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S. MARY'S CHURCH, DERBY

by

Margaret Mallender

Historians of Derby have been reluctant to accept that a church could disappear without trace during the Middle Ages. Some have therefore denied the existence of S. Mary's altogether (Hutton, for example, declared it to have been identical with the Bridge Chapel, which does not square with the surviving evidence), while others have concocted theories about a double dedication or renaming of All Saints', for which there is no evidence.

There is however evidence of a church dedicated to S. Mary. The details of its history are few and the reasons for its disappearance obscure, but this is fortuitous. Probably more would have been known about it if the records of the Deanery of Lincoln relating to All Saints had survived, together with those of the borough, which perished in the Town Hall fire of 1841.

The Domesday Book lists six churches in Derby. Two were collegiate churches in the royal demesne. These are S. Alkmund's and All Saints'. The other four were churches in private hands both at Domesday and before the Conquest. Geoffrey Alselin held one church which had previously belonged to Tochi; Ralph the son of Huber one which was Leuric's; Norman de Lincolnia one which was Brun's; and Edric one which had belonged to Coln his father. Three of these are generally accepted as being S. Werbergh's, S. Peter's, and S. Michael's, although which was which is not clear. The fourth must be that church of S. Mary which was said in a bull of Pope Lucius III in 1185, confirming the property and privileges of the abbey of Burton [upon Trent], to have been given to the abbot by William I, presumably after the taking of Domesday in 1086 and before the death of the Conqueror on 9th September 1087. This would postulate that one of the four churches had come into the king's hands by failure of heirs or escheat by reason of treason or felony, and had immediately been granted out again.

S. Mary's is next mentioned in the Chronicle of Dale Abbey, written about 1270. This tells of a pious baker of Derby who abandoned his calling and became a hermit in Depedale in the mid-twelfth century near what was to become the site of the future Dale Abbey. This baker is said to have lived 'in vico qui dicitur Sancte Marie' (the street called St Mary's, the modern S. Mary's Gate). Then follows further

explanation: 'Habebat autem tunc temporis ecclesia beate Mariae de Derby magnam parochiam et ecclesia de Overe fuit ei subjecta et capella' (At that time S. Mary's church at Derby had a big parish and the church and chapel at Mickleover were attached to it). This implies that by the time the chronicle was written the situation had altered, and that S. Mary's even if still extant, was no longer a parish church as it had been in the mid twelfth century.

There is no doubt, therefore, that S. Mary's church existed, and that it was at one time a parish church. It seems likely to have ceased to be one by the late 13th century. It is significant that so far as other records go the parish of All Saints' has always included S. Mary's Gate and its environs, which might reasonably be supposed to have belonged to S. Mary's. Perhaps the bull of 1185 gives a date for this medieval take-over, the title of the Abbot of Burton to the church of S. Mary might well have been shaky. Alternatively or as well the crown might have wished to enlarge the endowment of its own collegiate church of All Saints and brought pressure to bear on the abbot. In either case a papal confirmation of William's grant would seem useful to strengthen the abbot's title. Too much, however, cannot be read into this as every medieval monastic house seized every reasonable opportunity to get papal or royal confirmation of all grants in its favour. If indeed S. Mary's was transferred to All Saints', it is readily understandable that S. Mary's, reduced presumably to a chapel of ease, should fall into decay and eventually collapse or be demolished. The early fragmentary records of All Saints' contain no reference to it, but so fragmentary are the records that this proves nothing, even if S. Mary's were still standing in 1465, the date of the earliest inventory of the property and goods of All Saints'. One indication that S. Mary's survived as a church into the sixteenth century is the will of Richard Robinson in 1518 bequeathing 'to Our Lady standyng in the Chapell in Seynte Mary Gate XIIId to by her a Kerchief'.

As for the site of the church a deed in the Darley Cartulary describes S. Mary's graveyard as lying on the west side of the 'Great Street', presumably Queen Street. Concrete evidence of this is provided by the photographs and accounts of the discovery in 1925 of substantial stone foundations, clearly of early date, below the cellars of Hefford's shop, which stood on part of the site of the present Halifax Building Society's offices. Associated with the masonry were two skeletons, lying East-West and obviously interred with care. It was immediately assumed that here were parts of the foundations of the long-lost S. Mary's church and a portion of the graveyard. There seems no reason to

dispute this view, since it is the obvious position for the church, quite apart from any documentary evidence for the existence of the church. Its closeness to All Saints' and S. Michael's presents no problems, since in early times churches were built with no regard to the proximity of others. Perhaps one need look no further for the explanation of the disappearance of S. Mary's: for one reason or another it simply became redundant.

THE MOORLAND PUBLISHING COMPANY.

This new private publishing venture has already published four items which are likely to be of great interest to Miscellany readers.

The Dove and Manifold Valleys, including Dovedale

by B.Spencer and L.Porter, 52pp., 6 maps, 7 line drawings, 12 plates. Price 45p.

The Copper and Lead Mines of Ecton Hill, Staffs.

by J.A.Robey and L.Porter, 92pp., 10 maps and plans, 14 line drawings, 22 plates. Price £1.25.

Derbyshire's Old Lead Mines and Miners.

by J.H.Rieuwerts, 40pp. 1 map, 51 plates, Price 40p.

The Manifold Valley and its Light Railway.

by R.Keys and L.Porter.

Four further titles are in the course of preparation, on mining, communications and archaeology in the Peak District. They are all by people well known in their particular fields, including: D.Bramwell, A.E. and E.M. Dodd, J.H. Rieuwerts, J.A.Robey and B.Spencer.

This should prove to be a most popular and useful series.

Copies and further information may be obtained from:- The Moorland Publishing Co., Sales Dept., 30 Hillside Road, Cheddleton, Leek Staffs. ST13 7JQ.

THE BATTLE OF BURTON UPON TRENTAND THE TUTBURY HOARD:

COMMENT AND REPLY

By

COMMENT

C.Castledine

"In the early part of 1831, a large number of Silver Coins were found in the bed of the River Dove near... Tutbury. The Chancellor and Council of the Duchy [of Lancaster] with a view to preserve His Majesty's rights issued a Commission laying claim to these coins; the result of the Proceedings under the Commission, was the discovery of about 1500 Silver Pennies, in addition to those found before [author's italics]..."

These words of Edward Hawkins, F.R.S., Keeper of the Antiquities and Medals in the British Museum, to whom the coins were submitted for inspection, are taken from a "Descriptive Catalogue of the Series of Coins found at Tutbury in the Bed of the River Dove in June 1831", printed by W.Rowbottom, Iron Gate, Derby. There is a copy of this pamphlet in the Library of the Burton upon Trent Natural History and Archaeological Society.

The Catalogue lists coins of Henry III, Edward I and Edward II, all kings of England, of Alexander III, John Balliol and Robert Bruce, all kings of Scotland, mintings at London, Bristol, Canterbury, Chester, Lincoln, Newcastle [-Bury] St Edmunds, York, Berwick, Dublin, Waterford and Cork, and mintings by several Bishops Palatine of Burham, as well as coins from France, Germany and the Low Countries.

Edward Hawkins thought that because of the large number of coins they "appear to have formed the treasury of some powerful nobleman", and quoted from one William de Packington a report that after the abortive battle of Burton in 1322 the Earl of Lancaster having left behind him at Burton all his Victuāls and other things, the passage of the Dove became his only way of escape, the flood which had delayed Edward II's forces having not yet subsided.

Those who know the present habits of the R. Trent and the R. Dove will agree that if the King's forces had been able to pass the ford at Walton upon Trent (2) the level of the Dove at Tutbury would have gone down too. Does the expression 'passage of the

Dove' imply that there was no bridge at Tutbury at this time? From published sources I have found documentary evidence of other bridges at this time:-

Burton Bridge?	1004, certainly 1284	(3)
Swarkeston Bridge	1204	(4)
Monks Bridge, Egginton	1255	(5)
Doveridge Bridge	1258	(6)
Hanging Bridge, Ashbourne	1296	(7)

Is there evidence of a bridge at Tutbury?

Those who heard Professor S.A.Barker tracing his ancestors in Derbyshire and Staffordshire (Society Lecture 10 October 1970) will recall that his family lived in Tutbury in the 1830s, and that he attributed their changing fortunes (from receipt of poor relief to property ownership) to the discovery of these coins. This is possible, for Edward Hawkins is vague about 'those found before'. That some fell into the wrong hands is suggested by the official notice, a copy of which hangs on the west wall of Tutbury Church, dated 15 June 1831, stating that an order had been received to stop all further search for coins in the R.Dove in the Honour of Tutbury.

REPLY

By Anthony Munford

Tutbury was an important place in the 14th century with a priory and an important castle. As the administrative centre of the Honour of Tutbury it needed good communications, and I would expect that there would have been a bridge there from a fairly early date. I have been unable to establish exactly when the first bridge at Tutbury was built, but there was one there needing repair in 1402-3. Sir Oswald Mosley, in his History of the Castle, Priory and Town of Tutbury (1832) records a grant of timber to repair the bridge in that year. In 1960-1 a large number of wooden piles were uncovered on the banks of the R.Dove, which were probably the foundations of the 14th century bridge. (8)

Mosley also gives an account of Lancaster's loss of the coins and there is a similar account in an article about a similar hoard found at Derby. (9) These stories seem to date from after the finding of the coins and would appear to be the products of fertile imaginations. There is no mention of Lancaster losing any treasure in any of the contemporary

chronicles that I have seen.

If the coins were lost by Lancaster, I would imagine that they are more likely to have been deliberately dumped rather than accidentally lost. They would have been a considerable burden on the flight northwards. Simply to leave them behind would have been to present them to the King. They may even have been buried in the river bank for later recovery, and centuries later washed out by changes in the course of the Dove.

References

1. Anthony Munford: A Forgotten Battle - Burton on Trent 1322 Derbyshire Miscellany VI, pt 2 (1971) p.28.
2. Ibid. p.27.
3. H.A.Rye: The Great Bridge of Burton on Trent, Transactions of the Burton Arch. Soc. V, pt I (1903) pp4-21.
4. K.Cameron: Place Names of Derbyshire, pt III p661.
5. H.A.Rye: The Origins and History of the Monks Bridge, Transactions of the Burton Arch. Soc. IV pt I (1898), and Cameron: Op. cit. pt II p459.
6. Cameron: Op. cit. pt III p550.
7. Ibid. pt II p 430
8. Derbyshire Archaeological Journal 1961.
9. Ibid 1928/9.

BOOK NOTES

The Nottingham and Ilkeston Turnpike Trust 1764-1874 - 1846-1863 The Declining Years by Peter Stevenson (Ilkeston and District Local History Society Occasional Paper No.4) 12pp, 7½p. This is in fact the second part of a detailed account of the Nottingham-Ilkeston Turnpike Trust the first part of which has yet to be published. This section is based entirely on the second minute book of the Trust and provides an informative case study of the running of a small turnpike trust at a time when they were being run down. It also contains some useful illustrations of the ways in which the Turnpike Trusts and local Highway Boards worked together in this period. (Copies available from Mr.P.Stevenson, 16, Rigley Avenue, Ilkeston, Derbyshire. DE7 5LW. 3½p. post and packaging).

THE OLD CHEST OF QUEEN ELIZABETH'SGRAMMAR SCHOOL, ASHBOURNE

by

Reginald C. Smith.

Early in his history of Ashbourne Grammar School N.G. Frangopulo mentions the old chest in which important documents were kept from the beginning of the School. This beginning, he thinks, was Elizabethan. He does not share the view expressed by A.F. Leach in the Victoria County History for Derbyshire that Ashbourne Grammar School was a re-endowed chantry school, though he concedes that Leach's contention receives some support from the ordination in the Injunctions of Edward VI in 1547 that all chantry priests should exercise themselves in teaching youth to read and write, and bring them up in good manners and other virtuous exercises. Frangopulo suggests that the absence of a school building or reference to a school in the church weakens, if it does not destroy Leach's case. He does not discuss the possibility of a school being held in the house of the chantry priest which stood on the site later occupied by the Grammar School, as has sometimes been suggested. Whether or not a chantry school preceded the grammar school one link between the chantries in the parish church and the present Grammar School could exist in the school chest.

An entry in the Minute Book of the School Governors in 1603 mentions the contributions of the town of Derby "the particulars whereof are extant in the lyttle Booke in the Schoole Chest". The chest is frequently referred to in the Minutes and is now preserved at the Headmaster's house in the Mansion, which was formerly the home of Dr John Taylor whom Samuel Johnson often visited.

The chest is of solid oak, uncarved, with a plain lid, with iron strap hinges each finishing in a rough fleur-de-lys pattern. There are iron bands of similar design at the ends, front and bottom of the chest. Three padlocks are provided. Both lid and the chest are of board construction, i.e. not having panels. Panels, were a more sophisticated, later form of construction than boards, fitting snugly into each other allow for expansion and contraction of the wood, obviating the splitting that was common in tightly fixed boards.

According to the Dictionary of English Furniture (Ralph Edwards, Country Life Ltd) early

chests were of wood, the work first of carpenters and then of joiners who were skilled in making, amongst other things, mortise and tenon joints in muntins and stiles to hold panels. From papal bulls it is clear that church chests were used as early as the 11th century to hold jewels, vestments, plate and archives. In 1166 Henry II ordered that as a precaution against thieves church chests should have three separately warded locks. Later Pope Innocent III required the keys to be kept by the parish priest and devout laymen. Finally the Synod of Exeter in 1287 ordered a chest to be provided in every church for the safe keeping of books and vestments.

Chests now extant, according to the Dictionary, dating from the 13th century have the fronts framed in wide uprights known as standards, the ends being tenoned into the uprights at an oblique angle, but sometimes fixed with wooden pegs. From the close of the 13th century strap hinges were usually employed, the front and sides of the chest being banded with foliated iron scroll work. The method of construction remained unchanged, although carving began to appear. Towards the end of the 15th century, however, new principles of construction emerge, the joints now being connected by mortise and tenon. Chests of the older style continued to be made until after the close of the middle ages, and panelled lids did not become common until the 17th century.

Allowing for the fact that methods of construction learned in apprenticeship continue through the normal working life and in a rural society are passed on to younger apprentices in turn, changes in method can take many years to penetrate to remote areas. It is therefore not usually possible to date a chest precisely in the absence of external evidence. The Ashbourne chest with its primitive board construction, its iron scroll work, and strap hinges could date from any time between the close of the 13th century and its first mention in the 16th century. The three padlocks suggest that it was made for ecclesiastical purposes. It is not necessarily a church chest. Chests, says Ralph Edwards, were often given or bequeathed to chantry chapels, and detailed descriptions of contents occur in contemporary wills.

Like many pre-Reformation churches Ashbourne had more than one chantry. In fact it had three. The earliest of these was founded by Henry Kniveton, clerk, rector of Norbury. In 1391 this chantry was at the altar of the Blessed Virgin Mary in the north transept. A second Kniveton chantry was founded in 1392 by the feoffees of Nicholas Kniveton. Its altar, dedicated to the Holy Cross for the daily celebration

of mass in perpetuity, stood near the nave at the foot of the rood screen then existing and as near as possible to the south aisle. About 1402, according to the Chantry Roll or register of chantries compiled with a view to their dissolution in the reign of Edward VI, the first Kniveton chantry was transferred from its original altar to that of the Holy Cross, and Thomas Daubyn, the first Kniveton chantry priest according to the Bishop's Register, was ordered to sing at the latter altar. According to the Valor Ecclesiasticus a third chantry was founded by John Bradbourne de Hogh [Houghpark, p.Hulland] and his wife at the altar of St Oswald in the south transept in 1485.

The church of Ashbourne was appropriated to the deanery of Lincoln which enjoyed the rectory of Ashbourne as part of its endowments. A small portion of the benefice's income was set aside to endow the vicarage of Ashbourne as a living for the priest who served the cure of souls in the parish. The confirmation in 1404 by the Bishop, Dena and Chapter of Lincoln of the foundation of the Chantry of Holy Cross still survives, as does an indenture of 1516 between the vicar of Ashbourne and Henry Russell, the newly appointed rood priest. By this deed the vicar witnessed the delivery by him to Russell, and Russell covenanted to care for and not waste or alienate the chantry goods: certain mass books, chalices, vestments, and other goods comprising all the equipment necessary for divine service, together with two chests in the rood quire for the safe keeping of these goods. Dr Sadler's History of the Parish Church discusses this, and the list of goods is quoted in full in the Edwardian church inventory of 1 September 1553.

Anne Kniveton, wife of John Kniveton, refers in her will of 1524 to "the revestire of the chancel" made to hold the vestments of the chantry priest serving at the altar of St Oswald on behalf of the Kniveton chantry, and also mentions the coffer with three keys which held the endowment deeds of the chantry. In spite of these precautions for the safe keeping of treasures the Edwardian inventory records theft from the coffer in the church after the picking of the lock.

After the dissolution of the chantries neither chest would be needed. One could have been used as a parish chest, as the Provincial Constitution of Canterbury, confirmed by Elizabeth I in 1598, required a chest with three locks to be provided for the keeping of the new parchment parish registers. This requirement together with instructions for the keeping of the three keys by the minister and two

churchwardens was incorporated in the Canon of 1603.

The town had need elsewhere of a good strong chest. In 1585 Elizabeth I on the petition of several leading inhabitants of the town granted the town a charter founding Ashbourne Grammar School. This must be one of the more beautifully written and decorated charters issuing from the Elizabethan Chancery, rich in colour and splendid with gold leaf, ornamented with a finely symbolic initial portrait of the queen and margins gay with royal emblems and eglantyne, the wild rose so loved by the queen. It cost Humphery Strete citizen and merchant trader of London, born in Ashbourne £28. 12s. to have engrossed, including 19s. 4d. for the three pieces of green sarcenet, (pure silk, still nearly 400 years later soft and lovely), and silk and silver cords from which the Great Seal hangs pendent.

One of the petitioners and co-founders of the school was Thomas Hurt, probably related to Robert Hurt, vicar of Ashbourne 1566-1603. On 30 September 1596 Thomas' son Christopher Hurt covenanted with the school governors to levy a fine to them of that "capital messuage lately erected for a school house". Christopher had presented the site, formerly land belonging to the chantry of the Blessed Virgin Mary, and this agreement made clear his willingness to back his gift if necessary with the legal process of suffering a suit by the governors to recover the premises from him on the fictitious grounds that he had unlawfully dispossessed the governors. This suit would, by leave of the judge, be settled out of court by agreement between the parties, the settlement reported to the judge, and enrolled on the record of the court as though it were a decision of the court, just as occurs with settlements out of court today. The settlement or final concord was designed to block the rights of Christopher's relatives who by the laws governing the descent of real property had reversionary interests in his land, should he die or try to dispose of it. So successful was the final concord in achieving the objects of those who used it that it became our longest lived form of conveyance.

For such documents as the royal charter, Christopher Hurt's fine, the school account book, and other records, a strong chest was needed to keep them safe. The accounts though detailed make no mention of the purchase of a chest. The minutes too are silent. This implies that the school acquired the chest without payment. Such a chest, originally a chantry chest, was in all likelihood still in the custody of Robert Hurt, vicar of Ashbourne when the school was founded. Men of his name, probably members

of his family, were amongst the prime movers and benefactors of the school.

Is it not possible, even probable, that the vicar should have offered the founders of the new school an existing chantry chest, particularly in view of the usually close relationships between the vanished chantries and local schools? If A.F. Leach is correct in stating that an Ashbourne school was associated with the Ashbourne chantries before their dissolution, the gift becomes even more probable.

Whether this is the case or not there are other links between the church and school. It was reported in the Derby Daily Telegraph, 13 January 1932, that oak from high back pews, discarded by the church, was fashioned into panels for the Grammar School hall, possibly after the church was repewed in the 1840's. Again, after rebuilding in the church, the oak doors that formerly stood in the north and south porches were used for doors to the schoolroom in 1855. Though, if Frangopulo is correct there is no constitutional link between the church and school Ashburnians may still rejoice in more material links.

BOOK NOTES

Derbyshire Canals Derbyshire Record Office Archive Teaching Unit No.1, price 50p.(40p.for Derbyshire schools ordering direct from the Record Office). This is the first in a series of archive teaching units to be produced by the Derbyshire Record Office, consisting of 4 pages of introductory text and 21 facsimile reproductions of documents including 4 maps and 3 illustrations. (Copies can be obtained direct from the Derbyshire Record Office, County Offices, Matlock, Derbyshire. DE1 3AG or from some local bookshops).

General notes on the Pinxton China Works (printed for the occasion of the visit by the Derbyshire Archaeological Society to places of interest in Pinxton, 9 September 1972) compiled by Frank Smith. 13pp, no price stated. This is a useful compendium of the known information relating to the long-disappeared Pinxton China Works including hitherto unpublished extracts from the first Factory Book of the Works, 1795-1799.

DERBYSHIRE QUARTER SESSIONS ROLLSPOOR LAW REMOVAL ORDERS

by

L. Bradley

The Quarter Sessions Rolls preserved in the Derbyshire Record Office contain some 3,200 Poor Law Removal Orders, dated between 1710 and 1865. Each of these sets out the name of the pauper; the names of his or her dependent family, if any, usually with the ages of the children; and the names of the townships from which and to which they were to be removed. For ease of reference, all this information has been transferred to a card index. The purpose of this article is to explain the nature of these removal orders and, through a sample survey, to suggest some of the ways in which they might be used for research into some of the circumstances of the 'labouring poor'.

The Legal Basis - Settlement and Removal.

It is impossible, in the space available, to set out the whole of the complicated law on Settlement and Removal, especially as it was modified from time to time as difficulties arose. This brief summary will, however, give a reasonably accurate picture of the legal background, and suggestions for further reading are given in the Notes (1).

Tudor legislation on the relief of the poor divided them into three classes, and this distinction persisted for some three centuries. The first vagrants or 'rogues and vagabonds' were to be punished and returned to their place of 'settlement', that is, to the place where they were born or where they had last dwelt for a specified period, at first three years and later one year. The other two, the 'impotent' poor (unable to support themselves by reason of youth, age or infirmity) and the 'labouring' or 'industrious' poor (able and willing to work if work were available) were to be relieved in the parishes in which they found themselves. The Acts of 1597 (39 Eliz. c.3) and 1601 (43 Eliz. c.2) firmly established the office in every parish of Overseers of the Poor, elected by the parish Vestry and with the right and duty to levy a rate for the maintenance of the poor. Inevitably, the more generous parishes tended to attract more than their fair share of paupers, and some Overseers (at first, it would seem, without any legal sanction) began to apply restrictions on strangers entering their parishes and to extend the practice of removal to the

place of 'settlement' to the 'labouring poor'. As the financial burden of poor relief increased, so, apparently, did this practice and, as so often happened the growing unofficial practice was incorporated into the law. The principle of Settlement and of the Removal of paupers was formally legalised by the Settlement Act of 1662 (13 and 14 Car.II. c.12). Briefly, the prima facie place of settlement of any person was his place of birth, but subsequent events could supersede this. A wife, for example, took her husband's settlement, dependent children their father's. A person renting and occupying a tenement of the annual value of £10 or over in any parish acquired a settlement there - and so on. Later legislation added other ways of acquiring a settlement: being hired and serving in an employment for a complete year (hence the tendency for hiring contracts to be for periods less than a year); residing forty days as an apprentice; serving in an elected public office; and so on. A bastard's primary place of settlement was (with few exceptions) his place of birth, irrespective of the settlement of his mother or his putative father. It is important to note that the acquisition of a settlement, by any means, destroyed the previous settlement.

The responsibility for the relief of a pauper was not firmly placed on his place of settlement, apart from short-term emergency relief. The Church-wardens and Overseers of any other place in which he was found to be living could apply for an Order that the pauper and his family should be removed to his place of settlement and that the Overseers of that place should duly maintain him. Originally, this order had to be sought within forty days of the arrival of the pauper, but from 1685 the pauper was expected to deliver written notice to the Overseers specifying his place of abode and the number of his family, and the Removal Order had to be sought within forty days of the delivery of this notice. Originally, too, an Order could be sought if the Overseers thought him 'likely' to become chargeable to the parish, and, despite the difficulties which this caused, it was not until 1795 that the law was amended so that a Removal Order could not be sought until the pauper became actually chargeable, that is in need of relief.

Since the strict application of the law would have unduly restricted the movement of labour to places where it was needed, the law permitted the officials of a parish to issue a Settlement Certificate to a labouring person, acknowledging him to be a settled inhabitant of their parish, authorising him to go elsewhere to work and promising to receive him back if he became chargeable. There is evidence, too, that some parishes saved the expenses of a removal by

re-imbursing the cost of maintenance to a parish in which one of their paupers had become chargeable.

Procedure for Removal.

Imagine that a parish, say Crich, wished to have a pauper, William Alsopp, removed. The Overseers would take him before two Justices of the Peace, sitting together, who would take evidence (usually oral) from the pauper and any other suitable witnesses, with a view to establishing his place of settlement. A number of the written records of these examinations survive. If the Justices decided that his settlement was not Crich but, say, Bakewell, they would sign a Removal Order (almost always, within the period which we are considering, a printed form - see Figure 1.). After 1795 they would also have to be satisfied that William was actually chargeable to Crich. It was now the responsibility of the Overseer, either himself or a suitable deputy, to convey William and his family to Bakewell and to hand him over to the Bakewell Overseers. The latter were legally bound to receive and maintain them, but could enter an appeal at the next Quarter Sessions for the County. If they did not do so, they had accepted that Bakewell was William's settlement and was responsible for him and his family. If they did appeal, the two parishes would be represented by attorneys, the Justices in Sessions would hear the attorneys and witnesses and could follow one of four courses: they could confirm the Order; they could discharge it (that is, cancel it); they could quash it on account of some technical fault; they could adjourn the appeal until the next Quarter Sessions. If the order were discharged, the Crich Overseers would have to take William and his family back and could not make any further attempt to remove him to Bakewell, since the discharge was a judgement that Bakewell was not his settlement; but they could seek an Order for removal to some other parish, if they could establish a case. If the order was quashed, the Crich Overseers could seek another Order, in good form, against Bakewell. The hearing of the appeal and the decision arrived at were recorded in the Quarter Sessions Order Books. These Order Books, which are, in effect, the Minutes of the Quarter Sessions, recording all their business, are, from 1682, available in the Derbyshire Record Office.

From 1795, a Removal Order had to be suspended if the pauper or one of his family was sick, and in such cases the printed Order contained a declaration of suspension by the Justices and a subsequent permission to proceed with the removal. The receiving parish had to re-imburse the removing parish for maintenance during the suspension (Figure 2).

Transcript of a Removal Order

To the Church-Wardens and Overseers of the Poor of *Worley*
in the County of *Derby* - - - - -
And to the Church-Wardens and
Overseers of the Poor of *Breda* in the said County



HEREAS it appeareth unto Us, whose Hands and
Seals are hereunto set, Two of his Majesty's Jus-
tices of the Peace for the County of *Derby* -
aforesaid, (whereof one is of the *Quorum*) upon the
Complaint of the Church-Wardens, and Overseers
of the Poor of the *parish* of *Worley*
in the said County, that *William Starbuck*

Rebecca his Wife are - - - - -

lately come into the *said parish* - - - endeavouring to settle
themselves - there without giving Notice in Writing to the
said Church-Wardens, or Overseers of the Poor, or any one of them,
of the House of *their* - Abode in the said *parish* -
according to the Statute in that Case made and provided: AND, that
the said *Wm Starbuck & Rebecca his Wife* are

likely to become chargeable to the said *Inhabitants of Worley*
AND whereas, it appeareth unto Us *upon the Examination*
of the said Wm Starbuck taken before us this day
in writing upon oath - - - - -
that *he was* - last legally settled in the *parish* -
of *Breda* aforesaid - - - - -

And which we do hereby adjudge accordingly.

THESE are therefore in his Majesty's Name strictly to charge and
command you and every of you forthwith upon Sight hereof, to re-
move and convey the said *Wm Starbuck & Rebecca his*
Wife - - - - -

from the said *parish* - - - - -
of *Worley* - - - in the said County, to the said,
parish - - - of *Breda* - - - - -

and deliver *him* - unto the Church-Wardens and Overseers of the
Poor there, who are hereby required to provide for *him* -
according to Law: Hereof fail not at your Perils. Given under our
Hands and Seals, the *Eighth* - Day of *January* -
in the *16th* - Year of the Reign of our Sovereign Lord GEORGE
the Second by the Grace of G O D, of Great-Britain, France, and
Ireland, King Defender of the Faith, and so forth. In the Year of
our Lord One Thousand Seven Hundred *1740* *for by*

Certificates suspending and later authorising a Removal

WHEREAS it duly appears to us, the within-mentioned Justices of the Peace, that *William Raine* within-mentioned, is unable to travel, by reason of *Sickness* We do therefore hereby suspend the Execution of the within Order, until the same can be safely executed, without Danger to the said *William Raine*

Given under our Hands
the 1st Day of *Dec.* 1806

Charles Hunt
Philip Gell

Magistrate WHEREAS it duly appears unto us, ^{two of his} ~~the above~~ Justices of the Peace, that the above-mentioned *William Raine* is now sufficiently recovered so as to be able to be removed: We do therefore hereby consent that the within Order be forthwith executed. And whereas it hath also been made appear unto us, by the Oath of *Samuel Williamson* ~~one of the~~ ^{one of the} Overseers of the Poor of the township of *Wicksworth* that the Sum of *Five pounds two shillings* hath, since the suspension of the said Order as above-written, been duly expended by the Church-wardens and Overseers of the Poor of *Wicksworth* afore said, for the Support and necessary Relief of the said *William Raine* We do therefore hereby order you, the Church-wardens and Overseers of the Poor of the township of *Wharfedale* within named, or some or one of you, to pay to the said Church-wardens and Overseers of the Poor of the township of *Wicksworth* the said sum of *Five pounds two shillings*

Given under our Hands
the 22^d Day of *May*
1807

Rich^d Harrison
Charles Hunt

In the last two decades of the 18th century and the first two of the 19th, the financial burden of the Poor Law almost trebled, its administration became too much for the amateur parochial structure and its abuse by all parties, officials, employers and paupers alike, became common. The Poor Law Amendment Act of 1834 substantially transferred the administration of relief from parish Overseers to 'Unions', with increasingly professional staffs. So far as Settlement and Removal were concerned, however, it made only minor changes. In this and subsequent Acts, an appeal against a Removal Order had to be made within 28 days (except by consent of the removing parish) and the pauper could not be removed during this period. An Act of 1846 (9 and 10 Vic. c.66), however, created a new status of 'irremovability'. Persons who had been resident for five years in a parish became wholly irremovable from it. In other words, if they had resided for five years without becoming chargeable, they could not be removed from that parish even if they later became chargeable; but they did not gain a settlement in the parish and the normal law of settlement could apply if they moved elsewhere. The period of five years was reduced to three years in 1861 and to one year in 1863, and from 1876, residence for three years conferred a settlement; but removals were still taking place well into the present century.

The existing Removal Orders.

As has been stated, there are some 3,200 of these Orders in the Quarter Sessions Rolls, and it has only been possible to study in detail those belonging to seven five-year periods; 1720-4, 1740-4, 1760-4, 1780-4, 1800-4, 1820-4 and 1830-4. In addition, Orders dated 1817 have been analysed, this being a year with an exceptionally large number of Orders. All dates are in New Style.

These 3,200 Orders are not, of course, the total of all the Orders granted by the Derbyshire Justices in this period. The fact that they have been preserved in the Quarter Sessions Rolls suggests that they would be Orders in respect of which Sessions Justices had to make a judgement, that is, that they would be the Orders against which appeals had been lodged. The position is actually rather more complicated. When the Orders are compared with the Quarter Sessions Order Books we find:

1. that in most of our sample periods there are more removal cases recorded in the Order Books than there are surviving Orders. We would not expect

perfect correspondence between the Order Books and the Removal Orders, since the January Sessions of each year would have before it some Orders made late in the previous year and others postponed from an earlier Sessions. If, however, we assume that the overlaps at each end of a five-year period are likely to be roughly equal, we would expect a rough correspondence between the number of cases recorded in the Order Books and the number of actual Orders submitted. In fact, all the Orders prior to 1710 have disappeared, and many are missing in subsequent periods. The position for our sample periods is shown in Table 1, which shows that the survival rate increased after the middle of the 18th century, but fell after 1810 when the administrative burden increased.

- ii. that a number of Orders are recorded in the Order Books as being confirmed 'there having been no appeal'. Technically, these are Orders over which the Quarter Sessions had no jurisdiction; it would appear that they were presented to the Quarter Sessions, either by the Justices who granted them or by the Overseers of the parish to which they were granted, to get them written into the record as a permanent judgement of liability on the part of the receiving parish. This is confirmed by Burns and by Nolan (2) who quote Holt C.J. as saying "that the most regular way for the Justices to procede is to make a record of the complaint and adjudication, and upon that to make a warrant to the churchwardens and overseers to convey the person to the parish to which they ought to be sent, and to deliver in the record by their own hands into court the next sessions, to be kept there amongst the records, to charge the parish..... It is usual in some places for the Overseers who made the removal to bring the Order to the next sessions and there make oath that they removed the party in pursuance of such Order, and if there then appeared to be no appeal against it, the Order is confirmed by the court and filed amongst the records." Most of the unappealed Orders in Derbyshire followed this latter procedure. Table 1 shows what proportion of Orders were appealed and what unappealed in the sample periods, but there is no means of knowing what proportion of Justices or Overseers took the trouble to submit the unappealed Orders. For an Overseer (an unpaid official) it might involve a whole day and a considerable journey.

iii. that, in most of our sample periods, there are a few Orders which have no corresponding record in the Order Books (Table 1). The fact that there are so few of them supports the view that these 3,200 Orders are, essentially, Orders which came before the Sessions either on appeal or for record. The few discrepancies may be due either to the failure of the Clerk to the Sessions to record a case (and there are omissions in the Order Books) or possibly to an appeal originally notified having been withdrawn before the actual hearing.

It is clear, then, that the Orders preserved in the Quarter Sessions Rolls fall into two groups, those which were the subject of appeals and those deposited for record, and that they do not by any means constitute the total of all Removal Orders granted in the County.

The Annual Distribution of the Orders.

Table 2 shows the number of Orders surviving for each year, and Figure 3 exhibits these figures graphically. The interpretation of the figures is difficult for three reasons:

- i. As has already been stated, these are, with very few exceptions, only the Orders which came before Quarter Sessions. There were certainly others which did not so appear, as can be seen from examination of surviving Overseers' Accounts from parish chests. The proportion reaching Quarter Sessions is unknown and probably varied from period to period.
- ii. In any case, the 'survival rate' of the documents actually presented to Quarter Sessions certainly varied from period to period - and, indeed, from year to year, since there are some years for which no Orders survive, though the Order Books record removal cases.
- iii. The raw figures do not compare like with like. There is a varying proportion of unappealed orders. In Figures 3A, for each of the sample periods, the shaded area represents the appealed orders. But even here we must remember that we do not know whether the proportion of Orders against which an appeal was made remained even approximately constant from year to year.

It is, therefore, very difficult to come to any firm conclusion, from these documents, about the changing incidence of removal in the County over this period. Nor is the incidence of removal necessarily a direct measure of the extent of pauperism, though there is an obvious connection. The figures do, however,

fit in with the generally accepted view that, though there were fluctuations from year to year, pauperism tended to increase, certainly after 1760. And, whatever reservations have to be made, there must have been an enormous increase in 1816, 1817 and 1818 following the end of the Napoleonic Wars.

Actual Removals.

In Table 1 the surviving Removal Orders which were the subject of appeal have been further analysed according to the result of the appeal, those Orders which were confirmed being denoted by C and those which were discharged or quashed by DQ. P denotes those which were postponed to a subsequent sessions but for which I have been unable to trace the ultimate adjudication.

The DQ group would not be removed, at least on that Order. The P group, and also those (denoted by X) which do not appear in the Order Books, are those for which the outcome is in doubt. If we add the C group to those which were not appealed we have the Orders which, without serious error, we may assume to have been actually executed, and it is these actual removals which have been further analysed below in terms of removal distances and the structure of the families removed.

Removal Distances.

For each sample period, the Orders which can be assumed to have been executed were analysed in terms of the distance between the townships from which and to which the pauper was removed. Distances were measured 'as the crow flies' and, as far as possible, between centres of townships. Distances can, therefore, only be approximate, but they are sufficiently realistic to give a good idea of the degree of mobility involved. The results are shown in Tables 3 and 4 and Figure 4.

It will be seen that, throughout the period of over a century, between 40 and 50 per cent. were moved no more than five miles and that the proportion moved no more than ten miles has varied between, roughly, 60 and 80 per cent. At the other extreme, the proportion moved more than 25 miles increased from zero to a maximum of 12.9 per cent. in 1800-4 and then decreased. The median of the over-twenty five-mile distances remained fairly steady around 40 miles. The figures for the peak year, 1817, actually suggest less mobility than in 1800-4.

Again it must be stressed that these Orders are only an unknown fraction of the total granted. It might be surmised that some of the more distant parishes might be deterred from appealing by travelling difficulties and, indeed, Table 5 shows that there did tend to be a smaller percentage of appealed Orders in the over-twenty-five-mile group. But this was not always so and the differences are not excessive; moreover, some very distant parishes did appeal. It seems likely that, in respect of removal distances, these Orders are reasonably typical of the whole, and may well give a fair estimate of the degree of mobility of the labouring poor. They tend to support Redford's conclusion (3) that population movements towards a large and developing town proceeded not so much by long distance migration to that town as by short distance migration from the immediate neighbourhood, the places thus left vacant being filled by further short-distance migration from slightly more distant areas, and so on.

It may be of interest that in the only Derbyshire listing which I have so far found which gives places of settlement (Barlbrough, 1792), out of 146 householders, 115 are named as settled in Barlbrough, 5 uncertain, and 26 as having settlements outside Barlbrough. Of these 26, 19 have settlements within, roughly, five miles, and the greatest distance is 16 miles. But there is an almost equal number of servants and lodgers for whom no settlements are stated.

The Structure of Families subject to Removal.

The sample were analysed according to the structure of the families which can be assumed to have been removed and the results are displayed in Tables 6 and 7. The status of women unaccompanied by a husband were, with few exceptions, clearly stated, so that single women, widows and married women whose husbands were not residing with them could be distinguished. Such distinctions were not made in the case of unaccompanied men, so that Column 1 of Table 6 contains bachelors, widowers and married men not resident with their families.

In order to examine the significance of these figures one would like to know, for each sample period, how the total adult labouring population of the County was distributed between our categories, so that one could determine whether each category was over-represented or under-represented in the families removed. This information is, of course, lacking. The best available approximations which have come to hand, for whole adult populations, not just labouring

populations, are as follows:

- a. Gregory King -
City of Lichfield 1696 - Over age of 20 (4)
- b. 1861 census -
England and Wales - Over age of 20 (5)
- c. 1861 census -
Derbyshire - over age of 20

	<u>Bachelor</u>	<u>Widower</u>	<u>Married</u> <u>Man</u>	<u>Married</u> <u>Woman</u>	<u>Widow</u>	<u>Spinster</u>
a.	7.9	3.7	29.6	29.6	12.3	16.9
b.	13.8	3.7	32.4	31.7	5.8	12.4
c.	13.6	3.7	32.1	32.1	5.9	12.5

If these figures are even approximately valid for the labouring population of Derbyshire, the following points emerge:

1. That unaccompanied men appear to have been less than averagely vulnerable to removal.
2. That widows were less than averagely vulnerable to removal.
3. That married men were above averagely vulnerable and, in particular, that after 1780 married men with families were extremely vulnerable, so that in the peak year of 1817, and in 1830-4 they contributed more than half of removals.
4. That single women tended to be more than averagely vulnerable, with periods of extreme vulnerability. This may well have been due to the fact that a bastard's place of settlement was his place of birth, so that overseers were anxious not to have bastards born in their parishes and may well have looked with suspicion on unattached single women. It is, perhaps, significant that, although the Quarter Sessions Rolls provide no evidence for the widespread inhumanity which some writers ascribe to the operation of the Poor Law, such cases as do deal with inhumane treatment by overseers are almost all concerned with their attempts to remove pregnant single women near childbirth from their parishes. But how do we account for the extremely high rates between 1780 and 1824?

CONCLUSION

The scope of this article has been deliberately restricted and there are other aspects of the administration of the Poor Law in Derbyshire which could usefully be investigated - vagrancy and apprenticeship, for example. Even in the field of Removal, it

has dealt only with Quarter Sessions Records. Work still needs to be done on the parish records, and it is probable that work on the actual 'examinations' of paupers would be rewarding. The article has been factual and no attempt has been made to relate, for example, changes in the incidence of Removal to their possible causes. This still remains to be done. The reader may be disappointed that almost every conclusion has had to be hedged about and qualified. This is inherent in the nature of the material. The Poor Law is one of the fields in which, all too often, emotional attitudes have led to conclusions which the available evidence cannot honestly justify. As Dorothy Marshall says (6), "All generalisations must be regarded with great caution, and it is possible to draw the conclusions for which you are looking if you are not very cautious and very scrupulous".

NOTES

1. Further reading on the Poor Law.

- a. English Local Government - Part I. The Old Poor Law. Part II. The Last Hundred Years. Sidney and Beatrice Webb - London 1927.
The classic modern work on the Old Poor Law, but it has to be read with caution, for the social reformer sometimes leads the historian into incautious judgements!
- b. The English Poor in the XVIII Century - Dorothy Marshall - London 1926.
Very useful, though with less detail than the above. Rather more objective.
- c. Kentish Sources - IV. The Poor - Elizabeth Melling - Kent County Council, 1964.
Deals in detail with the local administration of the Poor Law with copious illustrations from Kent sources records.
- d. The Parish Chest - W.E. Tate - Cambridge - Third Edition, 1969.
Chapter VIII is a good brief survey of the Poor Law Administration, especially within the parish. Factually sound, but some dubious judgements.
- e. A Treatise of the Laws for the Relief and Settlement of the Poor - Michael Nolan - Third Edition - London 1814 (3 volumes).
Sets out in great detail the pre-1834 Poor Law, with copious quotations from Case Law.
- f. The Justice of the Peace and Parish Officer - Vol IV. The Poor - Richard Burn, with corrections and additions by John King. 22nd edition - London 1814.
A similar treatise to Nolan. For the period with which this article is concerned, law books

consulted must be prior to 1834, when the Old Poor Law was modified by new and very different legislation.

2. Burn, op.cit., page 698. Nolan, op.cit., Vol 2, page 394.
3. Labour Migration in England 1800-1850 - Arthur Redford - Manchester 1926, Revised edition 1964.
4. 'Two Papers on Gregory King' - D.V.Glass - in Population in History ed Glass and Eversley - London 1965
5. Census of England and Wales for the year 1861. Vol.III, General Report.
6. 'The Old Poor Law' in Economic History Review - VIII, 1937.

FIGURE 3

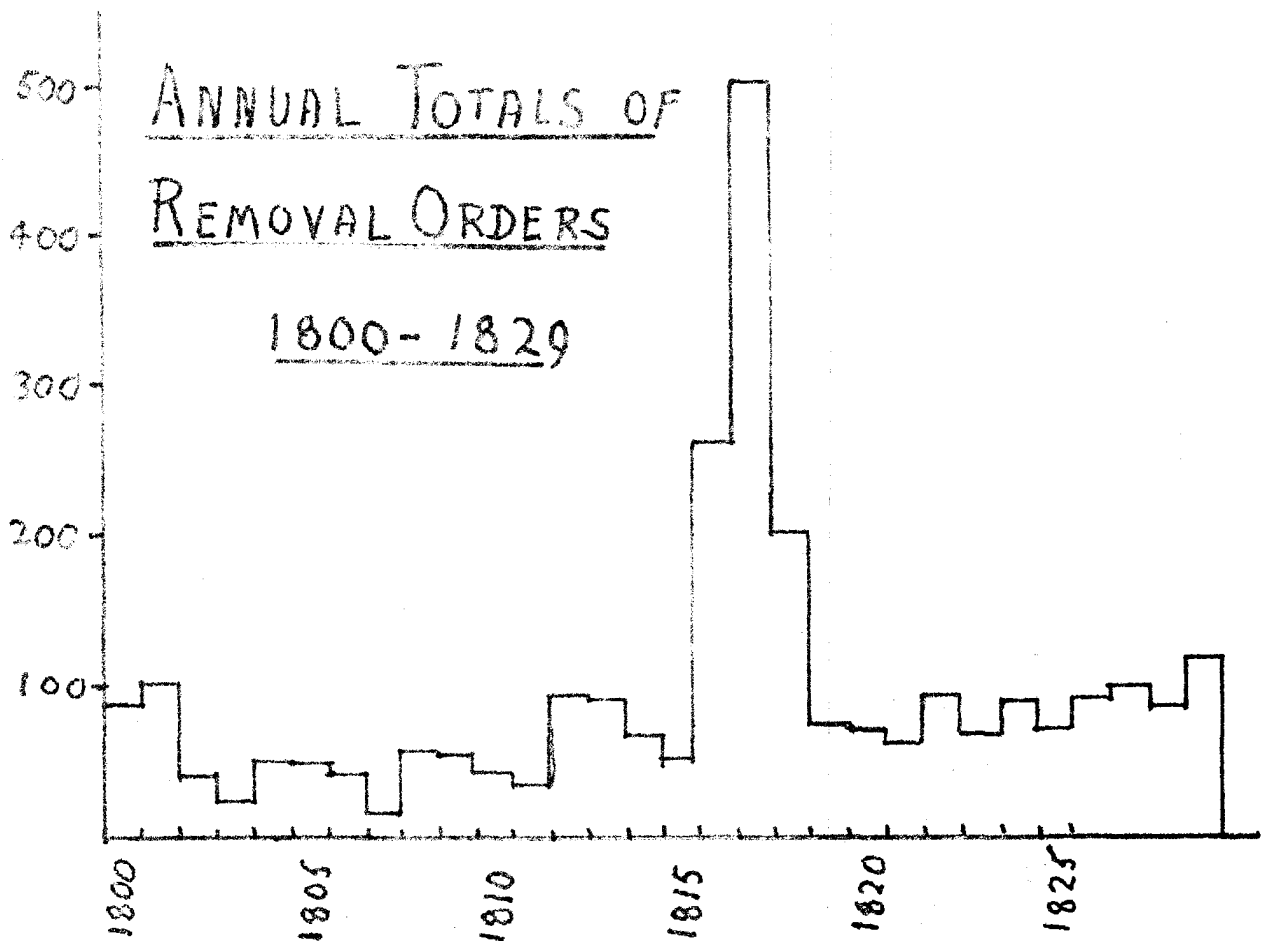
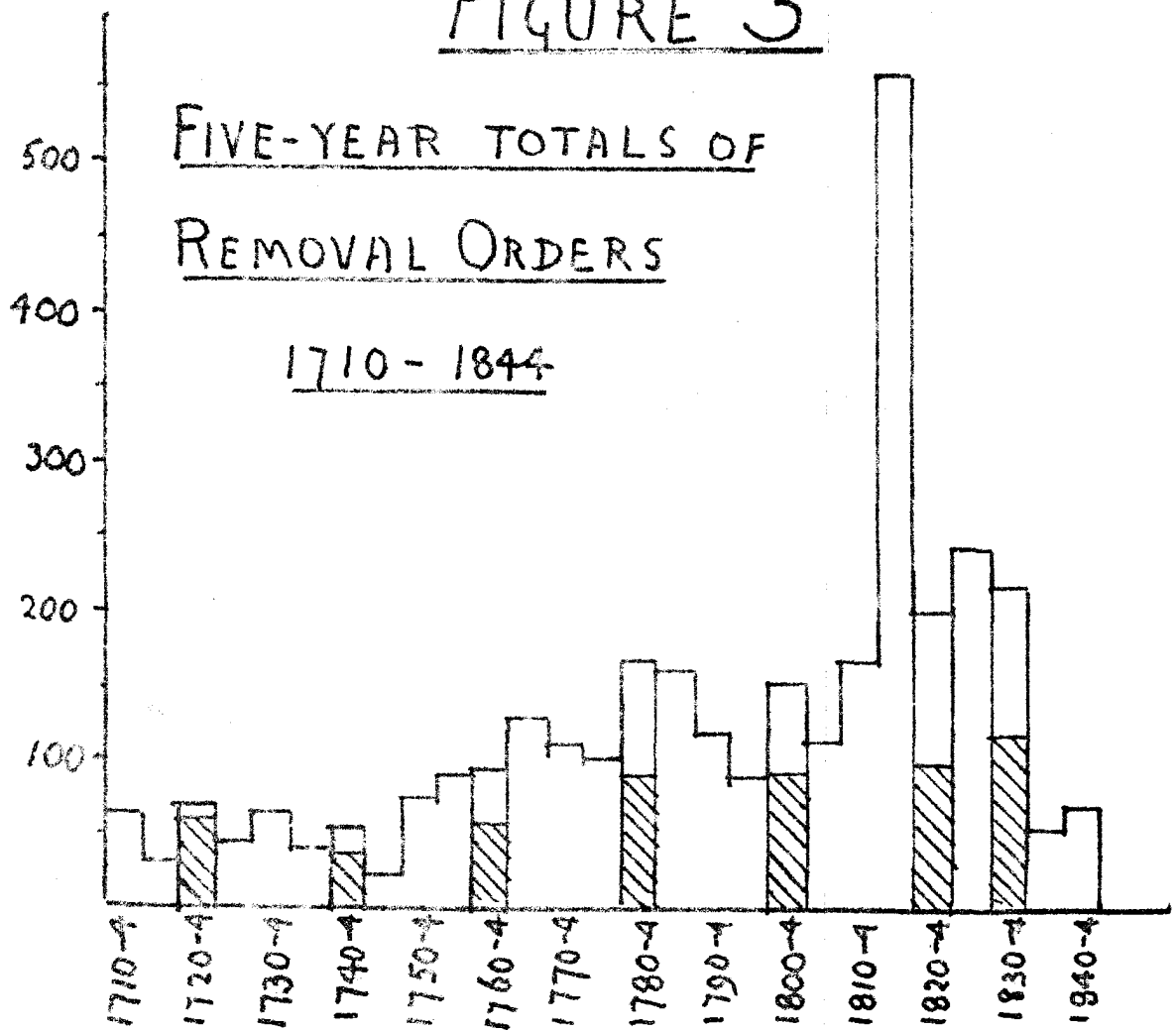


FIGURE 4

REMOVAL DISTANCES

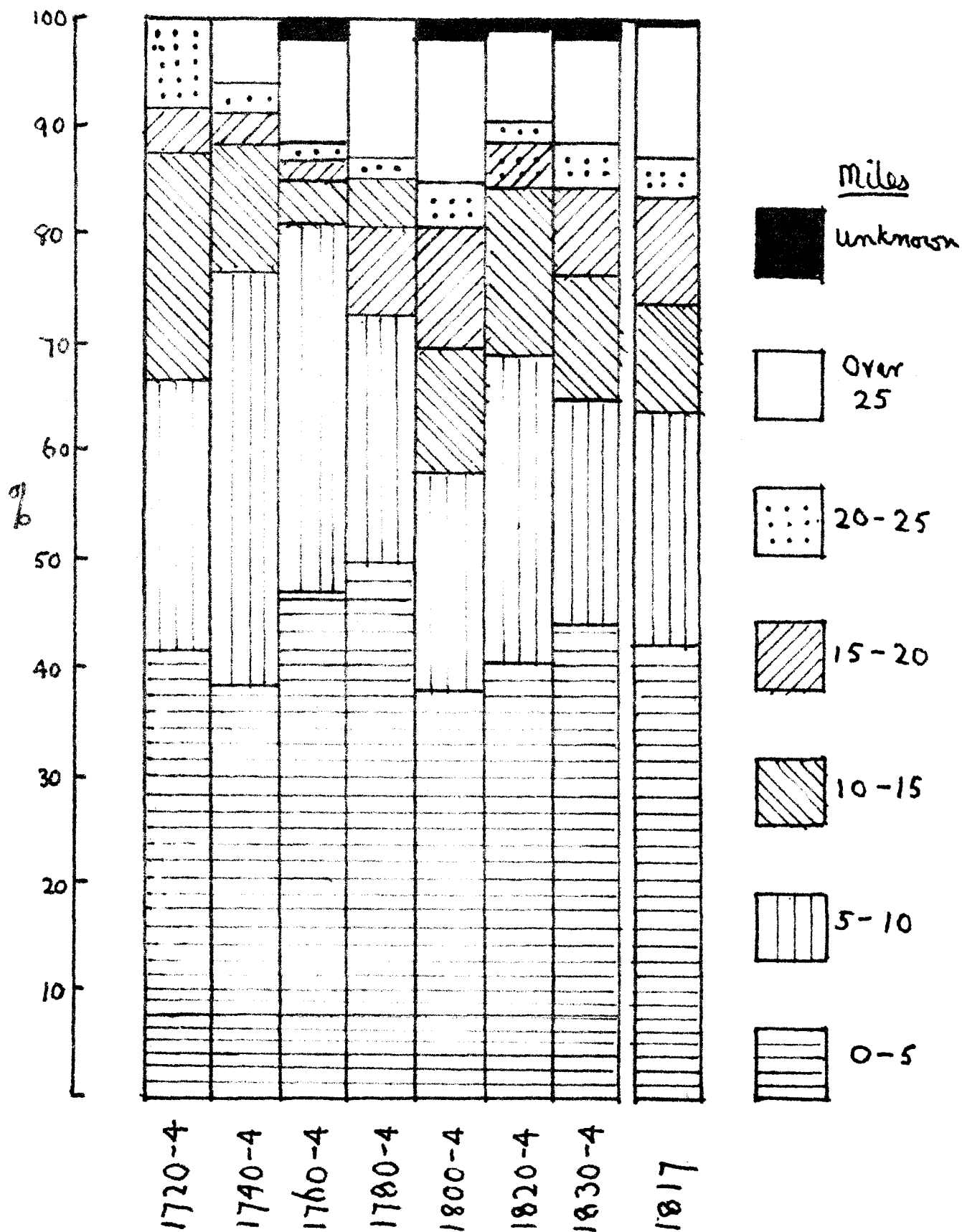


TABLE 1

Analysys of Removal cases recorded in Quarter Sessions Order Books and of surviving Removal Orders in Quarter Sessions Rolls

	Cases recorded in Quarter Sessions Order Books		Surviving Orders in Quarter Sessions Rolls		Total B as % of Total A
			Also appearing in the Order Books	Not in Order Books	
	A		B	X	
1720-4	135	3 not appeals 132 appeals(97.8%)	60	3 not appealed 57 appealed(95.0%) (21C, 32DQ, 4P)	6 44.4%
1740-4	114	31 not appeals 83 appeals(72.8%)	51+	18 not appealed 33 appealed(64.7%) (16C, 16DQ, 1P)	1 44.7%
1760-4	92*	40 not appeals 52 appeals(56.5%)	85	33 not appealed 52 appealed(61.2%) (20C, 32DQ, 0P)	5 92.4%
1780-4	148	64 not appeals 84 appeals(56.8%)	154	64 not appealed 90 appealed(59.2%) (26C, 59DQ, 5P)	10 104.1%
1800-4	151	65 not appeals 86 appeals(56.9%)	148	62 not appealed 86 appealed(58.1%) (32C, 52DQ, 2P)	3 98.0%
1820-4	279	143 not appeals 136 appeals(48.7%)	183	92 not appealed 91 appealed(49.7%) (24C, 54DQ, 13P)	11 65.5%
1830-4	237	121 not appeals 116 appeals(53.4%)	207	98 not appealed 109 appealed(52.6%) (42C, 44DQ, 23P)	4 87.3%
1817	249 81	168 not appeals 81 appeals(32.5%)	246	126 not appealed 120 appealed(48.8%) (38C, 49DQ, 33P)	7 98.8%

Breakdown of appealed cases

- C - Order confirmed
 DQ - Order discharged or quashed
 P - Order postponed and no subsequent adjudication found

* Epiphany and Easter 1760 Quarter Sessions Order Books missing

+ No Orders have survived for 1741

TABLE 2.

Annual Totals of Removal Orders preserved
in Derbyshire Quarter Sessions Rolls

1710	8	1750	12	1790	20	1830	77
1	1	1	9	1	28	1	46
2	7	2	13	2	21	2	47
3	21	3	25	3	19	3	18
4	25	4	14	4	28	4	23
5	5	5	19	5	19	5	11
6	-	6	12	6	15	6	13
7	2	7	26	7	14	7	10
8	18	8	16	8	15	8	8
9	6	9	15	9	23	9	5
1720	7	1760	25	1800	43	1840	7
1	12	1	11	1	52	1	10
2	37	2	20	2	20	2	16
3	7	3	22	3	11	3	19
4	3	4	12	4	25	4	10
5	17	5	26	5	24	5	7
6	8	6	27	6	21	6	3
7	9	7	39	7	8	7	4
8	1	8	16	8	29		
9	5	9	18	9	27		
1730	10	1770	14	1810	21		
1	8	1	18	1	17		
2	13	2	22	2	47		
3	15	3	21	3	45		
4	17	4	32	4	32		
5	10	5	24	5	26		
6	6	6	14	6	131		
7	16	7	21	7	253	1857	1
8	4	8	21	8	103		
9	-	9	17	9	39		
1740	14	1780	31	1820	36		
1	-	1	20	1	31		
2	11	2	35	2	48	1862	1
3	16	3	37	3	34	3	1
4	11	4	41	4	45	4	2
5	4	5	21	5	35	5	1
6	7	6	31	6	46		
7	-	7	38	7	51		
8	7	8	36	8	43		
9	1	9	32	9	59		

NOTE. Discrepancies between this and other tables are due to difficulties of interpretation, e.g. in identifying distant parishes.

TABLE 3

REMOVAL DISTANCES

C = removals to places still within the county
 OC = removals to places outside the county

Percentages are of total numbers
 of removals for the period.

	0 - 5 miles		5+ - 10 miles		10+ - 15 miles		15+ - 20 miles		20+ - 25 miles		Over 25 miles		?		TOTAL		Distances Over 25 miles	
	No.	%	No.	%	No.	%	No.	%	No.	%	No.	%	No.	%	No.	%	Greatest	Median
1720-4	C	10	41.7	4	16.7	4	16.7	0	0	0	0	0	0	0	18	66.7		
	NC	0	0	2	8.3	1	4.2	1	2	8.3	0	0	0	0	6	33.3		
	Total	10	41.7	6	25.0	5	4.2	1	2	8.3	0	0	0	0	24	100.0		
1740-4	C	12	35.3	10	29.4	2	5.9	1	1	2.9	0	0	0	0	26	76.5		
	NC	1	2.9	3	8.8	2	5.9	0	0	0	2	5.9	0	0	8	23.5	128	
	Total	13	38.2	13	38.2	4	11.8	1	1	2.9	2	5.9	0	0	34	100.0		
1760-4	C	21	39.6	8	15.1	1	1.9	0	0	0	0	0	0	0	30	56.6		50
	NC	4	7.5	10	18.9	1	1.9	1	1	1.9	5	9.4	1	1	23	43.4	135	
	Total	25	47.2	18	34.0	2	3.8	1	1	1.9	5	9.4	1	1	53	100.0		
1780-4	C	42	47.2	17	19.1	5	5.6	1	0	0	1	1.1	0	0	66	74.2		35
	NC	3	3.4	3	3.4	2	2.2	3	2	2.2	10	11.2	0	0	23	25.8	180	
	Total	45	50.5	20	22.5	7	7.9	4	2	2.2	11	12.4	0	0	89	100.0		
1800-4	C	31	33.3	13	14.0	8	8.6	4	0	0	0	0	0	0	56	60.2		43
	NC	6	6.5	4	4.3	3	3.2	6	4	4.3	12	12.9	2	2	37	39.8	125	
	Total	37	39.8	17	18.3	11	11.8	10	4	4.3	12	12.9	2	2	93	100.0		
1820-4	C	37	31.9	22	19.0	7	6.0	0	0	0	0	0	0	0	66	56.9		45
	NC	10	8.6	11	9.5	11	9.5	5	2	1.7	10	8.6	1	1	50	43.1	145	
	Total	47	40.5	33	28.5	18	15.5	5	2	1.7	10	8.6	1	1	116	100.0		
1830-4	C	53	37.9	21	15.0	7	5.0	2	1	0.7	0	0	0	0	84	60.0		35
	NC	9	6.4	8	5.7	9	6.4	9	5	3.6	13	9.3	3	3	56	40.0	110	
	Total	62	44.3	29	20.7	16	11.4	11	6	4.3	13	9.3	3	3	140	100.0		
1817	C	56	34.2	23	14.1	9	5.5	7	3	1.8	0	0	0	0	98	60.1		38
	NC	13	8.0	12	7.4	7	4.3	9	3	1.8	20	12.3	1	1	65	39.9	130	
	Total	69	42.3	35	21.5	16	9.8	16	6	3.7	20	12.3	1	1	163	100.0		

TABLE 4Removal distances - cumulative

	0 - 5 miles	0 - 10 miles	0 - 15 miles	0 - 20 miles	0 - 25 miles
1720-4	41.7%	66.7%	87.5%	91.7%	100.0%
1740-4	38.2%	76.4%	88.2%	91.1%	94.0%
1760-4	47.2%	81.2%	85.0%	86.9%	88.8%
1780-4	50.5%	73.0%	80.9%	85.4%	87.6%
1800-4	39.8%	58.1%	69.9%	80.7%	85.0%
1820-4	40.5%	69.0%	84.5%	88.8%	90.5%
1830-4	44.3%	65.0%	76.4%	84.3%	88.6%
1817	42.3%	63.8%	73.6%	83.4%	87.1%

TABLE 5

	% of not-appealed Orders which were over 25 miles	% of appealed Orders which were over 25 miles
1720-4	0	1.8
1740-4	11.1	0
1760-4	9.4	9.6
1780-4	14.1	4.5
1800-4	14.8	11.0
1820-4	7.7	12.4
1830-4	10.5	6.5
1817	12.1	8.5

TABLE 6

Structure of families assumed removed
(Numbers of Orders)

	Man alone	Man and wife	Man and wife children	Wife alone	Wife and children	Widow alone	Widow and children	Single woman alone	Single woman & children	Single woman pregnant	Children alone	TOTAL
1720-4	No 2 8.7	6 26.1	9 39.1	0	0	0	1 4.3	3 13.0	1 4.3	0	1 4.3	23
1740-4	No 4 11.8	5 14.7	10 29.4	1 2.9	3 8.8	1 2.9	0	7 20.6	1 2.9	0	1 2.9	34
1760-4	No 6 11.3	8 15.1	13 24.5	0	2 3.8	1 1.9	5 9.4	10 18.9	1 1.9	0	4 7.5	53
1780-4	No 12 13.3	9 10.0	25 27.8	2 2.2	1 1.1	2 2.2	3 3.3	25 27.8	7 7.8	0	3 3.3	90
1800-4	No 8 8.5	5 5.3	31 33.0	4 4.2	8 8.5	3 3.2	7 7.4	18 19.2	6 6.4	2 2.1	2 2.1	94
1820-4	No 10 8.4	8 6.9	48 41.4	2 1.7	3 2.6	1 0.9	6 5.2	14 12.1	1 0.9	19 16.4	3 2.6	116
1830-4	No 13 9.3	9 6.4	65 46.4	2 1.4	11 7.9	1 0.7	9 6.4	9 6.4	4 2.9	8 5.7	6 4.3	140
1817	No 13 8.0	24 14.7	86 52.8	1 0.6	3 1.8	3 1.8	4 2.5	19 11.7	4 2.5	1 0.6	4 2.5	163

TABLE 7.Structure of families assumed removed

(Percentage of Orders for each period)

	* Men alone	Known with children	married without children	Widows with or without children	Single women with or without children
	%	%	%	%	%
1720-4	8.7	26.1	39.1	4.3	17.3
1740-4	11.8	17.6	41.1	2.9	23.5
1760-4	11.3	15.1	34.0	11.3	20.8
1780-4	13.3	12.2	30.0	5.5	35.6
1800-4	8.5	9.5	41.5	10.6	27.7
1820-4	8.4	8.6	44.9	6.1	29.4
1830-4	9.3	7.8	56.4	7.1	15.0
1817	8.0	15.3	55.2	4.3	14.8

* Includes bachelors, widowers and married men living apart from their families.

MAPLETONAN EIGHTEENTH CENTURY PRIVATE ENCLOSURE

by

D.V.Fowkes

Private enclosures in general are poorly documented and seventeenth and eighteenth century private enclosures of open field arable land in low-land Derbyshire are no exception. So often enclosure of open arable was carried out by a single dominant owner or by a small group of major owners without giving rise to any form of written record. In some cases therefore, the date of enclosure can only be guessed. Consequently it is extremely pleasing to find in the Okeover papers (1) material relating to the private enclosure of Mapleton's open fields in 1731, providing an excellent case study for the examination of the mechanism by which such an enclosure could be carried out.

The principal instigator of the enclosure was Leeke Okeover of nearby Okeover Hall, who was chiefly responsible for building up his family's Mapleton estate and spared no expense in adding to and improving it. He was one of three major proprietors, the other two being Baptist Trott of Mapleton Hall, the Lord of the Manor, and Richard Goodwin of Ashbourne, who were clearly able to convince the fifteen smaller proprietors of the desirability of the enclosure. With eighteen proprietors in all therefore, it was hardly a classic tenurial structure for private enclosure.

Due to the complete lack of contemporary maps and surveys, it is difficult to assess the extent to which piecemeal enclosure of the open fields had already taken place, but it would seem probable from the number of references to closes of former field land in earlier deeds and from the low acreages involved in the deeds of exchange associated with the enclosure, that the open fields had already been much reduced long before 1731. There were the remains of six fields at the time of enclosure - Nether Field, Dryfield, or Ryefield, Dove Field, Church Field, Tibdale Field and Acresall Field.

Agreement having been reached between the proprietors (there is no evidence that any written agreement was made in this instance), the process by which the enclosure of the arable fields took place was extremely simple, involving only one device, the ordinary deed of exchange. Each proprietor's land

in the fields to be enclosed was accurately surveyed and the proprietors then simply exchanged lands (2) of similar size with the intention of concentrating their respective holdings in compact blocks in as few parts of the fields as possible. The process was then completed by merely putting a fence around the new compacted parcels.

The material in the Okeover papers obviously relates only to the exchanges in which Leeke Okeover was involved and the deeds of exchange are not necessarily complete, but it still provides an excellent illustration of the process. The lack of any exchange with Baptist Trott may be explained by the fact that Trott, as Lord of the Manor, had already enclosed his land in situ.

Fig.1 Summary of deeds of exchange between Leeke Okeover and the other proprietors 1731.

a) Leeke Okeover to the other proprietors: All in acres

	R.G	G.A	R.W	J.B	G.M	R.S	J.O	T.M	Total
Nether									
Field	-	0.19	1.34	-	-	-	-	-	1.53
Ryefield	3.13	0.81	-	-	-	-	-	-	3.94
Tibdale									
Field	0.95	-	-	-	-	0.34	-	-	1.29
Acresall									
Field	1.52	-	2.69	-	-	-	-	-	4.21
Dove Field	-	-	-	0.21	-	0.46	0.91	0.85	2.43
Church									
Field	-	-	-	-	1.63	0.91	-	-	2.54
Totals:	<u>5.60</u>	<u>1.00</u>	<u>4.03</u>	<u>0.21</u>	<u>1.63</u>	<u>1.71</u>	<u>0.91</u>	<u>0.85</u>	<u>15.94</u>

(81 lands,
43 parcels)

b) in exchange for (i.e to Leeke Okeover):

	R.G	G.A	R.W	J.B	G.M	R.S	J.O	H.A	Total
Nether									
Field	6.44	1.00	4.26	0.20	1.64	2.99	0.71	0.67	17.91
Ryefield	-	-	-	-	-	-	-	-	-
Tibdale									
Field	-	-	0.28	-	-	-	-	-	0.28
Acresall									
Field	1.70	-	-	-	-	-	-	-	1.70
Dove Field	-	-	-	-	-	-	-	-	-
Church									
Field	0.34	-	-	-	-	-	-	-	-
Totals:	<u>8.48</u>	<u>1.00</u>	<u>4.54</u>	<u>0.20</u>	<u>1.64</u>	<u>2.99</u>	<u>0.71</u>	<u>0.67</u>	<u>20.23</u>

(92 lands,
43 parcels)

Fig 1. (continued):

<u>Key</u>	R.G. - Richard Goodwin	G.M. - George Milnes
	G.A. - George Adamson	R.S. - Robert Solden
	R.W. - Richard Williamson	J.O. - John Osbourne
	J.B. - Rev. John Boydell	T.L. - Thomas Longman
		H.A. - Hannah Alcocke

Based on Derbyshire Record Office 231M/T 202-205,
213-215, 217-218, 220-221.

Leeke Okeover's very apparent intention, as Fig.1 indicates, was to concentrate as much as possible of his open arable land in the Nether Field by exchanging his 75 lands in the five other fields for lands in the Nether Field. With the help of a small cash outlay, to compensate for discrepancies in the size of some of the lands being exchanged, he succeeded in exchanging almost 15 acres of land dispersed in the five other fields for almost 18 acres of land in the Nether Field (see Fig.1.) Thus some 44 parcels (3) of land scattered throughout the fields could be replaced by a small number of closes concentrated in the Nether Field. To what extent the other proprietors succeeded in regrouping their lands in this way we do not know in the absence of their respective deeds and estate papers. No effort was made to deal with the tithes of corn and hay at this date as they remained to be commuted in 1848.

Fig.2. The enclosure of Mapleton Callow and Overhills -
list of proprietors and number of gates held.

<u>Callow gates(cost of enclosure £65 2s 0d)</u>		<u>Overhills gates(cost of enclosure £38 2s 0d)</u>	
	<u>Gates</u>		<u>Gates</u>
Richard Goodwin	20	Richard Goodwin	12 $\frac{1}{2}$
Leeke Okeover	17	Leeke Okeover	6
Baptist Trott	13	Baptist Trott	6
Robert Solden	12	Robert Solden	5
George Milnes	7	George Milnes	3
John Tunnycliffe	4	Richard Williamson	2 $\frac{1}{2}$
John Boydell(Rector)	4	John Boydell	2
Mr.Fernyhough	2	Ellen Peach	1
Mr.Sleigh	2	John Tunnycliffe	1
Richard Alcocke	2	John Alcocke	1
Mr.Austen	2		<u>40</u>
Richard Williamson	2		
Ellen Peach	1		
	<u>88</u>		

Based on Derbyshire Record Office 231M/E 369-370.

Mapleton's two common pastures, the Callow and the Overhills, were also enclosed by private agreement in the early 1730s.(4). These presented no problem as they were stinted (5) pastures and could be divided up in proportion to the number of beast gates (6) held by each of the proprietors. The costs of enclosure - £65 2s 0d. for the Callow and £38 2s 0d. for the Overhills - were apportioned on the same basis. Again there is no evidence of any written agreement prior to enclosure.

The ease with which a private enclosure of both open field arable and common pasture could be carried out even where there were the interests of as many as eighteen proprietors to satisfy, is very apparent from this short study. Further although the Okeover papers relate only to part of the complete process, they nevertheless provide a rare illustration of one of the most favoured methods of private enclosure.

Footnotes

1. This paper is based entirely on Okeover papers deposited in the Derbyshire Record Office: 231M/T 202-205, 213-215, 217-218, 220-221; 231M/E 369-374.
2. In this paper the contemporary term land is used for the strip in the open arable fields. The term strip is a modern descriptive term and was never used in the eighteenth century.
3. It was the aim of every improving farmer in an open field village to build up consolidations of contiguous lands. A farmer's parcels of arable land dispersed in the open fields may therefore consist either of single lands or groups of two or more contiguous lands. The number of parcels in a farmer's possession was therefore normally lower than the number of individual lands i.e. Leeke Okeover's 81 lands in Fig.1a had been consolidated into 43 parcels.
4. The documents on which Fig.2 is based are not dated but appear to be 1730 or 1731 in common with the rest of the material.
5. Stinted indicates a controlled pasture where the number of stock allowed on to the pasture by each owner was strictly limited.
6. The beast gate or beast grass was the amount of grass needed to pasture one beast for a year. On a good quality pasture this was computed at one acre.

GEORGE SANDERSON AND THE PLANS OF THE
MIDLAND COUNTIES RAILWAY

by

Peter Stevenson

On his Map of the Country Twenty Miles Round Mansfield, compiled from actual survey made in the years 1830-4, published by the proprietor on 10 July 1835, and now reprinted by the Industrial Archaeology Section of the Society, George Sanderson indicated the "Line of the Proposed Midland Counties Railway". The fact that its route bears little relationship to the railways that were eventually built may puzzle purchasers of the map and is worthy of some explanation.

The scheme originated in discussions amongst proprietors and lessees of collieries in the Erewash Valley upon the opening of the first part of the Leicester & Swannington Railway on 17 July 1832.(1) Since the failure during 1799 of the Charnwood Forest branch of the Leicester Navigation, (2) the Erewash collieries had made the Leicester area their principal market, at the expense of the mines in West Leicestershire, an imbalance which the new railway threatened to redress.(3) Despite reasonable offers from the several canal companies along the route to reduce their tolls, the Erewash coalmasters determined to press forward with plans to build a railway beside the canals all the way from Pinxton wharf (at the end of the horse-worked Mansfield & Pinxton Railway) into the town of Leicester. (4)

The idea seems first to have been formulated at one of the regular monthly meetings of the coalmasters, held at the Sun Inn at Eastwood on 16 August, (5) but it was not presented to the public until the press report of a meeting called especially to discuss the project at the George Inn, Alfreton, on 27 August.(6) Subscriptions were immediately invited towards the £130,000 estimated to be required for a single line worked by locomotives. The title of 'Midland Counties Railway' was first used in a report emanating from the provisional committee's meeting at Alfreton on 15 October, which explained that the proprietors had a ready-made survey in the shape of the one prepared by Josias Jessop only two years earlier for the London Northern Railway. (7) This scheme had originally been projected with other trunk railways during 1824.

The Grand Junction Rail Road was proposed to connect the Bristol, Liverpool and London railways, lately promoted into Birmingham, with Sheffield and Leeds, catering also for Nottingham, Goole and Manchester by various branches. Under the chairmanship of Joshua Walker, M.P., James Walker was appointed to survey the lines north of Sheffield, one of the Jessops to undertake the survey from Derby to Wakefield and to determine the practicability of a Potteries branch, while Rennie was called in to survey the Birmingham to Derby section; Brunton was appointed to manage the engines required. The financial climate was not really ripe for such a huge investment, in the region of £2,000,000, and the scheme faded from the scene after 1825.(8) A similar fate at first befell the competitive London Northern Rail Road, for which promoters proposed to raise £2,500,000 for a line between London and Manchester via Ware, Cambridge and Peterborough, or via Northampton and Leicester to join the projected High Peak Railway at Cromford. Branches to Birmingham Nottingham, Sheffield and Leeds were also spoken of at first, but the project eventually settled down to a line through the Lea and Soar valleys between London and Cromford only, to be carried forward into Manchester by other interests.(9) It was shelved towards the end of 1826 to await the results of the Liverpool & Manchester Railway, although deposits were retained on £400,000 of its capital.(10)

In 1830, with the Cromford & High Peak Railway nearing completion, the promoters decided to proceed with the original scheme in stages, and to add a line from Stamford to Lincoln, Selby and York. Josias Jessop's survey of the northern section between Leicester and Cromford was deposited with the relevant authorities on 30 November 1830 and notice given that the Company intended to apply for Parliamentary authority for this section during the 1831 Session.(11) Fresh opposition came from a new Grand Midland Railway, which proposed to join the London & Birmingham Railway near Northampton directly with Manchester via Derby. Jessop was taken to task for having left Derby off the London Northern survey, but it does not appear that the other line was actually surveyed and the London Northern Bill did not proceed.(12)

The coalmasters gave notice of their intention to apply to Parliament and deposited the necessary plans on 29 November 1832. (13) Unsigned and not credited to any particular group, they were almost certainly adapted by William Jessop, surveyor of the later extensions, from those made by his late brother Josias. Instead of the original

alignment between Langley Mill and Codnor Park, where the lines to Cromford and Pinxton were to have diverged, a slightly more easterly course alongside the Cromford Canal had been adopted, to make an end-on connection with the Mansfield & Pinxton Railway at Pinxton wharf, and the line between Codnor Park and Cromford was entirely omitted. Apart from a slight deviation west of Sutton Bonnington, the lines were otherwise identical, both terminating near the canal wharf in Belgrave Gate, Leicester. Branches from Long Eaton to Nottingham and Derby had been suggested by a newspaper correspondent as early as 27 September, to avoid any disparity between coal prices in Leicester and the nearer centres.⁽¹⁴⁾ They were provided for in the committee's statement on 15 October, together with the feasibility of extending the line beyond Leicester to join the projected London & Birmingham Railway at Rugby or by taking the line through Northampton, but surveys had not yet been prepared.

The Bill was not brought into Parliament however, and the proprietors seem to have begun to doubt their ability to raise the £600,000 required for this extended scheme, which was now being more widely canvassed. George Rennie inspected Jessop's survey and went over the route, which he pronounced very favourable, renewed plans being deposited once again on 30 November 1833.⁽¹⁵⁾ Taking a line through the eastern side of Leicester and then along the River Soar as far as the Blaby-Desford turnpike at Whetstone, pending completion of the survey to Rugby, these plans now included the line between Nottingham and Derby. The route at each end was much as that finally adopted, but between Beeston and Draycott it lay further north, intersecting the main line on that side of Long Eaton. There were to be fairly sharp curves in all four directions at this point, particularly severe in the case of the two from the north, the line between Pinxton and Leicester being otherwise identical with that of the previous year. It was these plans which Sanderson, thinking that they would now be adopted, drew out upon his map, an error into which many private map-makers had already fallen with projected but uncompleted canals, and one which the Ordnance Survey took particular care to avoid. If the plan were subsequently to be effected the map would of course remain topical for a much longer period, but if it should be altered, as in this case, it would only serve to confuse later users of the map.

Jessop's estimates were attacked in the light of his brother's experience of underestimation on the Cromford & High Peak Railway, which was said

to have cost 35 per cent more than allowed for. Rather than see the project damaged, he resigned as engineer on 28 February 1834, remaining as a Director, and the surveys for the extension to Rugby were completed by Frederick Simpson. (16) Application to Parliament had again been postponed, since deposits had been received on only £124,500, but the completed plans were deposited on 29 November 1834. (17) The curves at the intersection between the Pinxton-Rugby and Nottingham-Derby lines were even more severe than those shown by Sanderson. Still the proprietors held their hand, and it was not until 2 September 1835 that the project was at last reported completely subscribed in excess of the amount required by Standing Orders. £60,000 had come from Liverpool and not less than £320,000 from Manchester. (18)

Perhaps through the influence of these outside shareholders, Charles Vignoles was suddenly called in to examine the directions and levels. (19) In only two months he made a complete resurvey of the line, entirely new plans being deposited on 28 November 1835 (20) which became the basis of the Parliamentary Bill. He suggested a total alteration in the course of the line between Rugby and Leicester to obviate a long tunnel at Ashby Parva and a sharp rise from Blaby into Leicester. Smaller alterations to course and gradient were made north of Leicester, the line passing further east than previously, with alternative routes through Barrow, Sutton Bonnington and Kingston on Soar. North of the Trent the line was to have passed further west than previously through Sandiacre and Ilkeston, and there was to have been a small alteration between Codnor Park and Pinxton. Considerable alteration to the Derby-Nottingham line was advised, principally to widen the curves connecting the two lines in view of the 'Great North Route' passing to meet the North Midland Railway, now under active consideration, at Derby. The wide sweeps in a triangular space between Long Eaton, Sawley and Attenborough might appear capricious, but the complicated connection of levels and regard to the passage over canals and the turnpikes had led to their adoption. The lines were therefore brought southwards from their earlier course between Beeston and Draycott so that the intersection was now south of Long Eaton. (21)

Provided the junction of the two lines was made at Derby, the North Midland Railway was content to support its neighbour, but on 11 February 1836 a scheme was published to extend the Midland Counties Railway from Codnor Park

through Chesterfield and Sheffield to Barnsley, effectively cutting out Derby and nearly three-quarters of the North Midland Company's mileage from the trunk route between north and south.(22) Although suppressed by the Midland Counties Board when it was seen to have provoked bitter opposition from the North Midland, the company subsequently found it necessary first to promise that the Pinxton branch would be built as a single line and then to drop it entirely in order to save the Bill from foundering altogether.(23) As authorised by Act on 21 June 1836 (24) therefore, the lines were restricted to those between Nottingham and Derby and from Long Eaton to Rugby. Public traffic began on the former on 4 June 1839, between Long Eaton and Leicester on 5 May 1840 and through to Rugby on 30 June 1840. (25) Even in this restricted form the enterprise had cost £1,725,693, over £30,000 per mile. (26)

Fresh plans were made by the company in November 1836 (27) to take a line through the Erewash Valley to join the North Midland Railway at Clay Cross, a scheme which the latter once again opposed, needlessly as it turned out since the Bill was rejected as it did not comply with Standing Orders. (28) Vignoles had this time planned to take the line along the east side of the river. Completion of the Erewash Valley line had to await the formation of a new company during 1843-4, the line actually being built by the Midland Railway Company, into which the Midland Counties company had been merged, and to an entirely fresh survey made in November 1844. (29) It was opened to public traffic between Long Eaton and Codnor Park on 6 September 1847, with a particularly hazardous crossing over the Nottingham-Derby line at Trent. The line was extended through Pye Bridge to join the rehabilitated Mansfield & Pinxton Railway on 9 October 1849 and as a single line to reach Cotespark colliery at some time before November 1858.(30) This was doubled and the line extended through Alfreton Tunnel to Clay Cross in time to permit goods traffic to begin on 1 November 1861 (31) and after considerable alterations to the layout, including the removal of the by now notorious Platt's Crossing and the construction of a station at Trent Junction, some of the through passenger trains were diverted from Derby to run over this more direct line from 1 May 1862.

Notes:

1. The Leicester & Swanninton Railway, by C.R. Clinker. Offprinted from the Transactions of the Leicestershire Archaeological Society, Vol.XXX, 1954.
2. The Railways of the Leicester Navigation Company, by R.J.Abbott. Offprinted from the Transactions of the Leicestershire Archaeological Society, Vol.XXXI, 1955.
3. Derby & Chesterfield Reporter, 20 September 1832.
4. Do, 6 September 1832.
5. History of the Midland Railway, by F.S.Williams. 1876 Edn p.9.
6. Derby & Chesterfield Reporter, 6 September 1832.
7. Do, 18 October 1832.
8. Derby Mercury, 19 & 26 January 1825, 2, 9 & 16 February 1825.
9. Do. 29 December 1824, 12 & 19 January 1825, 9 & 16 February 1825, 9 March 1825, 26 October 1825 and 9 November 1825. See also Railways in England 1826 & 1827, by C. Von Oeynhausen and H. Von Dechen, as translated and published by the Newcomen Society, 1970, p.48.
10. Derby Mercury, 27 October 1830.
11. Nottinghamshire Record Office deposited plan R3 (ex A2), Derbyshire Record Office plan 157.
12. Derby Mercury, 17 November and 15 December 1830.
13. Notts. R.O. plan R4 (ex A3), Derbys. R.O. Plan 41.
14. Derby & Chesterfield Reporter, 27 September 1832.
15. Notts. R.O. Plan R5 (ex A4), Derbys. R.O. plan 71.
16. British Transport Historical Records, Minutes of the Provisional Committee, 3 March 1834. Derby Mercury 23 April 1834.
17. Notts. R.O. plan R6 (ex A4a), Derbys R.O. plan 89.
18. Derby Mercury 2, 9 & 30 September 1835.
19. British Transport Historical Records, Engineer's report, 11 November 1835.
20. Notts. R.O. plan R7 (ex A5) & R9(ex A6) Derbys. R.O. plan 159.
21. As 19 above.
22. Notts. R.O. DD SD 3/29. Derby Mercury, 20 April 1836.
23. Derby Mercury, 11 May 1836.
24. 6 Wm IV cap 78.
25. Derby Mercury, 5 June 1839, 6 May 1840.
26. Herapath's Railway & Commercial Journal, 11 May 1844, p.544.
27. Notts. R.O. plan R10 (ex A7), Derbys.R.O. plan 72.
28. Derby Mercury, 8 March 1837.
29. Notts R.O. plans R19 (ex A16) & R20 (ex A23), Derbys. R.O. plans 6 and 28.
30. Derbys. R.O. plan 77.
31. The Building of the Midland Railway's Erewash Valley Extension and Trent Station, by P. Stevenson. In the Journal of the Railway & Canal Historical Society, Vol.XIII, No.4, October 1967, pp.53-61.

THE RIPLEY - SWANWICK - ALFRETON BYPASS (A61)

by

D.V.Fowkes and P.J.Riden

The Midland Road Construction Unit of the Department of the Environment is investigating a possible route for a bypass of Ripley and Swanwick which will also form part of the A38-A61 strategy route, between Birmingham, the M1 and Sheffield. The new road will run from the A61 near Holbrook and pass in a northerly direction to join the A61-A615 roundabout at Alfreton. At the southern end a short Little Eaton bypass is planned between the new roundabout near Holbrook and the existing Breadsall roundabout. Work is due to start on the new roads early in 1974.

In anticipation of the building of the road on the recently published preferred route, the Industrial Archaeology Section of the Derbyshire Archaeological Society have recently carried out a survey of features of archaeological interest which will be destroyed by the road. The opportunity was taken to examine a fairly broad tract of land on either side of the line of the road and not all the features described here may necessarily be covered by the road. Since however the district is one in which extensive open cast working has and will take place, it is reasonable to suppose that many of the features have a limited life expectancy. Record cards for the Society's Index of industrial sites in Derbyshire have been completed for all the features of an industrial nature. The features are described in the order in which they appear on the line of the road, beginning at its northern end.

ALFRETON

Ironworking site (SK 402548) About 300 yards west of the A61-A615 roundabout, Damstead Wood marks the site of the post-mediaeval ironworks. The works were probably built by John Zouch after he acquired the manor of Alfreton in 1565 and disused by 1615 when he sold the site. At the eastern end of the site is a large dam on Oakerthorpe Brook, breached in the centre. Below this the site of the works is wooded and intersected by several small watercourses. At the southern end of the dam earthworks mark the probable site of the headrace. Slag, brick and stone are visible over most of the site but apart from the indeterminate earthworks nothing remains of any buildings.

Colliery (SK 399548) Near the junction of Oakerthorpe Brook and the western boundary of Alfreton Urban District there are the remains of the nineteenth century Highfield Colliery. Various small brick structures survive in ruins, including a bank of six small flues. There is also a wagon boiler of 4ft. diameter with 45 2½in. fire tubes. There is no indication of its age or maker.

SOUTH WINGFIELD AND PENTRICH

Tramroad (SK 396534) At the eastern end of Broadoak Plantation on the border of two parishes stands a substantial embankment about 100 yards in length on the line of an early nineteenth century tramroad which ran from the Cromford Canal at Hartshay Wharf to small collieries north of Pentrich in the vicinity of Long Croft Farm. The railway was built between 1805 and 1834 (Farey and Sanderson) and the section including the embankment was abandoned between 1834 and 1837 (Sanderson and 1st Edition O.S.). The course of the line on the embankment and elsewhere survives as a farm track and may be traced without difficulty despite the complete absence of any physical remains of either rails or sleeper blocks. The embankment reaches a maximum height of about 10 feet on its western side.

Ridge and furrow (SK 396533) The field on the western side of the line of the tramroad described above and on the southern side of Broadoak Plantation contains ridges and furrows running E-W which may or may not be associated with open arable fields. They are restricted to the present boundaries of the field and are broken by the depression described below.

Brick kiln (SK 396533) A shallow square depression in the field described above appears to be the site of a 19th century brick kiln (Sanderson). Nothing else survives.

Ridge and furrow (SK 397522) The field on the south eastern side of Asherfields contains ridges and furrows which may be associated with open arable fields. They run NW-SE and are confined to the present boundaries of the field.

RIPLEY

Canal tunnel (SK 39385171) The present western end of the Butterley Tunnel on the Cromford Canal (opened 1793) dates from c.1890 when the tunnel was lengthened to allow the branch of the Midland Railway from Ripley to Pentrich Junction on the Pye Bridge-Ambergate line to pass over it. The tunnel was

closed as the result of damage by mining subsidence in 1900 and the canal officially abandoned in 1944. The tunnel portal is completely plain and built in ashlar millstone grit with an entrance designed to accommodate narrow boats with a nominal beam of 7ft..

Railway bridges (SK 39395163) About 200 yards NW of Hammersmith stand the remains of two railway bridges both built of ashlar millstone grit c.1890. The lower bridge carries a branch of the Butterley Co.'s private railway from Butterley Works to Hartshay Colliery (abandoned) over a footpath that was once the Cromford Canal tow-path. The bridge, set at a skew to the railway above, is about 20 yards long with a brick arch resting on stone piers. Above this the branch of the Midland Railway described above, opened in c.1890, was carried, also at a skew, over the Butterley Co. line, on another bridge of similar design to the first.

Railway viaduct (SK 394517) Slightly to the east of the upper bridge mentioned above, the Ripley-Pentrich Junction branch crossed the Ripley-Pentrich road by means of a short viaduct only the isolated gritstone pillars of which now remain.

Colliery (SK 387503-388507) Shortly after crossing the main A610 Ambergate-Ripley road the line of the intended road enters the area covered by the former Hartshay Colliery, beginning at the northern end with the railway sidings associated with the Butterley Co.'s short rail link to the Butterley Works. All the track has now been recovered and the area is covered by scrub woodland. A small stable dated 1863 with cast iron window frames survives at this end of the colliery. Many of the buildings at the southern end of the colliery remain in use by a variety of concerns (motor repairs, waste paper packing etc.), this section being known as the Hartshay Trading Estate. Little work has been carried out on either levelling or restoring the extensive spoil heaps. This is an old mining site (probably eighteenth century) and was linked to the Cromford Canal at Hartshay by tramroad before the construction of the Butterley Railway. It was owned by C.V.Hunter of Kilburn Hall and the Mold Bros. of Morley Park Ironworks before passing into the ownership of the Butterley Co..

Ryknield Street (SK 384498) About 200 yards from the Heage-Ripley (B6374) and Street Lane road junction, the new road is planned to cut through the line of the Roman Road, Ryknield Street, which follows the line of Street Lane from Denby to this point.

From this point to a point opposite Knob Farm, Openwoodgate, the whole area has recently undergone extensive opencast coal working. On this section the intended road passes within some 50 yards of the Morley Park Furnaces (SK 380402) which are scheduled by the Ministry of Public Building and Works as an Ancient Monument.

OPENWOODGATE

Coal pit (SK 377478) A much disturbed area lying on the path from Openwood Road to Park Hall, Denby, known as Open Wood, formerly timbered but now completely cleared, marks the site of a pit shaft and shallow coal workings which were served by a branch of the tramroad mentioned below.

Tramroad (SK 374476) Immediately to the east of Hilltop Farm, the planned line of the road cuts through the line of the tramroad which formerly linked small coal pits in the vicinity of Hilltop Farm with the main line of the Little Eaton Tramway at Kilburn. This section from the farm to the head of the valley leading down into Kilburn was worked as an inclined plane with a winding engine at Hilltop Farm. The small embankment on which this section of the line was built is still clearly visible (approx. 2ft. in height). The side of the embankment is littered with blocks of millstone grit and slag.

The section between Hilltop Farm and Cinderhill, Kilburn, has been and still is extensively worked for clay by Denby Pottery. Both Coal Measures Sandstone and coal outcrop at the surface below Hilltop Farm.

KILBURN

Water Corn Mill (SK 374 456) About 50 yards west of the A61 just off the footpath from Kilburn to Holbrook is the site of a corn mill on Bottle Brook. The building has been completely demolished and much of the mill pond and the mill leet have been filled in. However, the site of the wheel housing and several feeder channels are still clearly visible together with several heaps of local sandstone rubble. The mill is shown on the Hunter estate maps of Kilburn of 1735 (Bramtin) AND 1811 (Hutton) and is marked as a flour mill on the O.S. 1st Edition 1:2500, 1879.

COXBENCH

Tramroad (SK 373475) Between the A61 at a point about 200 yards south of Coxbench crossroads and Coxbench Quarry are the remains of a short branch tramroad from the main line of the Little Eaton Tramroad (the A61 runs along the line of the tramroad at this point) to Coxbench Quarry. A short length of cutting, the bed of which is littered with millstone grit blocks, and an underbridge carrying the footpath and occupation road from Coxbench towards Horsley Castle and Castle Wood over the tramroad, constitute the remains. The width of the bridge is 9ft. 11ins., the maximum height 9ft. 10ins. and the length 22ft. 6ins. The Coxbench Quarries were an important source for gritstone sleeper blocks for the early tramroads including some of those built by the Butterley Company.

BOOK NOTES

Bailey's Derbyshire Directories 1781-1784 Reprinted by the Industrial Archaeology Section of the Derbyshire Archaeological Society 16pp. 20p. This is an extremely useful addition to available Derbyshire directories the only surviving copies being in the Guildhall Library, London. The cover incorporates part of a map of Derby published in 1806. (Copies can be obtained from Mr. L.J.Stead, 48a, Sandbed Lane, Belper. Derby.)

LOCAL HISTORY SECTION OUTINGS

by

V. Bradsmore

On the occasion of the first outing arranged in the summer programme, for Saturday May 20th 1972, we were the guests of the Belper Historical Society.

The tour of Belper started from The Butts. This was either the practice ground for the village archers, or the edge of the open fields of the village.

Passing through the lych gate, a memorial to I. & E.J. Hanson of Brettles, we visited St. John's Chapel, which dates from 1250. It was built by the Ferrers family as a foresters chapel in Duffield Frith. The porch was added in 1634, and restoration work was undertaken in 1872. When Belper became an ecclesiastical parish, St. Peter's was built in 1824 as the parish church, and St. John's chapel has gradually fallen into disuse. It contains a memorial to Bishop Selwyn, 90th Bishop of Lichfield, who became the first Bishop of New Zealand, and one of the overhead beams is dated 1704.

Nearby, the first St. John's Church of England School was built in 1849 by public subscription led by Queen Adelaide. The present two-storey building dates from 1910, and is now closed.

Walking into High Street, we passed Robinson's Cotton Mill, now four cottages. The date over one door is 1732, and evidence suggests that small scale spinning was carried on about 1740, power being provided by a horse gin in the cellar.

In Penn Street, the site of old sandstone quarries, we passed a windmill probably built about 1760, the tower now converted into a private house.

Returning to the Nottingham Road, passing the site of a nailer's shop, we used one of the many steep passages in Belper, to get to Parkside, and walked by Coppice Brook. This brook, rising near Morley Park, powered at least one mill, but the dams and pond are now filled in. Jacobs Ladder and Stoney Steps lead from here back to Nottingham Road, and we looked across to the backs of the four-storey houses, which are two houses of two stories each.

After going as far as The Bath House, a house which used to have public washing facilities, we returned via Walker Bottoms and The Park to Fleet House, where we all did full justice to Mrs Robinson's wonderful hospitality.

The second outing of the programme to Northamptonshire took place on July 8th, which turned out to be a very wet day, but proved enjoyable nevertheless.

Any account of ancient churches in England always mentions the 7th century church of Brixworth built with Roman tiles, and the 10th century tower of Earls Barton, which has recently featured on a special issue of stamps.

We were met at Earls Barton by the Rt.Rev. G.F.Townley, a retired Bishop of Hull, who had returned to his native place, and written the guide to the church.

He pointed out that there was probably a wooden church on the site of a Roman signal station, as the church is very strategically placed, commanding wide views of the Nene Valley. This may have been destroyed in one of the Danish raids.

Most scholars agree that the tower was built in the reign of Edgar the Peaceful, 959-975, so the date 970 has been accepted for the building of the church. The tower is massive - built of stone and rubble with outside plaster, it is in four stages, each with its own distinctive pattern of Saxon "long and short" work.

The Norman nave was built in the 12th century. This would have been a long narrow structure, and although the church has been added to and altered in the Early English, Decorated and Perpendicular periods, it is pleasing that each generation has had respect for the work of their predecessors.

The pulpit is a fine Jacobean carved oak one, and the rood screen was repainted in recent years with figures of saints in modern costume in the panels.

A flower festival was being held and the arrangements depicted the countries of the world.

After a picnic lunch we travelled on to Stoke Bruerne on the Grand Union Canal, in order to visit the British Waterways Board museum in the

old warehouse, opened in 1963. It houses a fascinating collection of items connected with every aspect of canal life, including a full size reconstruction of a boat cabin decorated and furnished as it would have been by the proudest boatman.

In the canal basin is "Northwich", lying in the Glamorgan Canal weighbridge.

After spending time at the museum and money in the shop, we returned northwards to Brixworth Church.

It was my first visit to Brixworth, and I found it hard to believe that a building dated 680 could be so little changed. The vicar pointed out the items of interest, including the fact that the church is now much smaller than it was originally. What survives is the main nave, presbytery and central section of the tower, and sunken ambulatory round the apse, the apse itself being rebuilt in 1865 on the old foundations.

During the 9th or 10th centuries a stair turret was constructed and the tower rebuilt. The spire added 1350, and a 13th century lady chapel on the south side, are the latest additions to the fabric.

Another unusual feature is the use of Roman tiles in the arches and in parts of the tower. The South doorway is the only evidence of Norman work.

Inside the church one is struck by the simplicity and spaciousness. The great arch dividing the nave and choir was put in about 1400 to replace a large triple arch - it is still possible to see the remains of the springing of these arches.

A reliquary in an iron cage by the pulpit was found in the South wall of the Lady Chapel in 1821. When it was opened, there was found inside a wooden box and inside that a small piece of bone wrapped in fabric. It is thought to be the larynx bone of St. Boniface. We were shown the relic mounted in a silver and crystal container.

A much more recent item of interest was a needlework picture by Mrs. Helen Campbell, who has other work in Coventry Cathedral and Husbands Bosworth Parish Church. It is taken from an oil painting by Stephen Lochner (1400-1451) called "Madonna in a Rosebower".

After tea in the village hall it was still raining and too wet to explore further, so Brixworth will be well worth another visit.