portland the wide territory of the Honor of Denbigh, part of which is still Crown property, the Commons vigorously protested. William was forced to suspend the grant and substitute another block of lands. This withdrawal, however, did not end the agitation. Two years later an attempt was made, though an unavailing one, to pass a new Act of Resumption rescinding every grant made since the Revolution. Two years after that, in 1700, a dispute arose about what are known as the 'Irish forfeitures'. These 'forfeitures', amounting to some 1,700,000 acres, were the lands in Ireland that had belonged to the Irishmen who had vainly fought for James II. They were kept for a while in hand. The Parliament at Westminster, however, which could then still legislate for Ireland, put no plan forward for their disposal. William consequently began to grant them away, in this case also largely to foreigners. The value of the alienated lands appears to have been much exaggerated, but contemporaries did not think so, and the Tory party in the Commons demanded the rescission of the grants as a means of meeting the heavy war debt and alleviating taxation. The grants were accordingly cancelled, and the lands resumed and eventually sold. If William III is mainly memorable in our story because he reduced or tried to reduce his landed property, there is one way in which he actually enlarged it. At the very outset of his reign he bought Nottingham House, Kensington, from the second Earl of Nottingham and converted it into a new palace, which still survives. The pleasure grounds are now a famous park, and upon the site of the kitchen gardens Kensington Palace Gardens and Palace Green have been built, yielding a handsome income to the Crown in rack and ground rents.

The crisis of 1700, which had assumed major proportions, was not forgotten on Queen Anne's accession. Accordingly in 1702 an Act was passed controlling for the first time in history the sovereign's power of freely disposing of his lands. Henceforth, every grant or lease of lands was to be void unless the grant or lease was for not more than 31 years or three lives and of houses for not more than 50 years or three lives. No rents below the customary ones, that is none that was preferential, were to be reserved on premises from which rents had formerly been taken, while on premises formerly conveyed without rent a rent not less than a third of the net yearly value was to be reserved. These rents, indeed, might often be uneconomic ones, but at least there now was some control on the permanent alienations of what little remained of the Crown lands. It was the opinion of the Surveyor General who held office in 1775-84 that the land revenue did in fact rise considerably between 1702 and 1787, as there was a six fold increase in the yield from premiums on renewals of leases. On the other hand the capital was not preserved intact, for several private Acts of Parliament, passed during the reigns of the first three Georges, authorised the sale or gift of valuable pieces of property.

The Parliament of 1702 was particularly concerned to prevent Queen Anne from whittling her lands away because those lands had begun to play a part in securing the 'civil list'. The history of the civil list goes back to 1698 when Parliament guaranteed to William III a fixed annuity for the support of his household. The annuity was made up from customs and excise duties and also from the 'hereditary revenues' – which hereditaments, of course, included the profits of Crown lands. If the

various sources exceeded the sum guaranteed, the King was not to receive more on that account. If they fell short of it, Parliament would have to meet the deficiency. Anything, therefore, that could be done to preserve the sources that secured the income would spare the Treasury a problem. William's three successors were granted similar civil lists, though in detail the arrangements were not the same in each case. In fact in 1698 the civil list had come to stay.

When George III mounted the throne in 1760, it naturally became necessary to provide him with an income at once. Instead, however, of perpetuating the arrangements of the preceding 60 years, new methods were devised to achieve the same result. These reflected a changed attitude towards the sovereign's lands. Instead of keeping those lands as one source on which a guaranteed income could be secured, the King surrendered for his life-time the revenue that they brought him in and received in exchange a fixed civil list That surrender, one of the more important events in our whole story, was not only a voluntary act; it was an individual one. Every succeeding sovereign has, however, imitated it for his life-time – and since 1901 for his life-time and the six months following his death – and the practice may now be reckoned among those constitutional conventions that it would be very hard to discontinue. In fact, ever since 1760 the land revenues have been looked upon as a part of the income not of the sovereign but of the state. George III, however, did not surrender the Duchies of Lancaster and Cornwall nor has any succeeding sovereign done so, though at the present time, when the heir apparent to the throne is a minor, nearly all the Duchy of Cornwall revenues are in fact being applied to the relief of the Civil List Nor has a sovereign ever been barred from buying land out of his private fortune and drawing income from it.

The idea that in the modern world kings should, even in name, own land was not allowed to pass unchallenged in George Ill's reign. In 1762 an anonymous magazine-writer proposed the sale of all Crown lands as a means of paying for the Seven Years' War, then drawing to its close, and Adam Smith in The Wealth of Nations (1776) advocated the same course, though with greater moderation. Finally in 1780, when the American War was turning out disastrously and severe financial difficulties faced the government, Edmund Burke used his eloquence to plead the same cause. Besides more theoretical objections, he argued that the lands were too scattered and too much subdivided to make their retention economically worth while. The royal forests, he thought, should be inclosed, and the resultant allotments falling to the Crown sold at moderate prices.

Burke did not single out the Crown lands for particular attack. He was concerned with much wider changes in the practice of civil government – changes which were aimed at reducing the Crown's influence by eliminating obsolete machinery and superfluous offices and bringing the national revenues into a single fund. A political revolution was to be effected by administrative means. In the end the means came to matter more than the end so that what was accomplished was an administrative revolution. Changes in the management of the land revenues formed but a single, and not a very important branch of that revolution.

While much that Burke proposed was, thanks largely to Pitt, in one way or another adopted, his proposal to sell the lands and forests of the Crown was wholly rejected. Investigations began in 1783, and in 1786 were entrusted to a statutory commission, which was empowered to continue the sale of unimprovable rents first begun in Charles II's time. Under the forceful chairmanship of Sir Charles Middleton (later Lord Barham), Comptroller of the Navy, and with an able Scot, John Fordyce, as its secretary, the commission produced seventeen reports, the last of which appeared in 1793. In these documents, ten of which concern the forests, the Crown's estate was completely surveyed for the first time since the Interregnum.

The Commissioners recommended the retention of the lands and forests and the transfer of the duties of the two surveyors to a board of three under Treasury supervision. The government agreed with the commissioners. In 1794, as an interim measure, they entrusted the control and improvement of the estate to the Surveyor General of Land Revenues, who was none other than Fordyce, and by a further statute of 1810 the Surveyor General gave place to the proposed board of

management styled the Commissioners of Woods, Forests and Land Revenues. The passing of the Act of 1810 marks a stage in the systematic management of the Crown Estate no less important, to say the least, than the surrender of the revenues in 1760. The procedure by which the new board was created and the form which it took were characteristic of the time. First comes the accumulation, at commendably high speed, of a mass of evidence, coupled with precise recommendations; then the submission of that evidence and those recommendations to Parliament and their publication. This process is common enough today when administrative changes impend, but it was an innovation in the age of Pitt. Finally comes the statutory perpetuation of a board, similar to, though different in composition from the board that proposed its creation. It was no less characteristic that the new department should have assumed not, as it well might today, a unitary form under a single minister or official but a conciliar one. Many government departments of the time did their business round a table. The transaction of business, however, by a committee in almost permanent session did not for long prove workable. Though the board still met in twice-weekly conclave in 1833, it seems that its meetings had already become formal and that the first commissioner and the secretary disposed of most of the business between them. In the Pitt era there were two leading motives for devising or retaining a conciliar form for government departments. One was to secure the public interest by setting one commissioner to watch the doings of another, a second to ensure the presence of responsible and intelligent officers by giving them an exalted standing. Fears of corruption no longer dominate the public mind and appropriate officials are attracted to the public service by other means. The conciliar form, however, which the organisation for managing the Crown estate has since maintained, perpetuates unconsciously the apprehensions and solicitousness of a much earlier day.

At first the board consisted of a minister, changing with the changes of government, with two permanent colleagues. This association of ministers and officials on a footing of near equality, strange as it may seem to us, was not uncommon in the earlier nineteenth century. In 1832 the constitution of the board was altered by bringing in, as an official member, the Surveyor General of Works and Public Buildings and by casting upon the first commissioner the parliamentary responsibility for works as well as lands. This gave the works department, for the first time, a parliamentary mouthpiece of its own. This arrangement only lasted until 1851, when, ostensibly because deficits in the works branch were being met out of surpluses in the lands branch and parliamentary authority over expenditure consequently impaired, the two departments were again divided. This time, however, it was the works department that was given the parliamentary head (now represented by the Minister of Works), and the Department of Woods and Forests, as it once again became, was left in charge of two commissioners, both of them officials. Since 1851 there has been no radical change in the responsibilities of the department of government which has looked after the Crown lands. Changes in its form have however continued. In 1906 the Liberal government, anxious to further its declared policy of multiplying small-holdings, associated the President of the Board of Agriculture, as he then was called, with the existing Commissioners, and thus brought a minister once again upon the board. After 1912 one of the two official posts remained unfilled, and thus one minister and one official were left in charge of the department. So things stood until 1943 when the Secretary of State for Scotland was made a third commissioner. Meanwhile, in 1924 the commissioners, for reasons that will be explained, had been renamed the Commissioners of Crown Lands. The work which these boards have been doing for the past 150 years, and which we must soon describe, has been carried on almost uninterruptedly upon the same site. When Fordyce took up his post, the Surveyor General of Crown Lands was homeless. His former office in Somerset House had been requisitioned for other departments and he himself was forced to carry on his business in a ruinous building in Scotland Yard. He proposed the replacement of this building by a new office on the same site with a residence for himself beside it. These two houses, Nos. I and 2 Whitehall Place, were accordingly erected in 1796 and remained in use (from 1830 solely as offices) until 1909. The present office, designed by J. W. Murray, then replaced them and the Commissioners moved in next year. Apart from wartime displacements they have stayed there ever since.

Nineteenth and Twentieth Centuries

It was not a very enviable responsibility which Parliament cast upon the Office of Woods in 1810. The lands were widely scattered and much incumbered, and the revenues included many small rents that were hard to collect. Most great landowners of the day, even if they had envied the size of the Crown estate, would have shrunk from an inheritance of such a kind. The estate, apart from royal residences, was roughly divisible into three : the 'demised estates', which were lands both agricultural and urban let out on leases; what remained of the uninclosed forests; and a mass of unimprovable rents, either fee farm rents due to the Crown from private landlords or quit rents due from the tenants of manors where the Crown was lord.

Of rents, some 20,000 altogether, the board was under a statutory obligation to sell as many as possible. The work was not easy. Many rents already sold under the Acts of Charles II had not been crossed out of the rentals, so that an elaborate investigation was often needed before it could be shown that the Crown had anything to sell at all. Moreover, naturally enough, those rents that had been most valuable and simplest to collect had been sold first so that as time advanced sales resistance increased. Further"' more, many rents were or seemed to be seriously in arrear. Despite continuous efforts to sell, the rents were said to be 'very numerous' in 1833 and in 1889 still existed in 38 English counties not to mention Wales. By that time many of the rents amounted to no more than a few pence. Today revenue from this source amounts to about £1,130 in England and Wales.

The demised estates were not only strewn abroad all over England and Wales. They had been managed on a system which did not redound to their advantage. First of all, there was a grave lack of records and maps, so that there was insufficient precise knowledge of what areas the Crown possessed. Secondly, it had long been customary to renew leases to sitting tenants without revaluing the property, on conditions that suited the tenants but were deleterious to the Crown. Renewals had taken place long before the terms, which were themselves very lengthy, were due to expire. The rents were low, but the 'fines' or premiums upon renewal high. This system of high fines, low rents and frequent renewals was in no way peculiar to the Crown, but was widely operated in seventeenth and eighteenth century England, especially where the landlord was corporate. The high fines were supposed to attract a good type of tenant and to serve as an advance security for the rent. The system, however, which almost converted the leaseholder into a freeholder, greatly reduced the landlord's power of enforcing covenants. Thus the property tended to deteriorate. The Act of 1794 required a prior survey and valuation before new leases were granted, greatly reduced the period within which leases could be renewed and forbade the collection of fines except upon the leases of houses. Acting on these powers the board began to increase rents as leases fell in or surrenders of them could be secured, and to shorten the terms of leases on agrarian property. The most valuable part of the 'demised' property lay in London and Westminster where in 1794: there were about 1,900 houses, not counting palaces and public offices. This property in the past had been managed unimaginatively, for leases of houses in a single street had not been granted on concurrent terms, so that, when the leases fell in, there was little opportunity to replan the area as a whole. People, too, had encroached upon the royal parks. When their encroachments were detected they had been allowed to continue them under licence, instead of being forced to take leases at economic rents. The new board saw to it that improvements were made. Thus proper tenancy agreements were made with the householders who had encroached upon the eastern edge of the Green Park, and between 1791 and 1814: the whole area at Hyde Park Corner, which a glance at the map shows to have been originally an encroachment upon Hyde Park, was replanned, and leases granted to new tenants, many of them noblemen. But the board's best-remembered achievements in London in this generation are not these, but the development of Regent's Park and Regent Street.

As long before as 1544 the Crown had acquired the manor of Tyburn. James I discarded the manor but kept the freehold of its park (Marylebone Park) which was leased in parcels. Fordyce had foreseen that all the leases would have expired by 181 I and in good time propounded a scheme for developing the park as a high-class residential area. The development plan was drawn by the well-

known architect John Nash, who in 1806 had been retained by the Surveyor General of Woods and after the Act of 1810 had passed through Parliament was to serve for a while as architect in the Office of Woods. Warmly supported by the Prince Regent, Nash proposed to plant the park with groups of villas girt with trees, to construct ornamental waters, to frame the whole with picturesque terraces, and to layout a market quarter eastward of the park itself. Though Nash's plans were much truncated, Regent's Park itself came into being. So did the renowned terraces, most of which, by a decision announced in 1957, are now being preserved and fitted to the modern world. The market area – Cumberland Market – was also created. The market and small houses have now gone, but on the northern side of the old market place the Crown has built large blocks of flats. As a complement to the new estate Nash planned a new street to connect his park with Westminster and Whitehall, and most of what he planned he carried out. The executed part of his design is Regent Street, built between 1817 and 1823, and in it the Crown still owns nearly all the ground. The street leads, as we know, due southward from the park, takes a turn through Piccadilly Circus, and then goes onward towards St James' Park. Originally Carlton House, the Regent's London home, formed the terminus of the street, but, when he became king, George IV abandoned it. The House was then pulled down and Carlton House Terrace and Carlton Gardens, which are still Crown Estate property, were built upon the site. The developments, of course, were very costly and capital had to be advanced by special loans, some of which were secured upon the land revenues. Nor would the developments have taken place at all, had not Parliament in 1794: bestowed upon the board the power of granting building leases up to a 99-Year term. Such a term, much longer than the Act of 1702 had allowed, offered speculative builders a new outlet for investment. Other improvements upon the Crown estate that were carried out in this period were the construction of Pall Mall East and the extensive rebuilding of the whole region between Lower Regent Street and the western end of the Strand. Thus central London was transformed into a nobler city, and the land revenues enriched by increased ground rents.

The last responsibility of the new Office of Woods was the forest land. In some forests the Crown's interest was impeded by the exercise of private rights, in others it was not. Forests in the first class were obviously a greater liability than those in the second and it was proportionately more desirable to be rid of them. Steps were accordingly taken to disafforest some of the more embarrassing areas and then to sell them. Thus Rockingham Forest in Northamptonshire was disafforested and inclosed in 1795-6, and the Crown compensated in cash for its loss of rights. The Office, however, was under a legal obligation to maintain and if possible extend the woodland area, so as to increase the supplies of home-grown naval timber, which in the French wars had very nearly been exhausted. Accordingly there were other instances where allotments awarded to the Crown upon disafforestation and inclosure were set aside as nurseries. The Office even bought land for that purpose. The story of the Crown woods in the earlier nineteenth century is one of failure. The government had aimed at replanting 100,000 acres but by 1833 had only carried out a half of that programme. Not only did the planted area never reach its optimum, but, by the time the new plantations were mature, the naval duel in Hampton Roads, Virginia (1862) had proved that wooden ships were obsolete.

After an existence of 16 years the Office began to enlarge its territorial responsibilities. First there came to it, in 1826, the land revenues of the Isle of Man, next those of Ireland in 1828, next those of Alderney in 1829, and finally the Scottish revenues in 1832. Little of the first three of these acquisitions now remains. The revenues of Man, which included some valuable mining royalties, were sold to the island government in 1947, and those of Alderney, which were of less account, to the States of Alderney in 1950. The Irish revenues had been surrendered by the Crown in 1793, independently of the English ones, for Ireland was not then united to Great Britain and since 1782 had had an independent Parliament of her own. A Royal Commission, sitting in 1824, proposed the sale of all the Irish lands and the Treasury seem to have begun to follow their advice immediately. Between 1827 and 1829 over £30,000 was raised in current values by the sale of both 'demisable' lands and unimprovable rents. The Office of Woods, however, on assuming responsibility,

discovered that the lands were potentially of greater value than had been at first supposed and took steps to renew expired leases and to protect the Crown's extensive reversionary interests. By the 'eighties the Crown was drawing an annual income of about £40,000 from the Irish revenues nearly all of it in the form of unimprovable rents, although it was the policy to sell such rents whenever possible. By that time virtually all demisable lands had been discarded and no new ones acquired. To dismiss Ireland once for all, it should be added that after the formation of the Irish Free State in 1921 the revenues in southern Ireland were transferred to the Irish Free State government. Today the Crown has nothing to recall its ancient Irish property but a few quit rents in the north yielding yearly only £38.The Scottish land revenues were made up of the rents reserved on agricultural land let on lease, of 'feu duties' and quit rents, of casual revenue connected with the succession to land, and of surplus teinds (i.e. tithes). They cannot have been a very acceptable asset. The 'demisable' land, which was of no great extent, naturally did not differ greatly from similar land in England and Wales. Two distinctions may, however, be noticed. First, there was nothing to correspond to the valuable urban estates in England. Secondly, the Scottish Crown had acquired, in consequence of the final abolition of episcopacy in 1689, what remained of the estates of Scottish bishops. These remains had been lumped in with the other royal lands and even to this day the Crown retains some traces of them. They comprise 8,000 acres in Caithness which long ago were the property of the bishop who sat in the cathedral church of Dornoch.

When feudal tenure was abolished in England, Scotland was still a separate kingdom and the English Act of 1660 consequently did not touch her. Feudal tenure in Scotland went on, together with the rights of the superior to what in England were called reliefs and fines. Besides this, many fees (or 'feus' as they are there called) were held in Scotland by paying 'duties' in perpetuity. Feudal incidents, in the exact sense, ceased in Scotland in 1914, but 'feu duties' were preserved, and are still widely paid from the feudal inferior to his superior. If the landholder holds immediately under the Crown it is the Crown who enjoys the 'feu duty' and about £12,000 is today collected yearly in this way.

'Surplus teinds' are teinds that once belonged to bishops, and have, like bishops' lands, descended to the Crown. Teinds are the main source out of which the stipends of Church of Scotland ministers are paid and all teinds are liable to be drawn upon for that object. In old days the liability of those teinds, of which bishops were the owners, though real was uncertain, and the Crown has inherited that uncertain liability. 'Surplus teinds' therefore are not a very constant, and are certainly a declining, source of revenue. Like 'feu duties', however, they comprise a mass of very small sums. The expense of their collection is, therefore, high in proportion to their value and it has long been the aim to redeem them. Redemption, however, whether of 'feu duties' or of 'surplus teinds', has never been an easy matter. The Scottish revenues came to the Office in 1832, the year in which the woods and works departments were fused. During those 19 years of union the joint board increased its commitments by taking over the Rolls estate. This lies in and adjacent to Chancery Lane and here the Master of Rolls had for long kept his court, his house, and his chapel. He had a little land besides, which he let to tenants. The whole estate was now surrendered, and not long after, in 1851, the Public Record Office began to cover part of it. A part, however, remained 'demisable' and is still on lease.

During the same period the board carried out a notable piece of 'amenity' development. They bought in 1842-5 from a multitude of different owners some land in east London and in it formed a park for the growing population of that region. They kept the margins for building development and have since enjoyed the accruing ground rents. Thus Victoria Park (later enlarged) came into being and thus the Crown acquired its property in Bethnal Green. When woods and works were separated once again in 1851, the works department took away and kept all the royal palaces and public buildings. It likewise took away all the royal parks except Windsor and Stirling. Both exceptions are to some extent sources of revenue, but the others, which are in or near London, were reserved wholly as places of recreation, as they still remain. Soon after this, in 1866, the Office of Woods

suffered a further loss of function when the Board of Trade acquired from it all expectant interests in the foreshore, outside the duchies, to which the Crown from the earliest times has had a presumptive right. The Board of Woods, however, continued to administer those foreshores that they had already let or which adjoined Crown property above high water mark. I t may be added, by anticipation, that the Commissioners of Crown Lands resumed the management of the whole foreshore in 1949. Since that time the Crown's Lincolnshire estates have been enlarged by adding land reclaimed from the Wash.

Acts of 1798, 1802, and 1808, had empowered the Surveyor General to sell parcels of Crown land for the redemption of the land tax and by an Act of 1829 this power was made more general. The acquisition of a general power of sale seems at first sight inconsistent with the spirit of the Act of 1702, designed as it was to preserve the Crown estate from further wastage. Reflection shows, however, that every good landlord must sell and exchange as well as hold and buy, and that it was particularly necessary for the Office of Woods to do so. As we have seen, the Crown's estate comprised many tiny scattered parcels and many nominal rights which were more a burden than an advantage. The landed property was accordingly ranged in an order of presumed ascending value and those branches at the bottom lopped off as opportunity arose. In the forefront of saleable property stood the Crown manors. By this time the 'manor' could hardly be called a territorial estate any longer, and denoted little more than the right to collect various rents and to hold a court at which copyhold tenants were admitted. As such it was often little better than a nuisance. Accordingly we find that up to 1830 some 60 Crown manors had been sold in England and Wales, among them Cookham and Bray, in Berkshire, and Havering-atte-Bower, in Essex, all three of which the Conqueror had held. Although the sale of manors continued throughout the nineteenth century, it could none the less be asserted in 1890 that the Crown was still the largest owner of manors in the kingdom.

Besides discarding manors and manorial rights the Office sold many inclosure allotments. The inclosure of the common fields, pastures and wastes of manors had been in progress for generations and since the earlier eighteenth century had been extensively effected under Act of Parliament. When inclosure thus took place, common rights of the manorial tenants, together with those of the lord of the manor, were extinguished, and separate estates created within the manor. The inclosure of its manors benefited the Crown, and up to 1830 over a hundred inclosure Acts affecting its lands were passed. The Crown naturally received its due allotment in each inclosed estate, but such allotments merely added to its already excessive stock of small detached pieces of land. Accordingly the allotments, unless needed as nurseries for timber, were commonly sold off.

The sale of the Crown's rights in such ways as these absorbed much of the Office's energy. No less exacting was the protection of those rights, where their retention seemed expedient or where their immediate sale was impracticable. Such protection was called for particularly in Wales. The Crown held in Wales very little agricultural land which could be let at an economic rent but many manors, with large uninclosed commons and wastes attached, and the right to draw multitudes of small quit rents from them. Until 1760 these rents seem in the main to have been regularly collected and respect shown to the Crown's interest in the wastes. But after the surrender of that year neglect ensued; the rents remained unpaid and the wastes were encroached upon. About the time of George IV's accession a new official came upon the scene and managed to collect a substantial number of arrears and challenge the encroachments. His work, however, was very difficult. In so remote a region as Wales then was the Crown was hard put to it to substantiate its legal claims and there was much local opposition to collection. In 1836 the policy was adopted of compounding with the encroachers on terms which divested the Crown of the encroachment at about a quarter of its estimated value. Besides settling with the encroachers the commissioners sold vast areas of Welsh waste throughout the nineteenth century, deeming the property no doubt too troublesome to keep. It was reckoned in 1896 that 280,000 acres of such land had been sold in the preceding century,

whether allotted under inclosure Acts or otherwise acquired. Nevertheless the Crown still retained over 84,000 acres of uninclosed land.

In 1853 – just after it had discarded the works department – the Office took stock of the achievements of its early years. It could do so with no little satisfaction. It had gone far towards disencumbering its property, and it had positively increased the land revenue by substantial sums. While the average annual increase from rents and 'fines' had been only £20,000 in the quinquennium of 1795-9 it was more than eight times that amount in 1825-9. The Office had also developed a very valuable estate in London and adorned the metropolis. Outside London, however, it had not yet begun to invest in profitable land. Such investment now began.

At first the commissioners mainly pursued a policy of enlarging those possessions which the Crown had long enjoyed either inclosed or uninclosed. But in 1858 a considerable estate was bought at Bishop's Cannings in Wiltshire, partly out of the proceeds of a sale of a Crown allotment in the recently disafforested Whittlewood. After that purchases continued in different parts of England until the agricultural depression of the 'seventies made them unwise. At the end of the century the purchase of rural property began again, and has continued steadily since then, except in the decade following the First World War and during the course of the Second. Some figures may be revealing. The agricultural (as distinct from forest) land in England, Wales and Scotland amounted to 77,800 acres in 1889. It had risen to 164,700 acres by 1921. It stood at 281,700 acres in 1958-9. Two additions to the agricultural property during this period call for special notice. In 1865 Leopold I, King of the Belgians, died and left to his niece Queen Victoria for her life the house at Claremont in Surrey which he had occupied in youth. In 1867 the Office of Woods bought the adjacent property of some 1,600 acres and So formed their Oxshott estate. Secondly, in 1902 the estate at Osborne, which the queen had purchased in 1845 out of her private fortune, was transferred to the commissioners. Their successors still manage it, though the house itself is entrusted to the Ministry of Works.

All this time the London property was growing in size, and, lying as it did in some of the most fashionable and prosperous quarters of the town, was gaining in value also. It had been enlarged during the agricultural depression of the closing years of the century by the purchase of London ground rents, notably at Holborn Viaduct and in Kensington High Street. In 1890, 4,200 London houses yielded ground rents to the Crown, nearly a quarter of them in Regent Street and Regent's Park. In the decade 1879-88 the London rents of all kinds rose from £189,000 to £237,000 a year. Marked improvements took place in the second and third decades of the present century, when many of the 99-Year leases, granted in the board's early days, fell in. It was then that Regent Street was rebuilt, to the great advantage of the revenue.

After the Navy had ceased to call for timber, the Crown woods were something of an embarrassment. It is true that small sales of fuel took place and oak bark was marketable as a dye-stuff. The growing use of chemical dyes, however, reduced the sales of bark, and coal increasingly gave place to wood. Besides this the two major forest areas, the Forest of Dean and the New Forest, were subject to common rights – in the first case the right of getting coal and iron, in the second that of pasturage. Both areas, too, had begun to possess an amenity value which made it impracticable to fell the trees and convert the forests into agricultural land, as had been done in the 'fifties with Wychwood Forest in Oxfordshire. At the end of the century, however, interest in the Crown woodlands, as forestry areas pure and simple, began to revive. In 1900 and 1907 large woodland areas were purchased, and Dean Forest converted into a kind of forestry school. Steps to conserve our native woodlands were, however, taken all too late, and during the First World War, the submarine campaign provoked an acute timber shortage. A committee sitting in 191 7 urged upon the government a proper forestry policy and the outcome was the establishment of the Forestry Commission in 1919. To this new commission were transferred in 1923 most of what remained of the Crown woods, so that since that time the Office, whose fortunes we have been tracing, has been largely concerned with urban property and farms. It has been disputed whether this complete administrative separation of Crown forests from Crown farms was altogether wise. No doubt it came

about as part of the contemporary movement, associated with Lord Haldane, for the more logical definition of governmental functions. At all events the most recent view is that the Crown estate should not be without some woodland of its own. The woodland area under the jurisdiction of the present Commissioners is now over 10,000 acres, and a Director of Forestry has been appointed to superintend it.

Since the middle of the last century the mining and quarrying rights inhering in the Crown have been increasingly exploited. A few licences to dig for copper, lead, tin, slate and stone had been granted in the earlier eighteenth century if not before. These, however, had nearly all expired by 1786. After the Act of 1794 new leases of mines began to be made at a small dead rent with a royalty usually fixed at 10 per cent. They were granted preponderantly in Wales, notably in Caernarvonshire and Merionethshire. At first the royalties probably brought in little money and certainly attracted hardly any interest when the land revenues were investigated in 1833. In the next 20 years, however, lead was extensively mined in Cardiganshire and Montgomeryshire, and the Crown, which owned many but not all the mines, profited. The trade fell away in the seventies owing to overseas competition. It seems that it was at a somewhat later date that the Welsh slate and hard-stone quarries were developed. The Caernarvonshire roadstone quarries were already profitable in 1889 and are still the Crown Estate's most valuable source of income in Wales. The beds of carboniferous limestone, however, along the north Welsh coast now run them close.

As the nineteenth century wore on, the Crown began to take advantage of its foreshore rights to mine for coal under the sea, the earlier mines lying off Whitehaven and the later off Sunderland. Some revenue was also collected from royalties upon 'gales' or concessions to the free miners of the Forest of Dean to dig for coal and iron. The coal royalties were of course abolished by the Coal Act of 1938 and the compensation which the land revenues received was invested in the purchase of agricultural estates. The Crown's revenue from mines and quarries would doubtless be much larger if a policy of reserving mineral rights when granting away the manors and wastes had been pursued in England as it was latterly in Wales. That this source is now largely Welsh is due presumably to the fact that in the earlier nineteenth century the Crown owned far more manors in Wales than elsewhere.

Our historical survey of the main branches of the land revenue is now completed, and it only remains to describe the way in which the Crown estate is now administered. In 1953 stories began to circulate about a dispute over the fate of some land in Dorset known as Crichel Down. This land had been compulsorily acquired by the Air Ministry in 1937, but was no longer needed by them. The successors-in-title to the pre-war owner wished to recover it, but, it seemed, that desire was to be frustrated by the conveyance of the land to the Commissioners of Crown Lands. A public enquiry into the dispute took place and this was followed by a calmer and more fruitful one into the best way to manage the Crown lands in the mid-twentieth century. The outcome of this second enquiry was the Crown Estate Act of 1956, which now governs the administration. The old board consisting of two ministers and a senior civil servant, theoretically of equal authority, has been replaced by a board of eight, the Crown Estate Commissioners. The First Commissioner, who is employed part-time, presides over the board. The Second Commissioner, a senior civil servant, is the chief permanent official. The others are, like the Chairman, on part-time engagements. Thus the Minister of Agriculture, whose main responsibilities could sometimes clash with those of a trustee of Crown lands and who inevitably could not be expected to take a deep interest in the Commissioners' urban property, has disappeared. Over the new board Parliament has given 'powers of direction' to two Ministers. These were at first the Lord Privy Seal and the Secretary of State for Scotland, but in 1959 the Chancellor of the Exchequer replaced the Lord Privy Seal. While those Ministers are naturally kept acquainted with what the Commissioners are doing, it has not yet been found necessary for them to exercise the 'powers of direction' conferred upon them.

Conclusion

There could be no more appropriate place at which to close this story than the keep of Windsor Castle, from which we may look down upon one of the larger portions of the Crown estate, and certainly its most renowned. Immediately below to the north and east there lie the Home Park (Public), occupied by Windsor Corporation under licence as a pleasance, and the Home Park (Private). Stretching away in the distance to the south is the Great Park, once a part of one of England's forests and a favourite royal hunting-ground. The ancient office of Ranger of the Great Park has usually been held in the past two centuries by a royal person and often by the sovereign. The present Ranger is HRH the Duke of Edinburgh. In a corner of the park is Norfolk Farm, not let to tenants but cultivated by the Commissioners themselves. To the east lies Old Windsor, probably the only part of the present Crown estate, apart from ancient forest land, which the sovereign has continuously owned since Domesday. Beyond the forest there is Ascot, where the Crown holds land allotted to it in 1813, when Windsor Forest was inclosed. Beyond the river is a farm at Datchet bought within these 60 years; nearby some property in Eton, lost to the Crown in 1842 when it was exchanged for Primrose Hill – an indirect reminder of the 'metropolitan improvements'.

The prospect is varied, and varied indeed has been the history of the Crown lands. At first held and cultivated literally for the nourishment of our early kings, those lands became, as the monarchy grew older, a source from which royal friends and favourites could be rewarded and a commodity which could be converted into cash in times of crisis. They have also been, even at the nadir of their fortunes, a capital asset from which some revenue could be derived in the form of rents and royalties. It is as capital that they survive today, yielding at present an annual payment to the Exchequer, as surplus revenue, of a sum of over £1,500,000.

Though at some points in time the royal lands have been both numerous and valuable, the attempt to keep them so was not lastingly successful. If it had been, history must have followed a different course. If the royal demesne had been continuously large, sovereigns could have more fully met the costs of government out of the revenues that it yielded – revenues that lay wholly within their own disposal – and the need to meet those costs by raising taxes would consequently have been reduced. But the Crown could only raise taxes by relying more and more upon the Commons, and that growing reliance helped to build up our corpus of free institutions. The contraction of the Crown Estate, therefore, which is a theme of this story, has fostered the development of Parliamentary government.